ANNO QUARTO & QUINTO

GULIELMI IV. REGIS.

****

CAP. XXXVI.

An Act for establishing a new Court for the Trial of Offences committed in the Metropolis and Parts adjoining. [25th *July* 1834.]

WHEREAS it is expedient, for the more effective and uniform Administration of Justice in Criminal Cases, that Offences committed in the Metropolis and certain Parts adjoining thereto should be tried by Justices and Judges of Oyer and Terminer and Gaol Delivery in the City of *London:* Be it therefore 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 Lord Mayor for the Time being of the City of *London*, the Lord Chancellor or Lord Keeper of the Great Seal, and all the Judges for the Time being of His Majesty's Courts of King's Bench, Common Pleas, and Exchequer, the Chief Judge and the Two other Judges in Bankruptcy, the Judge of the Admiralty, the Dean of the Arches, the Aldermen of the City of *London*, the Recorder, the Common Serjeant, the Judges of the Sheriffs Court of the City of *London*, for the Time being, and any Person or Persons who hath or shall have been Lord Chancellor, Lord Keeper, or a Judge of any of His Majesty's superior Courts of *Westminster*, together with such others as His Majesty, His Heirs and Successors, shall from Time to Time name and appoint by any general Commission as hereinafter stated, shall be and be taken to be the Judges of a Court to

The Lord Mayor of London, the Lord Chancellor, the Judges, the Aldermen, Recorder, and Common Serjeant of London, and such others as His Majesty may appoint, to be Judges of a Court to be called the

"Central Criminal Court."

to be called the "Central Criminal Court," to which His Majesty, and His Heirs and Successors, may direct his general Commission as herein-after mentioned; and which Court shall have Jurisdiction to hear, try, and determine all Offences committed or alleged to be committed as herein-after specified.

His Majesty may issue a Commission of Oyer and Terminer and Gaol Delivery for London and Middlesex, and certain Parts of Essex, Kent, and Surrey.

II. And be it further enacted, That it shall be lawful for His Majesty, His Heirs and Successors, from Time to Time to command and cause to be issued Commissions of Oyer and Terminer to inquire of, hear, and determine all Treasons, Murders, Felonies, and Misdemeanors committed within the City of *London* and County of *Middlesex*, and those Parts of the Counties of *Essex*, *Kent*, and *Surrey*, within the Parishes of *Barking*, *East Ham*, *West Ham*, *Little Ilford*, *Low Layton*, *Walthamstow*, *Wanstead St. Mary*, *Woodford*, and *Chingford*, in the County of *Essex*; *Charlton*, *Lee*, *Lewisham*, *Greenwich*, *Woolwich*, *Eltham*, *Plumstead*, *St. Nicholas Deptford*, that Part of *St. Paul Deptford* which is within the said County of *Kent*, the Liberty of *Kidbrook*, and the Hamlet of *Mottingham*, in the County of *Kent*; and the Borough of *Southwark*, the Parishes of *Battersea*, *Bermondsey*, *Camberwell*, *Christchurch*, *Clapham*, *Lambeth*, *St. Mary Newington*, *Rotherhithe*, *Streatham*, *Barnes*, *Putney*, that Part of *St. Paul Deptford* which is within the said County of *Surrey*, *Tooting Graveney*, *Wandsworth*, *Merton*, *Mortlake*, *Kew*, *Richmond*, *Wimbledon*, the *Clink Liberty*, and the District of *Lambeth Palace*, in the County of *Surrey*; and also Commissions of Gaol Delivery to deliver His Majesty's Gaol of *Newgate* of the Prisoners therein charged with any of the Offences aforesaid, committed within the Limits aforesaid; and it shall be lawful for the Justices and Judges of the Central Criminal Court aforesaid, or any Two or more of them, to inquire of, hear, determine, and adjudge all such Treasons, Murders, Felonies, and Misdemeanors, and all Treasons, Murders, Felonies, and Misdemeanors which might be inquired of, heard, and determined under any Commission of Oyer and Terminer for the City of *London* or County of *Middlesex*, or Commission of Gaol Delivery to deliver the Gaol of *Newgate*, or which, in case the Parts of the Counties of *Essex*, *Kent*, and *Surrey* respectively comprised within the Limits aforesaid had been Counties of themselves, might have been inquired of, heard, and determined under Commissions of Oyer and Terminer and Gaol Delivery for such Counties, and to deliver the said Gaol of *Newgate* at such Times and Places in the said City or the Suburbs thereof as by the said Commissions shall be appointed, or as the said Justices and Judges by virtue and in pursuance thereof, or any Two or more of them, shall appoint, and to award and issue all Precepts and Process, and use and exercise all Powers and Authorities belonging to Justices of Oyer and Terminer and Gaol Delivery: Provided always, that such Court shall have Power and Jurisdiction to proceed on every such Commission so issued as aforesaid and act under such Commission until a new Commission shall be issued.

New District to be considered as One County, and

III. And be it further enacted, That the District situated within the Limits of the Jurisdiction herein-before established shall be deemed and taken to be, in all Cases tried before the said Justices and Judges,

One

One County for all Purposes of Venue, local Description, Trial, Judgment, and Execution, not herein specially provided for; and that in all Indictments and Presentments preferred and tried before the said Justices and Judges the Venue laid in the Margin shall be as follows, "Central Criminal Court to wit;" and all Offences which in other Indictments would be laid to have been committed in the County where the Trial is had, and all material Facts which would be in other Indictments averred to have taken place in the County where the Trial is had, shall, in Indictments prepared and tried in the said Court, be laid to have been committed and averred to have taken place "within the Jurisdiction of the said Court".

Venue to be "Central Criminal Court to wit," &c.

IV. And be it further enacted, That the Sheriffs of the City of *London*, and of the Counties of *Middlesex*, *Essex*, *Kent*, and *Surrey*, respectively, shall execute and obey all Precepts and Process which the said Justices and Judges shall award, issue, and direct unto them respectively, and shall, whenever required and commanded, summon and return from the said City of *London* and County of *Middlesex*, and from the Parts of the said Counties of *Essex*, *Kent*, and *Surrey* within the Limits of this Act, a competent Number of Persons qualified according to Law to inquire of, present, and try all Offences and other Matters cognizable by the said Justices and Judges; and the Persons so returned, whether taken wholly from the City of *London* or the said Counties, or taken indiscriminately from the said City and the said Counties, shall have Authority to inquire of, present, hear, try, and determine all such Offences and other Matters, and all Issues and all Matters of Fact arising out of such Trials or relating thereto, notwithstanding that such Persons are not Inhabitants of the City, County, or Place where such Offences or other Matters may be committed or arise; and any Person having served upon any Grand Jury or Petty Jury summoned and returned from the said Counties of *Essex*, *Kent*, and *Surrey*, under the Authority of this Act, shall henceforth be exempt for and during Twelve Calendar Months next after such Service from serving upon any Jury in any Court (except the Sessions of the Peace) to be holden for the County in which such Juror shall reside.

Power to summon Juries from London or from the Counties, or from both indiscriminately, to try all Offences cognizable by the Act.

As to Jurors residing within the Limits of the Act in Essex, Kent, and Surrey.

V. And whereas, for the more convenient Distribution of Prisoners, as well before Trial as after, and also for rendering more effectual the Punishment of Imprisonment, it may be expedient that Power should be given to appoint from Time to Time in what Places of Confinement within the Limits of this Act such Prisoners shall be kept in Custody; be it therefore further enacted, That it shall be lawful for His Majesty, by and with the Advice of His Privy Council, from Time to Time to order and direct in what Gaol, House of Correction, or other Prison, being within the Limits of this Act, any Person or Persons charged with or convicted of Offences committed or alleged to have been committed within the Limits of this Act shall be imprisoned or kept in Custody; and that when and so often as His Majesty, by and with the Advice of His Privy Council, shall be pleased to give such Orders and Directions, the said Justices and Judges of Oyer and Terminer and Gaol Delivery, and all Justices of the Peace, Coroners, and other Magistrates acting within the

His Majesty, by Order in Council, to appoint the Places of Confinement for Prisoners.

the Limits of this Act, shall commit all Persons charged or convicted before them to such Gaol, House of Correction, or other Prison as in such Orders or Directions shall be expressed and commanded, any Law, Usage, or Custom to the contrary notwithstanding; provided nevertheless, and it is hereby declared, that the City, County, or Place in which the Offence of such Person or Persons was committed or alleged to have been committed shall be liable to and charged with the Expence of supporting and maintaining such Prisoner during his Imprisonment in such Gaol, House of Correction, or other Prison, at and after such Rate as His Majesty, by and with the Advice of His Privy Council, shall order and direct, and shall be paid by the Treasurer of the said City, County, or Place in which such Offence was committed or alleged to have been committed: Provided nevertheless, that the County of *Middlesex* and City of *Westminster* and Liberty of the *Tower* of *London* shall not be liable to any Charge for the Support and Maintenance of any Prisoner charged with any Offence in the said County, City, or Liberty, who shall be committed to His Majesty's Gaol of *Newgate*.

Penitentiary at Milbank to be one of the Prisons under this Act.

VI. And be it further enacted, That the General Penitentiary at *Milbank* shall be considered one of the Prisons in which His Majesty by virtue of this Act may, with the Advice of His Privy Council, direct any Persons charged or convicted of Offences within the Limits of this Act to be imprisoned and kept in Custody.

Persons sentenced to Imprisonment beyond the Limits of this Act may be removed to the Penitentiary at Milbank.

VII. And be it further enacted, That it shall be lawful for His Majesty, by an Order in Writing to be notified in Writing by One of His Majesty's Principal Secretaries of State, to direct that Persons who may be sentenced to Imprisonment by any Court or competent Authority for any Offence committed beyond the Limits of this Act, and who, having been examined by an experienced Surgeon or Apothecary, shall appear to be free from any putrid or infectious Distemper, and fit to be removed, shall be removed to the Penitentiary at *Milbank*, there to be imprisoned for and during their respective Terms of Imprisonment.

Regulations in all Penitentiary Acts shall apply to Prisoners confined there by the Authority of this Act.

VIII. And be it further enacted, That all Provisions and Regulations expressed and contained in all Acts made for the Government of the General Penitentiary at *Milbank*, and all Powers given by such Acts for the Confinement, Employment, and Management of Convicts removed thereto in pursuance of such Acts, shall be applicable and made available in respect of all Persons who may be removed or sent to such Penitentiary in pursuance of any Order in Council made by the Authority of this Act, as fully, to all Intents and Purposes, as if the said Regulations, Provisions, and Powers were expressed and given by this Act.

Persons convicted may be imprisoned either in the County Gaol or in Newgate.

IX. And be it further enacted, That it shall be lawful to and for the said Justices and Judges of Oyer and Terminer and of Gaol Delivery, or any Two or more of them, to commit any Person or Persons who shall be brought before them charged with any Offence cognizable by such Justices and Judges under and by virtue of this Act, or who shall be convicted or attainted before them,

them, to such Gaol, House of Correction, or other Prison as may be specified in any Order of Council to be made by virtue of this Act, or if no such Order shall have been made, then to the Common Gaol, House of Correction, or other Prison of the City, County, or Place to which such Offender might have been committed if this Act had not passed, or to His Majesty's Gaol of *Newgate*, there to remain until discharged by due Course of Law, or in execution of his or their respective Judgments; and in case of such Commitment to the said Gaol of *Newgate*, Execution of such Judgments shall and may be had and done upon such Person or Persons by the Sheriffs of the said City of *London* in the same Way and as fully to all Intents and Purposes as if the Offence of which such Person or Persons was or were convicted had been committed in the said City of *London*.

Sheriffs of London may execute Judgments.

X. And be it further enacted, That until His Majesty shall be pleased, by and with the Advice of His Privy Council, to order and direct in what Gaol, House of Correction, or other Prison Persons charged with or convicted of Offences committed or alleged to have been committed within the Limits of this Act shall be imprisoned or kept in Custody, it shall be lawful for any Justice of the Peace or Coroner acting in and for the said Counties of *Essex* or *Kent*, so far as relates to the said several Parishes lying within their respective Counties, to commit any Person or Persons charged with any of the Offences aforesaid cognizable by the said Justices and Judges of Oyer and Terminer and Gaol Delivery by virtue of this Act to His Majesty's Gaol of *Newgate*; and also for any Justice of the Peace or Coroner acting in and for the said County of *Surrey*, so far as relates to the several Parishes above mentioned lying within the said County of *Surrey*, to commit any Person charged with any of the Offences aforesaid cognizable by the Justices and Judges of Oyer and Terminer and Gaol Delivery by virtue of this Act to His Majesty's Gaol of *Horsemonger Lane* or *Newington* in and for the County of *Surrey*.

Justices and Coroners in Essex and Kent to commit Offenders to Newgate, and Justices and Coroners in Surrey to commit Offenders to Horsemonger Lane, and certify Examinations to the Court.

XI. And be it further enacted, That every Justice or Coroner acting within the Limits of this Act shall specify in the Commitment that the Person or Persons charged are committed under the Authority of this Act; and such Justice or Coroner shall in all such Cases take the like Examinations, Informations, Bailments, and Recognizances, and certify the same to the said Justices of Oyer and Terminer and Gaol Delivery, as they are required by an Act passed in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for improving the Administration of Criminal Justice in* England; and any Justice of the Peace or Coroner, in default of so doing, shall be liable to the same Fines and Penalties to be imposed by the said Justices and Judges of Oyer and Terminer and Gaol Delivery in the same Manner as is mentioned in the said Act; and when any Person or Persons shall be committed to His Majesty's Gaol for the County of *Surrey* for any Offence cognizable by the said Justices and Judges of Oyer and Terminer and Gaol Delivery by virtue of this Act, by a Commitment specifying that such Person or Persons is or are

Justices and Coroners to specify that Persons are committed under this Act, and to take Examinations, &c. as required under 7 G. 4. c. 64.

Power to remove Prisoners from County Gaol of Surrey to Newgate.

are committed under the Authority of this Act, the Sheriff of the said County of *Surrey*, or the Keeper of the Gaol for the said County, shall, Six Days at least before the Sitting of the next Court of Oyer and Terminer and Gaol Delivery appointed under the Authority of this Act, or at such other Time as the said Justices and Judges of Oyer and Terminer and Gaol Delivery, or any Two or more of them, shall from Time to Time direct, cause such Person and Persons, with their Commitments and Detainers, to be safely removed from the Gaol of the said County of *Surrey*, without the issuing of any Writ of Habeas corpus, or other Writ, to the said Gaol of *Newgate*, there to remain until delivered by due Course of Law.

Power to order Payment of Expences to Prosecutors and Witnesses.

Treasurer of County, or his Agent, to attend the Court, to pay Orders.

XII. And be it further enacted, That it shall be lawful for any Two of the said Justices and Judges of Oyer and Terminer and of Gaol Delivery to order and direct the Costs and Expences of Prosecutors and Witnesses, in all Cases where Prosecutors and Witnesses may be by Law entitled thereto, to be paid by the Treasurer of the County in which the Offence of any Person prosecuted would have been tried but for this Act; and that every such Treasurer or some known Agent shall attend the said Justices and Judges of Oyer and Terminer and Gaol Delivery during the Sitting of the Court, to pay all such Orders.

No Bill of Indictment to be presented to the Grand Jury unless the Prosecutor has been bound by Recognizance.

XIII. And be it further enacted, That no Bill of Indictment for any Misdemeanor (other than Perjury or Subornation of Perjury) which can or may be presented to the Grand Jury at any Sessions of the Peace for the said City of *Westminster* and Borough of *Southwark*, and Counties of *Middlesex*, *Essex*, *Kent*, and *Surrey* respectively, in which such Misdemeanor was committed or alleged to have been committed, shall be presented to the Grand Jury to be summoned under the Authority of this Act, unless the Prosecutor or other Person presenting such Indictment shall have been bound by Recognizance to prosecute or give Evidence at the Sessions to be held under the Authority of this Act against the Person or Persons accused of such Misdemeanor, or unless such Person or Persons accused shall have been committed to or detained in Custody, or shall be bound by Recognizance to appear at the said Sessions to be held under the Authority of this Act.

Court of the Lord Mayor and Aldermen of London may contract with the Justices of Essex, Kent, and Surrey, for the Support of their Prisoners in Newgate.

XIV. And be it further enacted, That it shall be lawful for the Court of the Lord Mayor and Aldermen of the City of *London*, having, the Government and ordering of the said Gaol of *Newgate*, to enter into Agreement with the Justices of the Peace for the said Counties of *Essex*, *Kent*, and *Surrey*, for the Support and Maintenance in the said Gaol of *Newgate* of any Prisoner or Prisoners so committed or removed thereto under the Authority of this Act; and that the Sum to be paid for the Support and Maintenance of such Prisoner or Prisoners in the said Gaol of *Newgate*, and for their Removal therefrom, shall be after such Rate and in such Manner as shall be settled and agreed by and between a Committee of the said Aldermen to be appointed from Time to Time by the said Court of Aldermen and a joint or separate Committee of the Magistrates of the said respective Counties of *Essex*, *Kent*,

Kent, and *Surrey*, to be appointed at the General or Quarter Sessions of the Peace of the said Counties respectively to be holden next after the First Day of *January* in every Year; and in case the said Committee, or either of them, shall not make such Settlement or Agreement as aforesaid, then the Rate and Manner in which such Support and Maintenance shall be paid shall, on the Application of the said Committee of Aldermen at any Time after the Expiration of One Month from the said respective Sessions, be fixed and determined by such of the said Justices and Judges of Oyer and Terminer and Gaol Delivery, or any Two or more of them, as hath or shall have been Justices of His Majesty's superior Courts of *Westminster*; and that the Amount of such Support and Maintenance, to be ascertained in manner aforesaid, shall be paid by the Treasurer of the respective Counties of *Essex*, *Kent*, and *Surrey*, in such Manner as the said Justices and Judges shall order and direct.

If they cannot agree, the Judges to settle the Amount.

XV. And be it further enacted, That the said Justices and Judges of Oyer and Terminer and Gaol Delivery to be appointed under the Authority of this Act, or any Two or more of them, shall hold a Session for the said City of *London* and County of *Middlesex*, and the Parts of the Counties of *Essex*, *Kent*, and *Surrey* herein-before mentioned, in the said City of *London* or Suburbs thereof, at least Twelve Times in each and every Year (and oftener if Need be), such Times to be fixed by general Orders of the said Court, which any Eight or more of the said Judges of His Majesty's Courts of *Westminster* are hereby empowered to make from Time to Time.

Sessions to be holden in London or the Suburbs Twelve Times at least in every Year.

XVI. And be it further enacted, That it shall be lawful for His Majesty's Court of King's Bench, or any Judge thereof, or any Commissioner of Oyer and Terminer and Gaol Delivery under this Act, being a Judge of any of the superior Courts at *Westminster*, or the Chief Judge or any other Judge of the Court of Bankruptcy, or the Recorder for the said City of *London* for the Time being, if such Court, Judge, or Recorder shall think proper, to issue any Writ or Writs of Certiorari, or other Process, directed to His Majesty's Justices of the Peace acting in and for the Cities of *London* and *Westminster*, the Liberty of the *Tower* of *London*, the Borough of *Southwark*, and the Counties of *Middlesex*, *Essex*, *Kent*, and *Surrey*, or either of them, commanding the said Justices of the Peace, or any or either of them, to certify and return into the said Court of Oyer and Terminer and Gaol Delivery Indictments or Presentments found or taken before the said Justices of the Peace, or any of them, of any Offences cognizable by virtue of this Act, and the several Recognizances, Examinations, and Depositions relative to such Indictments and Presentments, so that the same Offences may be dealt with, tried, and determined by the said Justices and Judges of Oyer and Terminer and Gaol Delivery; and also for the like Purpose, by Writ or Writs of Habeas corpus, to cause any Person or Persons who may be in the Custody of any Gaol or Prison charged with any Offences cognizable under this Act to be removed into the Custody of the Keeper of the Gaol of *Newgate*.

Indictments found at the Sessions of the Peace may be removed before Justices of Oyer and Terminer and Gaol Delivery.

XVII. And be it further enacted, That the Justices of the Peace acting in and for the said Cities of *London* and *Westminster*, the Liberty

Quarter Sessions restrained

from trying certain Offences.

Liberty of the *Tower* of *London*, the Borough of *Southwark*, and the Counties of *Middlesex*, *Essex*, *Kent*, and *Surrey*, shall not, at their respective General or Quarter Sessions of the Peace, or any Adjournment thereof, try any Person or Persons charged with any Capital Offence, or with any of the following Offences committed or alleged to be committed within the Limits of this Act; that is to say, Housebreaking, stealing above the Value of Five Pounds in a Dwelling House, Horse-stealing, Sheep-stealing, Cattle-stealing, maliciously wounding Cattle, Bigamy, Forgery, Perjury, Conspiracy, Assault with Intent to commit any Felony, administering or attempting to administer Poison with Intent to kill or to do some grievous bodily Harm, administering Drugs or other Things or doing any thing with Intent to cause or procure Abortion, Manslaughter, destroying or damaging Ships or Vessels, the breaking of Shops, Warehouses, Counting-houses, and Buildings within the Curtilage of Dwelling Houses, killing Sheep with Intent to steal the Carcases, the uttering of all forged Instruments, and the various Offences enumerated in the Act passed in the First Year of the Reign of His present Majesty, intituled *An Act for reducing into One Act all such Forgeries as shall henceforth be punished with Death; and for otherwise amending the Laws relative to Forgery*, forging the Assay Marks on Gold or Silver Plate, and all the Offences relating to Coin enumerated in the Act passed in the Second Year of the Reign of His present Majesty, intituled *An Act for consolidating and amending the Laws against Offences relating to the Coin*, the Abduction of Women, Bankrupts not surrendering under their Commission or concealing their Effects, breaking down Bridges and Banks of Rivers, taking Rewards for helping to stolen Goods, personating any Officer, Seaman, or other Persons in order to receive any Wages, Pay, Allowance, or Prize Money due or supposed to be due, or any Out-Pensioner of *Greenwich* Hospital in order to receive any Out-Pension Allowance due or supposed to be due, sending threatening Letters and using Threats to extort Money, Larceny on navigable Rivers and Canals, and stealing and destroying Goods in progress of Manufacture, and Larcenies after a previous Conviction, Embezzlement, Larceny by Clerks and Servants, and Receivers of stolen Goods, whether such Person or Persons shall be charged as principal Offenders or as Accessories before or after the Fact.

1 W. 4. c. 66.

2 W. 4. c. 34.

Recognizances for prosecuting, giving Evidence, &c. before Sessions of Peace to be obligatory on Persons entering into same to prosecute, give Evidence, &c. before Justices of Oyer and Terminer and Gaol Delivery.

XVIII. And be it further enacted, That every Recognizance which shall have been or shall be entered into for the Prosecution before His Majesty's Justices of the Peace aforesaid of any Person for any Offence cognizable under this Act, and any Recognizance for the Appearance as well of any Witness to give Evidence upon any Bill of Indictment or Presentment for any such Offence as of any Person to answer our Lord the King for or concerning any such Offence, or to answer generally before such Justice of the Peace, shall, in case any such Writ of Certiorari or Habeas corpus be issued for the Purpose of removing such Indictment or Presentment or such Person so in Custody as aforesaid, be obligatory on the Parties bound by such Recognizance to prosecute and appear and give Evidence and do all other Things therein mentioned with reference to the Indictment or Presentment or the Person so removed as aforesaid before the Justices and Judges of Oyer and Terminer and

Gaol Delivery acting by virtue of this Act, in like Manner as if such Recognizance had been originally entered into for prosecuting such Offence, appearing, or giving Evidence, or doing such other Things before the said Justices and Judges of Oyer and Terminer and Gaol Delivery; provided that in Cases of Removal from the Jurisdiction of Justices of the Peace for the said Cities of *London* or *Westminster*, the Liberty of the *Tower* of *London*, the Borough of *Southwark*, or Counties of *Middlesex* and *Surrey*, Two Days Notice, and in case of Removal from the Jurisdiction of the Justices of the Peace for the Counties of *Essex* and *Kent* One Week's Notice, shall have been given either personally or by leaving the same at the Place of Residence as of which the Parties bound by such Recognizance are therein described, to appear before the Court of Oyer and Terminer and Gaol Delivery instead of the said other Justices: Provided also, that it shall be lawful for the Court, Judge, or Recorder who shall grant such Writ of Certiorari or Habeas corpus, and it is hereby required that such Court, Judge, or Recorder shall cause the Party applying for such Writ or Writs, whether he be the Prosecutor or Party charged with such Offence, to enter into a Recognizance in such Sum, and with or without Sureties, as the Court, Judge, or Recorder may direct, conditioned to give such Notice as aforesaid to the Parties bound by such Recognizance to appear before the said Court of Oyer and Terminer and Gaol Delivery instead of before the said other Justices respectively, and to do such other Things as such Court, Judge, or Recorder shall direct.

Notice to be given to Parties entering into Recognizances of Change of Court.

XIX. And be it further enacted, That it shall be lawful for the said Justices of the Peace acting in and for the said Cities of *London* and *Westminster*, the Liberty of the *Tower* of *London*, the Borough of *Southwark*, and for the said Counties of *Middlesex*, *Essex*, *Kent*, and *Surrey*, if they shall think fit, to certify, transmit, and deliver to the said Justices and Judges of Oyer and Terminer and Gaol Delivery any Indictment or Presentment found or taken before them at their said respective General or Quarter Sessions of the Peace, or at any Adjournment thereof, for any Offence or Offences cognizable by the said Justices and Judges of Oyer and Terminer and Gaol Delivery by virtue of this Act, in the same Manner to all Intents and Purposes as the said Justices of the Peace might or could do if the said Court of Oyer and Terminer and Gaol Delivery was holden in the County where such Indictments or Presentments were found or taken.

Justices of Peace may deliver over Indictments found at Sessions to the Justices of Oyer and Terminer and Gaol Delivery.

XX. And be it further enacted, That it shall be lawful for the said Justices and Judges of Oyer and Terminer and Gaol Delivery, in Sessions assembled, and they are hereby authorized and required, to ascertain, make, and settle a Table of Fees and Allowances to be received and taken by the several Officers of the said Court, and from Time to Time to alter and vary the same as may to them appear just and reasonable, which said Table of Fees and Allowances shall be hung up in the Court of Sessions, and a Copy thereof transmitted to the Clerks of the Peace of the said Counties of *Middlesex*, *Essex*, *Kent*, and *Surrey*; or it shall be lawful for the said Justices and Judges to ascertain, make, and settle a Salary in lieu of such Fees and

Justices to settle Officers Fees, or a Salary, and direct how the same shall be paid

Allowances, to be paid to the said Officers or either of them for the Performance of their respective Duties, as to the said Justices and Judges of Oyer and Terminer and Gaol Delivery shall seem reasonable and just, and to order and direct how and in what Manner and by whom such Fees and Allowances or Salary shall be paid, and also to order and direct such Portion as they shall think fit of the Expence of preparing Calendars and Sessions Papers, and of other Expences incident to this Act, to be borne and paid by the Treasurer of each of the said Counties, and such Portion shall be paid by such Treasurers accordingly: Provided nevertheless, that the County of *Middlesex* shall not be liable to any Portion of the Expence of preparing Calendars or Sessions Papers, or of any other Expences incident to this Act, to which the said County would not have been liable in case this Act had not been passed.

Sessions of the Peace not to be affected by the Sessions holden in pursuance of this Act.

XXI. Provided nevertheless, and be it further enacted, That nothing herein contained shall hinder or prevent, or shall be construed to hinder or prevent, the Justices of the Peace for the said Cities of *London* and *Westminster*, the Liberty of the *Tower* of *London*, the Borough of *Southwark*, and the said Counties of *Middlesex*, *Essex*, *Kent*, and *Surrey*, from holding their respective General or Quarter Sessions of the Peace in their respective Jurisdictions during the Sitting of the said Court of Oyer and Terminer and Gaol Delivery to be held in pursuance of this Act; and that neither this Act, nor the Commissions of Oyer and Terminer and Gaol Delivery from Time to Time to be issued under the Authority of this Act, shall supersede, interfere with, or affect any other Commission or Commissions of Oyer and Terminer to be at any Time issued by His said Majesty, His Heirs and Successors, in the said Counties of *Essex*, *Kent*, and *Surrey*, or the Jurisdiction by virtue thereof, nor hinder or prevent the Justices of Oyer and Terminer to be from Time to Time appointed by any Commission to be issued under the Authority of this Act from holding their respective Sessions at one and the same Time, it being the true Intent and Meaning of this Act, that the Justices to be named and appointed in and by any other Commissions of Oyer and Terminer and Gaol Delivery to be hereafter issued in the said Counties of *Essex*, *Kent*, and *Surrey*, shall have the like Power and Jurisdiction to inquire of, hear, and determine all Offences by virtue of such Commissions which they would have had if this Act had not been made: Provided nevertheless, that they shall not be required or obliged to inquire of, hear, and determine, or to deliver the respective Gaols or Prisons of the same last-mentioned Counties of any Person or Persons whose Offence or Offences is, are, can, or may be inquired of, dealt with, tried, and determined under and by virtue of the Commissions of Oyer and Terminer and Gaol Delivery to be from Time to Time issued under the Authority of this Act.

Authorizing Court to try Offences committed on the High Seas.

XXII. And whereas it is expedient that Persons charged with certain Offences committed on the High Seas and other Places within the Jurisdiction of the Admiralty of *England* should speedily be brought to Trial; be it therefore enacted by and with the Authority aforesaid, That it shall and may be lawful for the Justices and Judges of Oyer

and Terminer and Gaol Delivery to be named in and appointed by the Commissions to be issued under the Authority of this Act, or any Two or more of them, to inquire of, hear, and determine any Offence or Offences committed or alleged to have been committed on the High Seas, and other Places within the Jurisdiction of the Admiralty of *England*, and to deliver the Gaol of *Newgate* of any Person or Persons committed to or detained therein for any Offence or Offences alleged to have been done and committed upon the High Seas aforesaid within the Jurisdiction of the Admiralty of *England*; and all Indictments found and Trials and other Proceedings had and taken by and before the said Justices and Judges of Oyer and Terminer and Gaol Delivery shall be valid and effectual to all Intents and Purposes whatsoever; and that it shall and may be lawful for any Three of the said Justices and Judges of Oyer and Terminer and Gaol Delivery to order and direct the Payment of the Costs and Expences of such Prosecutions in manner prescribed and directed by the before-recited Act of the Seventh of *George* the Fourth.

Saving the Rights and Privileges of London.

XXIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or affect the Rights, Interests, Privileges, Franchises, or Authorities of the Lord Mayor, Aldermen, and Recorder of the City of *London*, or their Successors, the Sheriffs of the City of *London* and County of *Middlesex*, for the Time being, or to prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of making this Act the said Lord Mayor, Aldermen, and Recorder, for the Time being, of the said City, did or might lawfully use or exercise; and that, notwithstanding any Practice or Custom of the said City of *London* to the contrary, it shall be lawful for the Lord Mayor's Court of the City of *London* to sit on any Day on which any Session of the Peace, Oyer and Terminer and Gaol Delivery shall be held within the said City; and that all Proceedings of the said Lord Mayor's Court that could or might have been had or taken if such Sessions were not held shall and may be had and taken, any Practice, Custom, or Law to the contrary notwithstanding.

Commencement of Act.

XXIV. And be it further enacted, That this Act shall commence and take effect from and after the Thirty-first Day of *October* One thousand eight hundred and thirty-four.

Act may be altered this Session.

XXV. And be it further enacted, That this Act may be amended or altered by any Act to be passed in this present Session of Parliament.

Public Act.

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

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE, Printers to the King's most Excellent Majesty. 1834.