



ANNO DECIMO

GEORGII IV. REGIS.

Cap. xxxii.

An Act for confirming an Agreement between the Treasurer and Masters of the Bench of *Lincoln's Inn* and the Governors and Directors of the Poor of the United Parishes of *Saint Andrew Holborn* above the Bars and *Saint George the Martyr, Middlesex*. [14th May 1829.]

WHEREAS a Question has been of late Years raised whether that Part of *Lincoln's Inn* in the County of *Middlesex*, which is herein-after described is or is not Parcel of that Part of the Parish of *Saint Andrew Holborn* which lies above the Bars in the County of *Middlesex*: And whereas the said Question has occasioned much and expensive Litigation between the Treasurer and Masters of the Bench of the Honourable Society of *Lincoln's Inn* and the Governors and Directors of the Poor of the said Part of the said Parish of *Saint Andrew Holborn* and the Parish of *Saint George the Martyr* (such last-mentioned Parish having long since been united with the said Part of the said Parish of *Saint Andrew Holborn* for the Purpose of relieving the Poor and some other Parochial Purposes): And whereas, in order to prevent further Litigation and Expence, it hath been agreed between the said Treasurer and Masters of the Bench, on behalf of themselves and all other the Proprietors and Occupiers of Chambers and other Buildings in the aforesaid Part of *Lincoln's Inn*, and the said Governors and Directors, with the Sanction

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tion and Assent of the Inhabitants of the said Part of the said Parish of *Saint Andrew Holborn* and the said Parish of *Saint George the Martyr*, assembled at a General Meeting (amongst other Things), that the said Treasurer and Masters of the Bench shall pay to the said Governors and Directors the clear annual Sum of One thousand Pounds, to be applied by them for the Relief of the Poor of the said Part of the said Parish of *Saint Andrew Holborn* and the said Parish of *Saint George the Martyr*, and that the aforesaid Part of *Lincoln's Inn*, and all Chambers, Buildings, Messuages, Lands, Tenements, and Hereditaments within the same, and the several Owners, Inhabitants, and Occupiers of the said several Chambers, Buildings, Lands, Tenements, and Premises, (as far as regards their being such Owners, Inhabitants, or Occupiers,) shall be declared exempt from all Parochial Rates, whether for the Relief of the Poor or for any other Purpose, to the Extent of the Powers vested in the said Governors and Directors, or in the Inhabitants of the said United Parishes, and from Liability to serve Parish Offices, and from the Jurisdiction of the Constables, and all other Parochial Interference, to the utmost Extent to which the said Parties are competent to consent: And whereas it is expedient that the said Agreement should be confirmed and carried into effect in the Manner herein-after mentioned, and that proper Powers should be given for raising the said annual Sum of One thousand Pounds; but the Purposes aforesaid cannot be effected without the Aid of Parliament: And whereas Three several Maps or Plans of the whole of *Lincoln's Inn* have been made, for the Purpose of more clearly ascertaining the Boundaries of that Part of the said Inn which is herein-after described; and one of such Maps or Plans has been deposited in the Parliament Office, another in the Steward's Office at *Lincoln's Inn*, and the other with the Clerk of the Peace for the County of *Middlesex*; and on each of such Maps or Plans the Part of the said Inn which is herein-after described is inclosed by a double Line, and coloured Red: 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 the said Maps or Plans shall severally remain in the Parliament Office, in the Steward's Office at *Lincoln's Inn*, and in the Office of the Clerk of the Peace for the County of *Middlesex*; and that all Persons shall, at all seasonable Times, have Liberty to inspect the said last-mentioned Map or Plan, and to take Copies thereof or of any Part thereof, paying the Sum of One Shilling for each Inspection, and Ten Shillings for each Copy taken; and either of the said Maps or Plans shall be received in Evidence for all Purposes relating to this Act.

Maps of Lincoln's Inn deposited at the Places herein mentioned shall remain there, and be open to Inspection.

Part of Lincoln's Inn declared extra-parochial.

III. And be it further enacted, That the Part of *Lincoln's Inn* which would be included by a Boundary Line running along the whole of the Eastern Side of the said Inn abutting upon *Chancery Lane*; and being of the Length of Seven hundred and fifty-one Feet and Three Inches, and from the North-eastern Corner of the Inn, running in a straight Line Westward Three hundred and one Feet and Three Inches, to a Stone in the Garden Wall marked S A H, and from thence running Southward, through *Lincoln's Inn* Gardens

and a Part of the *New Square* or *Serle's Court* for Seven hundred and fifty-three Feet and Six Inches, in a straight Line, to a Place where a Stone is or formerly was sunk in the Pavement or Gravel in the *New Square*, and from thence running Eastward for Three hundred and ninety-eight Feet and Six Inches, through the *New Square*, and the Kitchen Garden, and along the Back of the old Buildings, to the South-east Corner of that Part of the Inn which abuts upon *Chancery Lane*, shall be deemed and considered to be, and it is hereby declared to be, no Part of the said Parish of *Saint Andrew Holborn*, but extra-parochial; but without Prejudice to any Right the Rector, Churchwardens, or Inhabitants, or either of them, may claim to have in respect of Tithes, Oblations, Offerings, or Church Rates, or Contributions for building or repairing Churches.

III. Provided also, and be it further enacted, That nothing in this Act contained shall be deemed, construed, or taken in any way to affect, alter, or prejudice any Right or Claim which the Rector and Churchwardens of the said Parish, or either of them, have or may have for or in respect of Tithes, Oblations, Offerings, or Church Rates, or Contributions for building or repairing Churches; and provided also, that neither this Exception, nor the Exception hereinbefore contained with respect to Tithes, Oblations, Offerings, or Church Rates, shall in any way affect, alter, or prejudice the said Society, or any Inhabitants or Occupiers of Premises in that Part of *Lincoln's Inn* which is hereinbefore described, in any Action, Suit, or Proceedings that the said Rector or Churchwardens may at any Time hereafter think right to institute for Tithes, Oblations, or Offerings, or Church Rates, but any such Action, Suit, or Proceeding shall and may be determined as it would have been in case this Act had not been passed.

Not to affect Claims of the Rector and Churchwardens of *Saint Andrew's*.

IV. And be it further enacted, That the Treasurer and Masters of the Bench for the Time being of the Honourable Society of *Lincoln's Inn* shall, out of the Funds and Property belonging to them as such Treasurer and Masters of the Bench, maintain and relieve any poor Persons who, by Residence, Apprenticeship, or Service in the Part of *Lincoln's Inn* which is hereinbefore described, or by being born or found there, would have obtained a Settlement in and become chargeable upon the said Part of the said Parish of *Saint Andrew Holborn* if the aforesaid Part of the said Inn had been within the said Part of the said Parish.

Treasurer and Benchers of *Lincoln's Inn* to maintain the Poor of that Part of the Inn.

V. And in order to facilitate the affording of such Maintenance and Relief as aforesaid, be it further enacted, That the Part of *Lincoln's Inn* which is hereinbefore described shall be deemed and considered to be a Vill or Township, of which the Steward of the said Inn for the Time being shall, by virtue of his Office as such Steward, and without any further Appointment, be Overseer of the Poor, and subject and liable to the same Rules and Regulations, Forfeitures and Penalties, as other Overseers of the Poor are subject and liable to by the Laws now in force; and it shall be lawful for any General Council of the said Treasurer and Masters of the Bench from Time to Time to appoint One or more Constable or Constables for

The aforesaid Part of the Inn to be deemed a Township, and the Steward to be Overseer.

for the said Inn, who shall have such Powers and perform such Duties in the said Inn as other Constables have and perform in the Places for which they are by Law appointed; and every such Constable shall be sworn into Office by the Treasurer or any Two of the Masters of the Bench for the Time being, and such Treasurer and Masters of the Bench respectively is and are hereby authorized to administer the proper Oath for that Purpose when and so often as Occasion shall require.

1,000*l.* a Year to be paid by the Treasurer and Benchers of Lincoln's Inn towards the Relief of the Poor.

VI. And be it further enacted, That the said Treasurer and Masters of the Bench for the Time being shall pay or cause to be paid to the Governors and Directors for the Time being of the Poor of that Part of the Parish of *Saint Andrew Holborn* which lies above the Bars, and the Parish of *Saint George the Martyr*, or their Clerk or Treasurer for the Time being, the clear annual Sum of One thousand Pounds of lawful Money of *Great Britain*, to be applied by the said Governors and Directors for the Relief of the Poor of the said Part of the said Parish of *Saint Andrew Holborn* and of the said Parish of *Saint George the Martyr*; and the Receipts of the Clerk or Treasurer for the Time being of the said Governors and Directors of the Poor shall be sufficient Discharges for the said annual Payments.

Time of Payment, &c.

VII. And be it further enacted, That the Payment of the said annual Sum of One thousand Pounds shall commence as from the First Day of *August* last, and that one half-yearly Payment shall be made immediately on the passing of this Act, and the next half-yearly Payment on the First Day of *August* next after the passing of this Act; and that from thenceforth the same shall continue to be paid by Two equal half-yearly Payments on the First Day of *February* and the First Day of *August* in every Year.

In case of Nonpayment, the Amount to be raised by Distress and Sale of the Benchers Effects.

VIII. And be it further enacted, That in case the said annual Sum of One thousand Pounds, or any Part thereof, shall at any Time be in arrear and unpaid for the Space of Thirty Days next after the same shall have become due, and shall have been lawfully demanded by or on behalf of the said Governors and Directors of the Poor by any Notice in Writing addressed to the said Treasurer and Masters of the Bench, and left at the Office of the Steward of the said Inn, then and so often as such Default shall take place it shall be lawful for the said Governors and Directors for the Time being, by any Person duly authorized by them for that Purpose, to distrain and sell any Goods, Chattels, or Effects belonging to the said Treasurer and Masters of the Bench for the Time being, as such Treasurer and Masters of the Bench, and not individually, for the Purpose of levying and recovering the Amount so due, in the same Manner as Landlords are by Law enabled to do in case of Rent in arrear.

Manner of Proceeding in case of Nonpayment of the annual Sum at the stipulated

IX. And be it further enacted, That in case of Nonpayment of the said annual Sum of One thousand Pounds, after such Demand as aforesaid, at the Times and in manner herein-before appointed for Payment thereof, and in case no sufficient Distress can be made of the Goods and Chattels of the said Treasurer and Masters of the Bench

Bench for liquidating the same, it shall be lawful for the said Governors and Directors of the Poor of the said Parishes for the Time being, at any of their weekly Meetings, if they shall think fit, by Writing under their Hands to appoint One or more Person or Persons, not exceeding Two, to be a Receiver or Receivers of the Rates to be raised by virtue of this Act as herein-after mentioned, which Receiver or Receivers shall and may from Time to Time after such Appointment receive all and every such Rates, so as the aggregate Amount of such Rates so to be received by him or them shall not at any Time exceed in Amount the Sum of Five hundred Pounds over and above the Arrear of the said annual Sum of One thousand Pounds then due to such Governors and Directors of the Poor, and so from Time to Time, as the Case may be, and apply the Monies in manner following; that is to say, such Receiver or Receivers shall and may, in the first place, retain the Expences attending the receiving of such Monies, together with a Poundage not exceeding Sixpence in the Pound on the Amount of the Monies which shall be so received, and in the next place pay unto the said Governors and Directors of the Poor for the Time being all such Sum and Sums of Money which shall for the Time being be actually due and payable for or in respect of the said Annuity or annual Sum of One thousand Pounds; and after full Payment of all Arrears of the said Annuity or annual Sum which shall for the Time being be actually due and payable as aforesaid, such Receiver or Receivers shall pay the Balance of the Monies so to be received as aforesaid, which shall remain in his or their Hands, to the Treasurer or Steward for the Time being of the said Society of *Lincoln's Inn*: Provided always, that no Person or Persons who shall be appointed such Receiver or Receivers as aforesaid shall be answerable or accountable for any more Money than he or they shall actually receive: Provided also, that the said Governors and Directors of the Poor, who shall appoint any Receiver or Receivers as aforesaid, shall take such Security as the said Governors and Directors shall deem sufficient for a Sum amounting to not less than One thousand Pounds from the Person or Persons so to be appointed for the due Payment and Application of the Monies which he or they shall receive, and after taking such Security the said Governors and Directors shall not be responsible for such Receiver or Receivers, nor answerable for any Loss, Misapplication, or Nonapplication of the Monies which he or they shall receive, or any Part thereof.

Periods, and sufficient Distress cannot be made.

X. Provided always, and be it further enacted, That it shall and may be lawful for the said Governors and Directors of the Poor for the Time being, if they shall think it more expedient, to bring or cause to be brought, in the Name of their Treasurer or Clerk, or any One or more of the Governors and Directors, for the Time being, any Action of Debt or Special Action on the Case against the Treasurer and Masters of the said Society, in any of His Majesty's Courts of Record at *Westminster*, for the Recovery of any Sum or Sums of Money which may be due to the said Governors and Directors for the Time being in respect of such annual Sum, in which Action it shall be sufficient for the Plaintiff to declare that the Defendants are indebted to the Plaintiff in such Sum of Money as the

The Governors and Directors may bring Actions to recover the annual Sum.

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said Plaintiff shall suppose to be due; and if the Plaintiffs shall recover such Sum so declared for, or any Part thereof, he shall have full Costs of Suit; and no Action or Actions which shall be brought, commenced, or prosecuted by the said Treasurer or Clerk, or One or more Governors and Directors, or any of them, as aforesaid, by virtue or on account of this Act, in the Name or Names of the said Treasurer or Clerk, or of One or more of the said Governors and Directors, shall abate or be discontinued by the Death or Removal of any such Treasurer or Clerk, or such One or more Governors and Directors, or either of them, or of the said Treasurer and Masters of the Bench, or either of them; but the Treasurer or Clerk, or One or more of the Governors and Directors, for the Time being, shall be deemed Plaintiff or Plaintiffs, and the Treasurer and Masters of the Bench for the Time being shall always be deemed and considered Defendants.

Benchers not to be liable individually.

XI. Provided always, and be it further enacted, That nothing herein contained shall render any Treasurer or Master of the Bench of the said Society of *Lincoln's Inn* individually, or any Goods, Chattels, or Effects belonging to any such Treasurer or Master of the Bench as an Individual, liable to the Payment of the said annual Sum of One thousand Pounds, or any Part thereof, or to any Distress, Sale, Execution, or other Remedy for recovering or compelling Payment thereof.

Committee to be appointed for making Rates in the Inn.

XII. And be it further enacted, That it shall be lawful for any General Council of the said Treasurer and Masters of the Bench from Time to Time to appoint any Three or more of the said Masters of the Bench for the Time being to be a Committee for making the Rates herein-after directed to be made, and for ascertaining the Value of the Property to be rated, and for carrying any other Purposes of this Act into execution; and the Members of such Committee shall and may from to Time be removed, and new ones added, when and so often as any General Council of the said Treasurer and Masters of the Bench shall think proper; and such Committee shall meet when and so often as they shall think proper, and such Committee shall be competent to act if Two of the Members thereof shall be present; and at every Meeting of any such Committee One of the Members present shall be elected Chairman; and all Questions, Matters, and Things which shall be proposed, discussed, or considered at any such Meeting shall be decided by a Majority of the Votes of the Members then present, and the Chairman, besides his Vote as a Member of the Committee, shall, when there shall be an Equality of Votes, have a casting Vote; and every such Committee shall report their Proceedings from Time to Time to the said Treasurer and Masters of the Bench for the Time being, as the said Treasurer and Masters of the Bench for the Time being shall from Time to Time order and direct.

Rates.

XIII. And for raising the said annual Sum of One thousand Pounds herein-before made payable by the said Treasurer and Masters of the Bench, be it further enacted, That One or more Rate or Rates shall be made, assessed, and levied by the Committee to be appointed as herein-

herein-before directed, at yearly or half-yearly Periods, or oftener if they shall think proper, upon all Persons who shall occupy any Chambers or other Buildings which now are erected or shall be hereafter erected within that Part of the said Inn which is herein-before described, according to the full yearly Value of such Chambers and Buildings respectively, and in just and equal Proportion to such yearly Value; and the said Rates shall from Time to Time be paid yearly or half-yearly, or oftener if the said Committee shall think proper, in every Year, to the Steward of the said Inn for the Time being, or to such other Person or Persons as the said Committee for the Time being shall appoint to collect the same, for and on account of the said Treasurer and Masters of the Bench for the Time being; and the first Rate shall commence as from the First Day of *August* last, and every future Rate shall commence from the Time the last Rate ended, and not otherwise; and the Sums to be collected and raised by means of such Rates and Assessments shall be applied in Payment of the said annual Sum of One thousand Pounds, and of all the Expences attending and incident to the Collection and Payment of the same: Provided always, that no greater Sum in the whole shall be raised by means of such Rates for the Purposes aforesaid in any One Year than the Sum of One thousand one hundred Pounds.

XIV. And be it further enacted, That in case any Person shall remove from any Chambers or other Buildings before any Rate or Rates to be charged thereon by virtue of this Act shall be paid and discharged, and if any Person shall enter into the Occupation of any Chambers or Buildings from which any Person shall have removed before such Rate or Rates shall have been paid and discharged, then and in every such Case the Person so removing from and the Person entering into the Occupation of any such Chambers or Buildings shall be respectively subject and liable to the Payment of such Rate or Rates in proportion to the Time that such Persons shall have respectively occupied the same; and the same Rate in the whole shall be paid as if the Person so removing had remained in the Occupation of such Chambers, or as if the Person so entering into the Occupation thereof had been originally rated and assessed to such Rate or Rates; and the Proportions to be paid by each of such Persons shall, in case of Dispute, be settled by the Committee to be appointed as aforesaid, whose Determination shall be final.

Persons removing, and others coming in, to pay Rates in proportion.

XV. And be it further enacted, That every such Rate or Assessment shall be signed by the Chairman and other Members of the said Committee by whom the same shall be made as aforesaid, and shall be deposited with the Steward of the said Inn for the Time being, and Notice in Writing of the same having been so made and deposited shall be suspended in the Steward's Office on the First Day of the Term next after the Time when the same shall have been so made and deposited, and shall be continued so suspended for the Space of One Week from the said First Day of the said Term; and every such Rate or Assessment shall, at all reasonable Times, be open

Rates to be signed and deposited in the Steward's Office, and to be open to Inspection.

open to the Inspection of every Person therein rated or assessed, who may take Copies of or Extracts from such Rate or Assessment, or any Part thereof.

Omissions
and Errors
in Rates may
be rectified.

XVI. And be it further enacted, That whenever it shall appear to the said Committee for the Time being that there shall be any Omission or Error in any Rate or Assessment of or in the Name or Names or Description of any Person or Persons or of any Chambers or Buildings liable to be rated for the Purposes of this Act, it shall be lawful for the said Committee for the Time being, at any Time within One Calendar Month next after the same shall have been first published as aforesaid, to cause to be added or corrected in the said Rate or Assessment the Name or Names or Description of the Person or Persons or Chambers or Buildings omitted or erroneously described; and every such Addition or Correction made in any of the said Rates shall be as valid and effectual as if the same had been Part of the original Rate at the Time when it was first made.

Rates how to
be recovered.

XVII. And be it further enacted, That in case any Person charged with or liable to the Payment of any Rate or Rates under the Authority of this Act, and not having appealed against the same in manner herein-after provided, and also in case any Person charged with or liable to any such Payment, upon the Determination of any such Appeal, shall refuse or neglect to pay the Money due in respect of such Rate or Rates, and all Arrears thereof, within Ten Days after the same shall have been demanded by the Steward of the said Inn, or other Collector or Collectors, Receiver or Receivers, for the Time being, appointed in pursuance of this Act, it shall be lawful for the said Committee for the Time being, or any Two of them, by any Warrant under their Hands, to authorize and direct such Steward, or other Collector or Collectors, Receiver or Receivers, to levy the Sum so due by Distress of any Goods, Chattels, and Effects within the said Inn, belonging to the Party so neglecting or refusing; and such Warrant shall be a good and sufficient Authority to the said Steward, or other Collector or Collectors, Receiver or Receivers, for making the Distress thereby authorized to be made; and if, within Five Days after such Distress shall be made, the Sum for which the same shall have been made shall not be paid, together with the Costs, Charges, and Expences of taking and keeping the Distress, it shall be lawful for such Steward, or other Collector or Collectors, Receiver or Receivers, to cause the Goods, Chattels, and Effects taken under the same, or a sufficient Part thereof, to be appraised and sold, and out of the Monies arising from such Sale to retain the Sum so due, and the Costs, Charges, and Expences of the Distress and Sale, rendering the Overplus of the said Monies (if any), and the Goods, Chattels, and Effects (if any) remaining unsold, to the Person or Persons to whom such Goods, Chattels, and Effects shall have belonged; and the Costs, Charges, and Expences of any such Distress and Sale shall, in case of Dispute, be settled and ascertained by any General Council of the said Treasurer and Masters of the Bench, whose Determination shall be final.

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XVIII. Provided always, and be it further enacted, That it shall be lawful for the said Treasurer and Masters of the Bench for the Time being, if they shall think it more expedient, to bring or cause to be brought, in the Name of their Steward or of any One or more of them the said Treasurer and Masters of the Bench for the Time being, any Action of Debt or any Special Action on the Case, in any of His Majesty's Courts of Record at *Westminster*, for the Recovery of any Sum which may be due in respect of any Rate or Rates to be made by virtue of this Act, in which Action it shall be sufficient for the Plaintiff to declare that the Defendant is indebted to the Plaintiff in such Sum of Money as the Plaintiff shall suppose to be due; and if the Plaintiff shall recover such Sum so declared for, or any Part thereof, he shall have full Costs, to be levied and recovered as other Monies upon Judgments are by Law levied and recovered; and in such Action no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Actions may
be brought
for the Rates.

XIX. Provided always, and be it further enacted, That if any Person shall think himself aggrieved by any Rate or Assessment to be made, or any other Act to be done, in pursuance of this Act, he may appeal and complain thereof to the said Treasurer and Masters of the Bench for the Time being, at any of their General Councils, provided that such Appeal be made within Six Weeks next after such Rate shall have been first published as aforesaid; and such Appeal shall be made by giving to the Steward of the said Inn for the Time being, or leaving at his Office, Notice in Writing of the Cause and Matter of such Appeal, signed by the Party appealing, or by some Person duly authorized on his Behalf; and the said Treasurer and Masters of the Bench shall at their next or any subsequent General Council appoint Three of the Masters of the Bench for the Time being, of whom the Treasurer for the Time being, if then resident in *Middlesex*, shall be One, to hear and determine such Appeal; and the Three Masters of the Bench so appointed, or any Two of them, may examine the Appellant or any Witnesses upon Oath (which Oath any One of the Masters of the Bench to be so appointed is hereby authorized to administer), touching or concerning the Matter of such Appeal, and grant or refuse Relief to the Person appealing, and make such Order therein as to them shall seem meet, which Order shall be final.

Appeal to the
Treasurer
and Masters
of the Bench
for the Time
being.

XX. Provided always, and be it further enacted, That on any such Appeal the Masters of the Bench to be so appointed shall and may amend the Rate or Assessment complained of in such Manner as may be necessary for giving Relief, without quashing or altering such Rate or Assessment with respect to other Persons mentioned in the same; but if upon Appeal from the Whole of any Rate it shall be found necessary to set aside the same, then and in such Case the said Masters of the Bench shall and may order a new Rate or Assessment to be made in the Manner herein directed.

Rates may
be amended
without
quashing.

XXI. And be it further enacted, That the Treasurer and Masters of the Bench for the Time being of the said Society shall and they are hereby required from Time to Time to order and direct a Book

Accounts to
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or Books to be provided and kept, in which Book or Books shall be entered true and regular Accounts of all Sums of Money received, paid, and expended for or on account of the said annual Sum of One thousand Pounds, and the Collection and Payment thereof; and such Book or Books shall at all seasonable Times be open to the Inspection of every Person paying any Rate or Assessment hereby authorized to be made, who may take Copies of or Extracts from the said Book or Books, or any Part thereof.

Accounts to be made out annually.

XXII. And be it further enacted, That in the Month of *January* in every Year a true Account shall be made in Writing of all Monies received, paid, and expended for or on account of the said annual Sum of One thousand Pounds, and the Collection and Payment thereof, during the preceding Year, ending upon the Thirty-first Day of *December*; and a Copy or Duplicate of such Account shall be deposited with the Steward of the said Inn for the Time being, and shall be open to the Inspection of all Persons interested.

Plaintiff not to recover in any Action after Tender of sufficient Amends.

XXIII. Provided also, and be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action or Actions for any thing done in pursuance of this Act if Tender of sufficient Amends shall be made by or on behalf of the Party or Parties against whom such Actions shall be brought before such Action brought; 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 of Money as he or they shall think fit, whereupon such Proceedings, Order, and Adjudication shall be made, had, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

XXIV. And be it further enacted, That if any Action, Suit, or Information shall be commenced or prosecuted against any Person or Persons for any thing to be done in pursuance of this Act, or in the Execution of the Powers and Authorities hereby given, for or in respect of any Matter or Thing relating to this Act, such Action, Suit, or Information shall be commenced within Six Calendar Months next after the Cause thereof shall have arisen, and not afterwards; and every such Action shall be brought in the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant and Defendants in any such Action may plead the General Issue Not guilty, and, if in Replevin, may justify and avow by virtue of this Act, and give the special Matter in Evidence, without specially pleading the same, at any Trial to be had thereupon, and that the Fact alleged to have been done was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or if any Action or Suit shall be brought after the Time hereinbefore limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants, Avowant or Avowants.

General Saving.

XXV. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Persons and Person,

Bodies and Body Politic and Corporate, Collegiate or Ecclesiastical, Corporation Aggregate or Sole, and their respective Heirs, Successors, Executors, Administrators, and Assigns, other than and except the several Parties whose Rights, Claims, and Interests are intended to be bound by this Act, all such Right, Title, Interest, Claim, and Demand as they or any of them would have had or been entitled to in case this Act had not been made.

XXVI. And be it further enacted, That this Act shall be deemed Public Act. 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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