



ANNO QUADRAGESIMO SEXTO

# GEORGI II. REGIS.

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## Cap. 31.

An Act to enable the Justices of the Peace for the County of *York* to provide a convenient House, with suitable Accommodations, for His Majesty's Judges of the Assizes at the said County.

[23d May 1806.]

**W**HEREAS the Lodgings in the City of *York*, in which His Majesty's Judges reside during their Attendance at the Assizes for the County of *York*, are very inconvenient, and do not afford proper and suitable Accommodation to the Judges during their Residence in the said City: And whereas the Magistrates of the said County of *York* assembled at a General Meeting held at the Castle of *York* on *Thursday* the First Day of *August* One thousand eight hundred and Five, having duly considered the same, resolved that there appears no Mode of procuring permanent suitable Accommodation for the said Judges of Assize but by the Expenditure of a considerable Sum of Money either in the Purchase, Repairing, or Building of some House for that Purpose: And whereas the same cannot be done 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 Sir *William Mordaunt Milner*, Sir *John Ingilby*, Sir *Mark Masterman Sykes*, Barons, the very Reverend *George Markham* Doctor in Divinity, and *Hall Plumer* Esquire, being Justices of the Peace in and for some of the

[*Loc. & Per.*]

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Ridings

Commis.  
sioners for  
putting the  
Act in Exe-  
cution.

Ridings of the said County of *York*, and their Successors to be nominated as herein-after mentioned, shall be and are hereby appointed Commissioners for putting this Act in execution.

For appoint-  
ing new  
Commission-  
ers.

II. And be it further enacted, That if any of the said Commissioners shall die or decline to act in the Execution of the Powers of this Act, then and in every such Case, and from Time to Time as Occasion shall require, it shall be lawful for His Majesty's Justices of the Peace of all or any of the Ridings of the said County, assembled at a General Meeting at any subsequent Assize for the said County, or the major Part of the Justices present at such Meeting, to nominate a Commissioner or Commissioners from amongst His Majesty's Justices of the Peace for the said County, to act in the Place of the Commissioner or Commissioners so dying or declining, so as to keep up the Number of Five Commissioners; and that all intermediate Acts of the Commissioners for the Time being, after the Death or Cessation of any Commissioner or Commissioners, and previous to such new Appointment, shall nevertheless be good and valid to all Intents and Purposes, any Thing herein contained to the contrary notwithstanding.

First Meeting  
of the Com-  
missioners.

III. And be it further enacted, That the said Commissioners or any Three or more of them shall meet at the Castle of *York* within Thirty Days next after the passing of this Act, between the Hours of Ten in the Forenoon and Two in the Afternoon; and the said Commissioners, or any Three or more of them, shall then and there proceed to put this Act in execution, and then and from Time to Time afterwards adjourn themselves to meet, or otherwise meet according to such Notice as is hereinafter directed to be given, at such Place or Places within the said County of *York* as such Commissioners or any Three or more of them shall think proper and convenient; and if Three Commissioners shall not attend at the Time and Place appointed for any such Meeting, then the Commissioners or Commissioner present may make such Adjournment, or if no such Commissioner shall be present, or if at any Meeting an Adjournment be neglected to be made, then the Clerk to the said Commissioners or his Deputy may revive and continue the Meetings of the said Commissioners, by calling one or more Meetings for that Purpose, and causing such Notice to be given as is herein-after directed; and every such Meeting so to be called for the Purpose of reviving and continuing the said Meetings shall be adjourned in the like Manner; and such Adjournments and the Revivals and Continuations of the said Meetings shall be entered by the Clerk to the said Commissioners or his Deputy in a Book to be kept for that Purpose.

No Pro-  
ceedings of  
Commis-  
sioners valid  
unless done  
at a Meeting,  
nor unless  
Three  
of such Com-  
missioners  
shall be pre-  
sent.

IV. Provided always, and it is hereby enacted and declared, That no Proceedings of the said Commissioners, or any of them, in the Execution of this Act, shall be valid unless done at a Meeting held in pursuance of this Act, nor unless Three Commissioners at the least shall be present at such Meeting; but that all Orders which are by this Act authorized to be made by such Commissioners, and all Acts, Matters, and Things which are by this Act authorized to be done by such Commissioners, may and shall be done by the major Part of such of the Commissioners as shall be assembled and present at the making of any such Order or doing any such Act; and that previous Notice of all the Meetings to be held in pursuance of this Act (Meetings by Adjournments only excepted) shall be given by



the said Clerk or his Deputy, by Letter, to the several Commissioners, Ten Days at the least before such Meeting, which Notice shall specify the Time and Place of such Meeting; and at every such Meeting one of the said Commissioners present shall be appointed Chairman, and all Questions and Matters shall be determined by the Votes of the greater Number of the Commissioners present, which shall consist of Three or more; and the Chairman shall not only have a single Vote, but in case of Equality of Votes shall have the decisive or casting Vote; and all Proceedings at such Meetings shall be entered in a Book and signed by the Commissioners present, or the major Part of them, or by the Chairman of such Meetings.

V. And be it further enacted, That the said Commissioners at a Meeting to be held in pursuance of this Act shall and may from Time to Time appoint a Clerk for assisting in the Execution of this Act, or for executing any Rules, Orders, or Regulations to be made in pursuance of the same, with such Salaries or Allowances, to be paid out of the Monies to be raised by virtue of this Act, as shall be thought reasonable by the said Commissioners or any Three or more of them, and likewise may from Time to Time remove such Clerk and appoint any other in his room: Provided always, that every such Clerk shall be reimbursed out of the Monies to be raised by virtue of this Act all such Costs, Charges, and Expences as he shall be put unto or become chargeable with by reason of his being made a Plaintiff or Defendant, as herein-after mentioned.

Commissioners Clerk to be appointed.

Clerk to be reimbursed Costs and Expences.

VI. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered to make such Order or Orders for the erecting, building, repairing, purchasing, providing, and furnishing in the City of York, any proper House, with suitable Offices and Accommodations, for the Residence of His Majesty's Judges at the Assizes for the said County, with their Officers and Attendants, and for transacting the Business usually done and transacted at the Lodgings of His Majesty's Judges during the Assizes, as to the said Commissioners shall from Time to Time appear expedient and necessary, and for the paying, discharging, and defraying of all the Expences, Costs, and Charges of and attending the erecting, building, purchasing, repairing, providing, and furnishing of the same, and the effecting and carrying into execution of the several Purposes of this Act, by and out of the public Stock or County Rates of the several Ridings, in such Proportions and subject to such Restrictions and Provisions as are herein-after contained.

Commissioners enabled to make Orders to provide Accommodations for the Judges at the Assizes.

VII. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered from Time to Time to treat, contract, and agree with the Owners of and Persons interested in any Houses, Buildings, Lands, or Hereditaments which they shall judge to be proper and necessary for the Purposes of this Act, for the Purchase thereof; and by and out of the said public Stock and County Rates of the said Ridings to pay or cause to be paid for the Purchase of such Houses, Buildings, Lands, or Hereditaments; such Sum or Sums of Money as shall be agreed upon between such Owners and Persons interested as aforesaid and the said Commissioners, and also the Costs and Charges attending such Agreement and Purchase as aforesaid, and that upon Payment of the Money agreed to be paid for the Purchase of any such

Commissioners enabled to purchase Houses and Lands for the Purposes of this Act.



such Houses, Buildings, Lands, or Hereditaments as aforesaid, it shall be lawful for the said Commissioners, their Surveyors, Workmen, or Agents, at any Time hereafter, to take Possession of the said Houses, Buildings, Lands, or Hereditaments; and that the Whole and every Part thereof shall be and the same are hereby declared to be vested in the aforesaid Five Commissioners and their Successors, for the Purposes of this Act: Provided always, that the High Sheriff of the County of *York* for the Time being shall, within Eight Days previous to any Assizes to be held for the same County of *York*, have full Liberty and Permission by himself or his Under Sheriff to enter upon and occupy the said House, Hereditaments, and Premises appropriated for the Accommodation of His Majesty's Judges as aforesaid, and also of the Furniture and Utensils in the same, in order that he may prepare and make ready the same for the Reception of His Majesty's Judges as aforesaid, the Commissioners aforesaid or their Clerk delivering to the said Sheriff or his Under Sheriff an Inventory or Schedule of all Furniture and Articles of Household Use appertaining to the said House and Premises; and the said Sheriff to be accountable for the due Care and Re-delivery of the same, all reasonable Damage or Loss and Wear and Tear excepted.

Power to enter, &c.

Amount of Money to be expended in purchasing Houses, &c.

VIII. Provided always, and be it further enacted, That the Money to be expended in the purchasing, building, erecting, providing, fitting up, and furnishing such House, Buildings, Offices, Accommodations, Furniture, and Appurtenances, shall not exceed the Sum of Six thousand Pounds; Two thousand seven hundred and eighty-seven Pounds Ten Shillings thereof to be raised in the West Riding, One thousand eight hundred and Sixty-two Pounds Ten Shillings in the North Riding, and One thousand three hundred and fifty Pounds in the East Riding of the said County of *York*, or in such Proportions in case the Whole of such Sum of Six thousand Pounds shall not be wanted for such Purpose as aforesaid; and such Sums or such Proportions thereof as shall be wanted for the Purposes of this Act, and also such Sum of Money as shall be necessary for the defraying all the Costs, Charges, and Expences of obtaining this Act, over and above the said Sum of Six thousand Pounds as aforesaid, and all future Sums which may hereafter be wanted for the Purposes of this Act, shall be assessed, raised, levied, and collected in like Manner, and by all such Ways, Means, Powers, and Authorities, and in such Proportions, as any Rates are now assessed, raised, levied, or collected for the repairing the Castle of *York*.

How to be levied.

Bodies Politic, &c. enabled to sell, &c.

IX. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Husbands, Trustees, or Feoffees in Trust, Executors, Administrators, Guardians, Committees, and all other Trustees whomsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants, Issue unborn, Femmes Covert, Lunatics, Idiots, or other Person or Persons whomsoever, and to and for all Femmes Covert who are or shall be seized, possessed of, or anyways interested in their own Right, and to and for all and every Person or Persons whomsoever, who are or shall be seized, possessed of, or anyways interested in any of such Houses, Buildings, Lands, or Hereditaments, to treat, contract, and agree with the said Commissioners, as well for the Sale of such Houses, Buildings, Lands, or Hereditaments, and their Interests



terests therein, or any Part thereof, and to sell and convey the same to the Commissioners for the Time being, or any Person or Persons in Trust for them, and in such Manner as they the said Commissioners shall direct, and as Occasion shall require; and all Contracts, Sales, and Conveyances which shall be so made shall be valid to all Intents and Purposes, any Law, Statute, Usage, or other Matter to the contrary in anywise notwithstanding; and all and every such Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Husbands, Trustees, Feoffees, Executors, Administrators, Guardians, Committees, and all other Persons, shall be and are hereby indemnified for what they shall do by virtue of this Act.

X. And be it further enacted, That if any Money shall be paid or agreed or awarded to be paid for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, or for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trust, or to any Person or Persons whose Houses, Buildings, Lands, Tenements, or Hereditaments are limited in strict and other Settlements, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Commissioners under this Act for the Time being, to the Intent that such Money shall be applied under the Direction, and with the Approbation of the said Court, to be signified by an Order, made upon a Petition to be preferred in a summary way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Houses, Buildings, Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Commissioners shall authorize to be paid, affecting the same Houses, Buildings, Lands, Tenements, or Hereditaments; or affecting other Houses, Buildings, Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Houses, Buildings, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Houses, Buildings, Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used, as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the same Monies shall, by Order 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 mean Time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to

Application  
of Compens-  
ation if  
any amount to  
200<sup>l</sup>.

[*Loc. & Per.*]

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Time



Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements, and Hereditaments to be purchased by virtue of this Act, in case such Purchase or Settlement were made.

Application  
of Compensation when less  
than 200l.  
and exceeding  
20l.

XI. Provided always, and be it enacted, That if any Money so agreed or awarded to be paid for any Houses, Buildings, Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option of Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by any Two or more of the said Commissioners, such Nomination and Appointment to be signified in Writing under the Hands of the nominating and approving Parties in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or the Approbation of the Court of Chancery.

Application  
where the  
Money is  
less than 20l.

XII. Provided always, and be it further enacted, That where such Money so agreed or awarded to be paid as next before-mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners shall think fit; or in case of Infancy, Idiocy, or Lunacy, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of  
not making  
out Titles.

XIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Commissioners, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Commissioners or any Three or more of them, to order the said Sum or Sums of Money so awarded as aforesaid 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 to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments [*describing them*], subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary way of Proceeding, or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Persons making Claim thereunto, and to make such other Order 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 such Sum or Sums of Money into the Bank as aforesaid.

XIV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any 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, in pursuance of this Act, for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Houses, Buildings, Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Houses, Buildings, Lands, Tenements, or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Where any Question shall arise touching the Title to Money to be paid, the Person who shall be in Possession of the Houses &c. at the Time of such Purchase shall be deemed entitled thereunto according to such Possession, unless, &c.

XV. Provided also, and be it further enacted, That when, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Houses, Buildings, Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied to the Purchase of other Houses, Buildings, Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of this Act, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Commissioners out of the Monies to be raised

The Court of Chancery may order reasonable Expences of Purchases to be paid by the Trustees.



raised by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Commissioners to report.

XVI. And be it further enacted, That the said Commissioners, or the Commissioners for the Time being (in case any other Person or Persons hath or have been appointed to fill up any Vacancy that may have arisen by Death or Cession of any of such above-named Commissioners) shall, so soon as the Purchase of such Messuage, Hereditaments, and Premises shall be completed, and the same shall have been furnished and put into a proper state for the Reception of His Majesty's Judges as aforesaid, report the same to the Magistrates of the Three Ridings, who shall be assembled at the then next General Assize Meeting for the said County of York; and that it shall be lawful for the said Justices so assembled, or the major Part of them, to nominate and appoint the said Five Commissioners to continue as a Standing Board of Commissioners for the further Execution of this Act, or to nominate and appoint any such other or others as shall to the Magistrates then assembled or the major Part of them be thought fit.

House, Building, etc. vested in Commissioners.

XVII. And be it further enacted, That all and every the said House Building, Offices, and Accommodations, with the Appurtenances, together with all Furniture therein so to be provided as aforesaid, and the Lands or Hereditaments so to be purchased as aforesaid, and every Matter and Thing appertaining or in anywise relating thereunto or to any of them, shall at all Times from and after the same shall have been so reported to be finished, fitted up, and furnished, be vested in, and the same are hereby declared to be vested in perpetual Succession in the said Commissioners and their Successors.

Expences of the Act.

XVIII. And be it further enacted, That it shall be lawful for the said Commissioners to raise such further Sum over and above the aforesaid Sum of Six thousand Pounds, if necessary, as shall be required to defray the Costs, Charges, and Expences incident to the soliciting, obtaining, and passing of this Act; and such further Sums, shall be levied and raised out of the public Stock or County Rates of the said Ridings in such Proportions as aforesaid, and shall be paid by the Treasurers of the said Riding by and under the Order of the said Commissioners or the major Part of them in Manner aforesaid,

Commissioners to direct the Repairs.

XIX. And be it further enacted, That whenever such House, Building, Offices, or Accommodations shall require Alterations, or shall become out of Repair, or any Furniture thereto belonging shall become unfit for the Use of the said Judges, then and in such Case the said Commissioners shall annually, or from Time to Time as the same may become necessary, direct the making of such Repairs and Supply of all Matters, Things, and Furniture, wanted from Time to Time, and the Discharge of all Taxes and Demands upon the said Lands, Buildings, and Hereditaments, and any other Purposes appertaining to the same; and it shall be lawful for the said Commissioners, or the major Part of them, and they are hereby authorized to direct that such Sum or Sums as shall be expended in Repairs or Supply of such Matters, Things, or Furniture as may from Time to Time become necessary as aforesaid, to be defrayed in such Proportions



as aforesaid by the respective Treasurers of the several Ridings of the said County, out of any Money in their Hands of any County Rate, or to make any Rate for that Purpose, which shall therefore be raised and levied in the same Manner and Proportions as are herein-before directed as to the aforesaid Sum of Six thousand Pounds; and the respective Treasurers of the said several Ridings are hereby authorized and required to pay any Sum of Money so ordered by such Commissioners, and such Order shall be a sufficient Authority or Discharge to them for such Money; and that it shall be lawful for the said Commissioners or the major Part of them to appoint a proper Person with a competent Salary and Allowance to take care of the said Buildings, Tenements, and Hereditaments, and to have the Charge of the Furniture being in the said House; and also, it shall be lawful for the said Commissioners to insure the said Buildings, Tenements, and Hereditaments from Fire, and to order the Sum or Sums of Money so to be expended, and all Charges incident thereto, to be defrayed and paid out of the said County Rates, in the Manner and Proportions aforesaid.

To allow a Compensation to take care of the Houses, &c. and to insure.

XX. And be it further enacted, That the said Commissioners for the Time being may sue and be sued for or in respect of any Claim, Contract, or other Matter or Thing made or done, or to be made or done by them, or any of them, under the Authority of this Act, in any Court or Courts of Law or Equity, in the Name of their Clerk for the Time being; and that no Action or Suit to be brought or commenced by or against the said Commissioners, or any of them, by virtue of this Act, in the Name of the said Clerk for the Time being, shall abate or be discontinued by the Death or Removal of such Clerk, or by any Act of the said Clerk for the Time being, done without the Consent of the said Commissioners for the Time being, but that such Clerk for the Time being shall always be deemed the Plaintiff or Defendant in such Action or Suits nominally, but to be carried on and defended under the Direction of the Commissioners herein-before appointed, and the Expence to be by them ordered to be defrayed in like Manner as the other Charges under this Act; and the said Houses, Buildings, Offices, Furniture, and Appurtenances, and all Furniture, Articles, Matters, and Things therein or thereunto belonging, shall in any Indictment or Indictments be laid, and alledged and described to be the Property of the said Commissioners for the Time being, and under the Style and Description of *The Commissioners for providing a House and Accommodations for His Majesty's Judges, at the assizes for the County of York*; provided also, that in all and every Action or Actions, Suit or Suits, to be brought and commenced as aforesaid, no Person or Persons whomsoever shall be deemed incompetent to give Evidence by reason of his, her, or their paying or contributing towards the public Stock of the several Ridings of the said County, or by reason of his, her, or their being charged with or liable to pay any of the County Rates of the said Ridings.

Commissioners may sue and be sued in the Name of their Clerk.

Persons good Witnesses though they pay County Rates.

XXI. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance or by virtue of this Act, after Six Calendar Months next after the Fact committed, or Cause of Action accrued, for which such Action or Suit shall be so brought; and the Defendant or Defendants in any such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon.

Limitation of Actions.

[*Loc. & Per.*]

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XXII. And



Public Act.

XXII. 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.

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LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
Printers to the King's most Excellent Majesty. 1806.