ANNO TERTIO

VICTORIÆ REGINÆ.

****

Cap.lxxxvii.

An Act to authorize the Appointment of additional Coroners for the County Palatine of *Chester*.

[19th *June* 1840.]

WHEREAS by an Act passed in the Thirty-third Year of the Reign of His Majesty King *Henry* the Eighth, Chapter Thirteen, intituled *An Act concerning certain Lordships translated from the Countie of* Denbighe *to the Countie of* Flinte, it was enacted, that the Shyryf of the said Countie of *Chester* for the Tyme being, after the Feaste of *Easter* next coomyng, shoulde be bounde to keepe his Shyre Courte in the Shyre Hall of the saide Countye everye Monethe for ever for Determinac̃on of Plaints and Acc̃ons under xl^{s}., and for Proclamac̃ons and calling of Exigends and other necessarye Causes as was used in other Shyres of this Realme of *Englande*, and that Twoo Heade Coroners for the Bodye of the said Shyre shoulde be elected and chosen by vertue of the King's Wrytt De coronatore eligend̄ to be awardyd oute of the Exchequiere of *Chester*, whiche Coroners shouldde be bounde to sitt with the said Shyryff at the saide Courts to gyve Iudgements uppon Otlaryes and to doo all other Things as appteyned: And whereas an Act was passed in the Fifty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to regulate the Election of Coroners for Counties:* And whereas by an Act passed in the First

33 Hen. 8. c. 13.

58 G. 3. c. 95.

Year

11 G. 4. & 1 W. 4. c. 70.

Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the more effectual Administration of Justice in* England *and* Wales, it was amongst other things enacted, that from and after the Commencement of that Act His Majesty's Writ should be directed and obeyed, and the Jurisdiction of His Majesty's Courts of King's Bench, Common Pleas, and Exchequer respectively, and the several Judges and Barons thereof, should extend and be exercised over and within the County of *Chester*, and the County of the City of *Chester*, and the several Counties in *Wales*, in like Manner, to the same Extent, and to and for all Intents and Purposes whatsoever as the Jurisdiction of such Courts respectively was then exercised in and over the Counties of *England* not being Counties Palatine, any Statute theretofore passed to the contrary notwithstanding, and that all original Writs to be issued into the said several Counties of *Chester*, City of *Chester*, and *Wales* should be issued by the Cursitors for *London* and *Middlesex*, and the Process and Proceedings should be issued by and transacted with such of the Officers of the several Courts of King's Bench and Common Pleas as should be named for the Purpose by the Chief Justices of such Courts respectively, each naming for his own Court; and it was by the same Act further enacted, that all the Power, Authority, and Jurisdiction of His Majesty's Court of Session of the said County Palatine of *Chester*, and of the Judges thereof, and of his Court of Exchequer of the said County Palatine, and of the Chamberlain and Vice Chamberlain thereof, and also of his Judges and Courts of Great Sessions, both in Law and Equity, in the Principality of *Wales*, should cease and determine: And whereas the Population of the said County of *Chester* has greatly increased since the passing of the said first-recited Act, and Two Head Coroners are not now sufficient to discharge the Duties which devolve upon Coroners within the said County, whereby the holding of Inquests is frequently delayed and great public Inconvenience sustained: And whereas Doubts have arisen whether any additional Head Coroners can be appointed for the said County of *Chester*: And whereas it is expedient that such Doubts should be removed, and that the Lord Chancellor should be empowered, upon the Application of the Justices of the Peace of the said County in Quarter Sessions assembled, to issue One or more Writ or Writs De coronatore eligendo, for the Election of One or more additional Head Coroner or Coroners for the said County: And whereas by reason of the great Extent of the said County of *Chester* the Expence necessarily attendant upon Elections for Coroners is very great, and it would be very beneficial to the County at large if the same were for the Purposes of such Elections divided into Divisions, to be settled and described by the Justices of the Peace for the said County in Quarter Sessions assembled: And whereas the beneficial Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and immediately after the passing of this Act it shall be lawful for the Lord High Chancellor, from Time to Time upon the Application or Representation of the Justices of the Peace

The Lord Chancellor authorized to issue

Peace for the said County of *Chester* in Quarter Sessions assembled, or at any Adjournment thereof, to issue or cause to be issued Her Majesty's Writ De coronatore eligendo for the Election of One or more additional Head Coroner or Coroners for the said County of *Chester*, as in any such Application or Representation shall be required, any thing in the said first-recited Act to the contrary thereof in anywise notwithstanding.

Writs De coronatore eligendo for the Election of additional Head Coroners.

II. And be it enacted, That the Justices of the Peace for the said County assembled at the Quarter Sessions to be holden in the Month of *October* in the present Year, or at some Adjournment thereof, or at some special Sessions to be appointed by them so assembled as aforesaid, shall divide the said County (with the Exception of that District or Portion of the County which is commonly called or known by the Name of *Halton Fee*) into Three or more Divisions, and shall set out and determine the Extent of Limits of such Divisions, and what Parishes, Townships, Extra-parochial Places, and other Portions of the said County shall be included therein respectively, and shall fix and determine at what Place, within each Division, the Court for the Election of Head Coroner for such Division shall be holden, and shall cause an Instrument to be prepared, under the Hands and Seals of the Justices so assembled as aforesaid, or the major Part of them, describing the Divisions into which the said County is to be divided, and the Name by which each such Division is to be distinguished, and the Parishes, Townships, Extra-parochial Places, and other Portions of the said County intended to be included therein respectively, and the Place at which the Court for the Election of the Head Coroner for such Division is to be held, a Copy of which Instrument shall be published in the *London Gazette*, and also in Two or more Newspapers published or usually circulated within the said County, and the Original thereof shall be deposited with the Clerk of the Peace for the said County, to be by him safely kept amongst the public Records of the said County, and the said County shall, after such Publication as aforesaid, be deemed to be divided into such Divisions as shall be so determined and set out as aforesaid, and such Divisions shall continue and be in force until the same shall be altered by the Authority and in the Manner herein-after mentioned.

The Justices of the Peace assembled in Quarter Sessions authorized to divide the County into Three or more Divisions, and fix the Place of Election for each Division.

III. And be it enacted, That it shall be lawful for the said Justices, so assembled as aforesaid, to fix and determine to which of the Divisions into which the said County shall be so divided the present Head Coroners, or the Head Coroners for the Time being of the said County at the Time of such Division, shall be assigned, and within which they shall act, for the Purpose of holding Inquests, and to apply to the Lord High Chancellor to issue One or more Writ or Writs De coronatore eligendo for the Election of a Head Coroner or Coroners for the remaining Division or Divisions.

Justices may assign the present Head Coroners and apply for Writs for the Election of others.

IV. And be it enacted, That if the Justices of the Peace for the said County assembled at the Quarter Sessions, or at any Adjournment thereof, shall at any Time hereafter think it expedient that the Divisions into which the said County may at that Time happen to be divided should be increased or augmented by the Creation of an additional

Justices may alter or increase the Divisions of the County, and if increased, ap-

ply to the Lord Chancellor to issue Writs for the Election of Coroners for the new Divisions.

additional Division or Divisions, or be in any Manner varied or altered, or that the Places for the Time being appointed for holding the Courts for the Election of Head Coroners for such Divisions, or any of them, should be altered or changed, it shall be lawful for such Justices so assembled as aforesaid, or at some special Sessions to be appointed by them for that Purpose, to increase the Number of Divisions into which the said County may for the Time being be divided, and to set out and determine the Extent and Limits of such additional Division or Divisions, and the Parishes, Townships, Extra-parochial Places, and other Portions of the said County to be included therein respectively, and the Place or Places within such additional Division or Divisions at which the Court for the Election of Head Coroners for such Division or Divisions shall be holden, and, either with or without increasing the Number of Divisions, to alter and vary the Division into which the County may for the Time being be divided, and the Parishes, Townships, Extra-parochial Places, and other Portions of the County to be included therein, and to vary or alter the Places at which the Courts for the Election of Head Coroners for any such Division or Divisions shall be holden; and whenever any such additional Division or Divisions shall be made, or any such Alteration as aforesaid shall be made, the said Justices shall cause an Instrument to be prepared, under the Hands and Seals of the Justices so assembled as aforesaid, or the major Part of them, describing the additional Division or Divisions, and the Name by which each is to be distinguished, and the Parishes, Townships, Extra-parochial Places, and other Portions of the said County intended to be included therein, and the Place at which the Court for the Election of the Head Coroner for such Division is to be held, and the Alteration which shall be made in the existing Divisions of the County, and the Variation or Alteration which shall be made in the Places at which the Court for the Election of Head Coroners shall be held, and any other Alteration which shall from Time to Time be made; and a Copy of such Instrument shall be published in the *London Gazette*, and in Two Newspapers printed or usually circulated within the said County, and the Original thereof shall be deposited with the Clerk of the Peace for the said County, to be by him safely kept amongst the public Records of the said County, and the said County shall, after such Publication, be deemed to be divided into such Divisions as shall be so determined and set out as last aforesaid, or as the same shall be so altered or varied, and such Divisions shall continue and be in force until the same shall be again varied or altered in the Manner herein-before directed; and when and as soon as any additional Division or Divisions shall be made, under the Authority herein-before contained, the said Justices so assembled as aforesaid shall fix and determine to which of the Divisions of the said County the Head Coroners for the Time being shall be assigned, and within which they shall act for the Purpose of holding Inquests, and shall apply to the Lord High Chancellor to issue One or more Writ or Writs De coronatore eligendo for the Election of a Head Coroner or Coroners for such additional Division or Divisions.

Instruments dividing Counties,

V. And be it enacted, That the said Instruments under the Hands and Seals of the Justices aforesaid, herein-before directed to be deposited

sited with the Clerk of the Peace for the County, shall be at all reasonable Times open to the Inspection of all Persons interested therein, who shall be at liberty to make Extracts therefrom or Copies thereof respectively, paying to the said Clerk of the Peace for every Inspection the Sum of Six Shillings and Eight-pence, and for Copies of or Extracts from the said Instruments or any of them after the Rate of Sixpence for every One hundred Words; and the said several Instruments, or any of them, or true Copies thereof respectively, or so much thereof respectively as shall relate to any Matter in question, certified by the said Clerk of the Peace, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere.

&c. to be open to Inspection.

VI. And be it enacted, That the Head Coroners for the said County shall no longer be elected by the Freeholders of the County at large, but every future Head Coroner shall be elected by the Freeholders of the Division of the County within which it is intended that he shall hold Inquests, in the same Manner as if such Division were a separate County, and (except where otherwise provided by this Act) in the same Manner in all respects as is directed by the said recited Act of the Fifty-eighth Year of the Reign of His Majesty King *George* the Third, or any other Law or Statute now in force regulating the Election of Coroners; and the Court for the Election of a Head Coroner for each Division of the said County shall be holden at the Place to be from Time to Time appointed for that Purpose by the Magistrates for the said County in the Manner herein-before directed.

Head Coroners to be no longer elected by the Freeholders of the County at large, but by the Freeholders of the Division within which they are to hold Inquests.

VII. And be it enacted, That upon every Election of a Head Coroner for any Division of the said County the Sheriff of the said County, or his Under Sheriff or Deputy, shall hold a Court in the Nature of a County Court for the same Election at such Place as shall from Time to Time be appointed in the Manner herein-before directed for that Purpose, and shall there proceed to Election on some convenient Day, not exceeding Fourteen Days from the Receipt of the Writ De coronatore eligendo, of which Day Ten Days Notice shall be given; and in case the said Election be not determined upon the View with the Consent of the Freeholders there present, but a Poll shall be demanded for the Determination thereof, then the said Sheriff, or in his Absence his Under Sheriff or Deputy, with such others as shall be deputed by him, shall take the said Poll, on such Days, at such Times, and in such Manner as are herein-after provided.

Upon the Election of Head Coroner the Sheriff to hold a Court for that Purpose within the Division for which the Election is to take place.

VIII. And be it enacted, That for more conveniently taking the Poll at all Elections of Head Coroners for the several Divisions of the said County, in pursuance of the Provisions of this Act, the Poll for the Election of Head Coroner in each Division shall be taken at the Place to be appointed for holding the Court for such Election, and at such other Places within the same Division as may for the Time being be appointed as the Places for taking the Poll at Elections of a Knight or Knights of the said Shire of *Chester* to serve in Parliament, and the District which shall or may be assigned to every such Polling Place for the Purpose of such Election of a Knight or Knights of the Shire, or so much of such District as shall be within the

The Polling Places in Elections for Knights of the Shire to be Polling Places for taking the Poll at Elections for Head Coroners.

the Division of the County for which such Election of Head Coroner is to be made, shall be considered as the District assigned to every such Polling Place for the Purposes of this Act.

The Sheriff may erect Polling Booths for taking the Poll at.

IX. And be it enacted, That at every contested Election of Head Coroner for any Division of the said County, the Sheriff, Under Sheriff, or Sheriff's Deputy shall, if required, by or on the Behalf of any Candidate on the Day fixed for the Election, and if not so required may, if it shall appear to him expedient, cause a Booth or Booths to be erected for taking the Poll at the Court or principal Place of Election, and also at each of the Polling Places within the said Division herein-before directed to be used for the Purposes of such Election, and shall cause to be affixed on the most conspicuous Part of each of the said Booths the Names of the several Parishes, Townships, and Places for which such Booth is respectively allotted; and no Person shall be admitted to vote at any such Election in respect of any Property situate in any Parish, Township, or Place, except at the Booth so allotted for such Parish, Township, or Place, and if no Booth shall be so allotted for the same, then at any of the Booths for the same District; and in case any Parish, Township, or Place, or Part of any Parish, Township, or Place, shall happen not to be included in any of the Districts, the Votes in respect of Property situate in any Parish, Township, or Place, or any Part of any Parish, Township or Place, so omitted, shall be taken at the Court or principal Place of Election for such Division of the said County.

No Voter to Poll out of the District where his Property lies.

Commencement and Continuance of the Poll.

X. And be it enacted, That at every contested Election of Head Coroner for any Division of the said County the polling shall commence at Nine o'Clock in the Forenoon of the next Day but Two after the Day fixed for the Election, unless such next Day but Two shall be *Saturday* or *Sunday*, and then on the *Monday* following, the principal Place of Election, and also at the several Places within the same District herein-before directed to be used for taking Polls at such Elections, and such Polling shall continue for Two Days only, such Two Days being successive Days; that is to say, for Seven Hours on the first Day of polling, and for Eight Hours on the Second Day of polling; and no Poll shall be kept open later than Four o'Clock in the Afternoon of the Second Day, the said recited Act of the Fifty-eighth Year of the Reign of King *George* the Third or any other Statute to the contrary notwithstanding.

Sheriff to appoint Deputies, Poll Clerks, &c.

Delivery and Custody of Poll Books.

XI. And be it enacted, That the Sheriff of the said County shall have full Power to appoint Deputies to preside and Clerks to take the Poll at the Court or principal Place of Election, and also at the several Places for taking the Poll for any Division of the said County; and that the Poll Clerks employed at those several Places shall at the close of each Day's Poll enclose and seal their several Books, and shall publicly deliver them, so enclosed and sealed, to the Sheriff, Under Sheriff, or Sheriff's Deputy presiding at such Poll, who shall give a Receipt for the same, and shall, on the Commencement of the Poll on the Second Day, deliver them back, so enclosed and sealed, to the Persons from whom he shall have received them; and on the final Close of the Poll every such Deputy who shall have received any such Poll

Book shall forthwith deliver or transmit the same, so enclosed and sealed, to the Sheriff or his Under Sheriff, who shall receive and keep all the Poll Books unopened until the re-assembling of the Court on the Day next but one after the Close of the Poll, unless such next Day but one shall happen on *Sunday*, and then on the *Monday* following, when he shall openly break the Seals thereon and cast up the Number of Votes as they appear on the said several Books, and shall openly declare the State of the Poll, and shall make Proclamation of the Head Coroner chosen not later than Two o'Clock in the Afternoon of the same Day.

Final Declaration of the Poll.

XII. And be it enacted, That in all Matters relative to the Election of a Head Coroner for any Division of the said County the Sheriff of the said County, or his Under Sheriff, or any lawful Deputy of such Sheriff, shall have Power to act in all Places within such Division having any exclusive Privilege or Jurisdiction whatsoever, in the same Manner as such Sheriff, Under Sheriff, or Deputy may act within any Part of such Sheriff's ordinary Juridiction.

The Sheriff may act in Places of exclusive Jurisdiction

XIII. And be it enacted, That at every Election of Head Coroner for any Division of the said County all Booths erected for the Convenience of taking Polls at such Elections shall be erected at the joint and equal Expence of the several Candidates, and the same shall be erected by Contract with the Candidates, if they shall think fit to make such Contract, or if they shall not make such Contract then the same shall be erected by the Sheriff at the Expence of the several Candidates as aforesaid, subject to such Limitation as is herein-after next mentioned, (that is to say,) that the Expence to be incurred for the Booth or Booths to be erected at the principal Place of Election for any such Division of the said County, or at any of the Polling Places within the said Division to be used for taking the Poll at such Election, shall not exceed the Sum of Forty Pounds in respect of any One such principal Place of Election, or any One such Polling Place, and that all Deputies appointed by the Sheriff shall be paid each Two Guineas by the Day, and all Clerks employed in taking the Poll shallbe paid One Guinea each by the Day, at the Expence of the Candidates at such Election, who shall also defray the reasonable Costs and Expence of providing Poll Books: Provided always, that if any Person shall be proposed without his Consent, then the Person so proposing him shall be liable to defray his Share of the said Expences in like Manner as if he had been a Candidate: Provided also, that the Sheriff may, if he shall think fit, instead of erecting such Booth or Booths as aforesaid, procure or hire and use any Houses or other Buildings for the Purpose of taking the Poll therein, subject always to the same Regulations, Provisions, Liabilities, and Limitations of Expence as are herein-before mentioned with regard to Booths for taking the Poll.

Polling Booths to be erected at the Expence of the Candidates.

Limitation of Expence.

Persons proposing a Candidate without his Consent, to be at the Expence.

Houses may be hired for polling instead of Booths.

XIV. And be it enacted, That in every Election for a Head Coroner for any Division of the said County, every Deputy of the Sheriff shall have the same Power of administering the Oaths and Affirmations required by Law, and of appointing Commissioners or Sworn Clerks for administering such Oaths and Affirmations, as may by

Sheriff's Deputy to have the same Power as the Sheriff.

by Law be administered by Commissioners or Sworn Clerks, as the Sheriff of the said County of *Chester* has by virtue of this Act, or of any Law now in force with relation to the Election of Coroners, and subject to the same Regulations and Provisions in every respect as such Sheriff.

The Act 58 G. 3. c. 95. and all Laws relating to the Election of Coroners to remain in force, except where superseded by this Act.

XV. And be it enacted, That the said recited Act of the Fifty-eighth Year of the Reign of King *George* the Third, and all other Laws, Statutes, and Usages now in force respecting the Election of Coroners, shall be and remain, and are hereby declared to be and remain, in full Force, and shall apply to the Election of Head Coroners for the several Divisions of the said County hereby empowered to elect Head Coroners, as fully and effectually as if such Divisions respectively had heretofore elected Head Coroners, except so far as the said recited Act, or any of the said Laws, Statutes, or Usages, are repealed or altered by this Act, or are inconsistent with the Provisions thereof.

Writs De coronatore eligendo to be directed to the Sheriff.

XVI. And be it enacted, That all Writs De coronatore eligendo to be issued for the Election of a Head Coroner for any Division of the said County shall be directed to the Sheriff of the said County; and all Mandates, Precepts, Instruments, Proceedings, and Notices consequent upon such Writs shall be and the same are hereby authorized to be framed and expressed in such Manner and Form as may be necessary for the carrying the Provisions of this Act into effect.

Head Coroners although elected by Freeholders of Division shall for all Purposes, except holding Inquests, be considered as Coroners for the whole County.

XVII. And be it enacted, That every Head Coroner to be elected under the Authority of this Act, although such Coroner may be designated as the Coroner for any particular Division of the said County, and may be elected by the Freeholders of such Division, and not by the Freeholders of the County at large, shall for all Purposes whatsoever, except as herein-after mentioned, be considered as a Coroner for the whole County, and shall and may have and exercise the same Jurisdiction, Rights, Powers, and Authorities throughout the said County as if he had been elected one of the Head Coroners of the said County by the Freeholders of the County at large, and as the present Head Coroners for the said County, or either of them, now have or had and exercised.

Present and future Coroners, except during Illnesss, &c. of Coroner for another Division, or in case of Vacancy in the Office, to hold Inquests only within the Division to which they

XVIII. And be it enacted, That the present and all future Head Coroners for the said County, or any Division thereof, after they shall, in pursuance of the Provisions of this Act, have been assigned to or elected by the Freeholders of any particular Division of the said County, shall, except during the Illness or Incapacity, or necessary Absence through unavoidable Business, of any Head Coroner for any Division, or during a Vacancy in the Office of Head Coroner for any Division, hold Inquests only within the Division to or for which they shall have been respectively assigned or elected: Provided always, that the Coroner who shall hold any Inquest in any other Division or District of the said County save that to which he shall have been assigned or elected as aforesaid shall, in the Inquisition to be returned on such Inquest, certify the Cause of his Attendance and holding such Inquest, which Certificate shall be conclusive Evidence of the Illness or Incapacity,

Incapacity, or necessary Absence through unavoidable Business, of the Head Coroner in whose Place and Stead he shall so attend, or of there being a Vacancy in the Office of Head Coroner for the Division in which such Inquest shall be holden.

shall have been assigned or elected.

XIX. And be it enacted, That the present Head Coroners, or the Head Coroner for the Time being of the said County, after they shall have been assigned to any of the Divisions into which the said County may, under the Authority of this Act, be divided, and also every Head Coroner to be elected for any Division of the said County, shall be entitled to receive and shall receive and be paid the like Fees and Allowances on holding Inquests, either within the Division of the County for which he shall be Head Coroner, or within any other Division thereof, during the Illness, or Incapacity, or necessary Absence through unavoidable Business, of the Head Coroner thereof, or during a Vacancy in the Office of Head Coroner thereof, as other Coroners in *England* and *Wales* are by Law entitled to.

Head Coroners to receive the same Fees upon Inquests held within Divisions as other Coroners in England and Wales are entitled to.

XX. And be it enacted, That at every Inquest which, after the passing of this Act, shall be held within the said County, or any Division thereof, upon any dead Human Body which may have been picked up floating in the Sea, or in any Inlet, Bay, or Creek, it shall be lawful for the Head or other Coroner before whom such Inquest shall be held, if he shall think proper so to do, but not otherwise, to pay to the Person by whom such Body shall have been picked up the Sum of Five Shillings for his Trouble, and the Money so paid by such Head or other Coroner shall be considered as Part of the Expences attendant upon holding such Inquest, and shall be included by him in the Account of such Expences, and shall be repaid to him, at the Time and in the Manner directed by an Act passed in the Seventh Year of the Reign of His late Majesty King *William* the Fourth and the First Year of the Reign of Her present Majesty, intituled *An Act to provide for Payment of the Expences of holding Coroners Inquests.*

Coroner may reward Persons for picking up dead Bodies at Sea.

7 W. 4. & 1 Vict. c. 68.

XXI. And whereas by reason of the Division of the said County, in pursuance of the Provisions of this Act, the Fees and other Emoluments to which, according to Usage, the present Head Coroners of the said County are entitled, will probably be reduced, and in like Manner, upon any new Division of the said County, the Fees and other Emoluments to which the Head Coroners for the Time being may be entitled will also probably be reduced, and such Division being for the public Benefit, it is reasonable and just that the present Head Coroners, and other Head Coroners for the Time being, of the said County should not be prejudiced thereby; be it therefore enacted, That upon the Division of the said County into Divisions, in pursuance of the Provisions of this Act, and in like Manner upon any subsequent new Division thereof, under the Authority herein-before contained, it shall be lawful for the Justices of the Peace for the said County in Quarter Sessions assembled, or at any Adjournment thereof, or any special Sessions held for that Purpose, to make a Compensation out of the County Rate to each of the present Head Coroners, whose Fees or Emoluments may be reduced by the County being so divided

In case the Fees and Emoluments of the Coroners shall be reduced by any Division of the County under the Authority of this Act, the Justices in Quarter Sessions assembled may make them Compensation out of the County Rate.

as aforesaid, and in like Manner to each and every of the Head Coroners for the Time being whose Fees and Emoluments may be reduced by the Alteration of the Division to which he may have been appointed or elected in pursuance of the Authority herein-before contained, and for that Purpose such Justices, so assembled as aforesaid, shall cause a Calculation to be made of the average Annual Amount of Fees and Emoluments received by any such Head Coroner, during the Three Years preceding such Division or Alteration, for or in respect of Inquests held by him within that Portion of the County, or of the Division, as the Case may be, which shall be taken from him, or in which he shall no longer have or be entitled to the holding of Inquests, and after ascertaining such average Amount of Fees during such preceding Three Years it shall be lawful for such Justices so assembled as aforesaid, if they shall think proper so to do, but not otherwise, to direct the Treasurer of the said County, yearly and every Year, during the Remainder of the Life of the Head Coroner whose Fees or Emoluments shall be so reduced, or during such Period as he shall continue Head Coroner, or during such shorter Period as such Justices shall think proper, to pay to such Head Coroner such Sum or Sums of Money, not exceeding such yearly Average amount of Fees, as such Justices shall think reasonable, which Sum or Sums of Money so directed to be paid to such Head Coroner shall be paid by the Treasurer of the said County out of any public Money in his Hands, and he shall be allowed all such Payments in his Accounts.

The Expences of this Act to be paid, upon the Order of the Justices, out of the County Rate.

XXII. And be it enacted, That the Costs, Charges, and Expences incident to or attending the applying for, obtaining, and passing this Act shall be defrayed and paid by and out of the Monies to be raised by the general Rates and Assessments made and to be assessed and levied in the said County by virtue of the several Statutes for the Time being in force for the assessing, collecting, and levying of County Rates, and the Justices of the Peace for the said County assembled at any General or Quarter Sesions to be held after the passing of this Act, or at any Adjournment of such Sessions, shall order the Treasurer of the said County to pay the same Costs, Charges, and Expences, and such Treasurer shall be allowed such Payments in his Accounts.

Saving Right of Lord of the Manor of Halton Fee.

XXIII. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend, to prejudice or alter or in any Manner affect the Right or Privilege of the Lord of the Manor of *Halton Fee* to appoint a Coroner for that District or Portion of the said County of *Chester* which is commonly called or known by the Name of *Halton Fee*, or the Right or Privilege of any Coroner appointed by the Lord of the said Manor to hold Inquests in the Townships or Places included within the same District.

The Act 5 & 6 W. 4. c. 76. not to be altered by this Act.

XXIV. Provided also, and be it enacted, That nothing in this Act contained shall be construed to repeal, vary, or alter the Provisions of an Act passed in the Fifth and Sixth Years of His late Majesty King *William* the Fourth, intituled *An Act for the Regulation of Corporations*

tions in England *and* Wales, as to the Appointment of Coroners for any of the Municipal Boroughs in the said County in which separate Courts of Quarter Sessions of the Peace shall be holden.

Public Act.

XXV. 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.

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1840.