Persons giving false Evidence guilty of Misdemeanor.

XX. If any Person, under the Provisions of this Act, shall wilfully give false Evidence, or shall make or subscribe a false Declaration for the Purposes of this Act, he shall be deemed guilty of a Misdemeanor.

CAP. XLVII.

An Act to continue an Act of the Eighteenth Year of Her present Majesty, for charging the Maintenance of certain poor Persons in Unions in *England* and *Wales* upon the Common Fund. [16th *July* 1855.]

17 & 18 Vict. c. 43.

'WHEREAS by the Act of the Eighteenth Year of Her Majesty, Chapter Forty-three, certain Provisions made by the several Acts therein referred to, for charging upon the Common Fund of the Union the Costs of the Relief and of the Burial of certain poor Persons in those several Acts described, and the Costs of removing and maintaining certain Lunatic Paupers, were continued until the Thirtieth Day of *September* in this present Year, and to the End of the then next Session of Parliament; and it is expedient that such Provisions should be further continued for a limited Time:" Be it therefore 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,

Provisions in recited Act further continued.

I. That all the said several temporary Provisions continued by the said Act of the Eighteenth Year of Her Majesty, Chapter Forty-three, shall further continue in full Force until the Thirtieth Day of *September* One thousand eight hundred and fifty-six, and to the End of the then next Session of Parliament.

CAP. XLVIII.

An Act for the better Administration of Justice in the Cinque Ports. [16th *July* 1855.]

'WHEREAS it would conduce to the better Administration of Justice in the Cinque Ports if the Jurisdiction and Authority of the Lord Warden of the Cinque Ports and Constable of *Dover Castle* in relation to Civil Suits and Proceedings were abolished; and it is expedient that the Parishes or Places of *Saint John the Baptist* (called *Margate*), *Saint Peter the Apostle, Birchington, Acol* otherwise the *Ville of Wood, Beakesbourne,* and *Grange* otherwise *Grench* which are Members or Liberties of *Dover,* or some other of the said Cinque Ports, should be severed therefrom:' Be it therefore 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, as follows:

Jurisdiction of Lord Warden in Civil Proceedings abolished.

I. From and after the Thirtieth Day of *September* One thousand eight hundred and fifty-five all Jurisdiction and Authority of the Lord Warden of the Cinque Ports and Constable of *Dover Castle* in or in relation to the Administration of Justice in Actions, Suits, or other Civil Proceedings at Law or in Equity, or the Execution of Judgments, Writs, and Process therein or connected therewith, shall cease and determine: Provided always, that the said Lord Warden and Constable shall have and retain Jurisdiction, Power, and Authority to execute all Writs of Fieri Facias directed to and received by him on or before the said Thirtieth Day of *September* One thousand eight hundred and fifty-five, as fully, to all Intents and Purposes, as if this Act had not passed.

Writs and Judgments to be directed and executed in the Cinque

II. From and after the Thirtieth Day of *September* One thousand eight hundred and fifty-five Her Majesty's Writs in or in relation to all Actions, Suits, and Civil Proceedings shall be directed and obeyed, and the Jurisdiction of Her Majesty's Courts of Law and Equity, and of the Judges thereof, and the Judgments and Process thereof in relation to such

such Actions, Suits, and Proceedings, shall extend and be exercised and executed in respect of, over, and within the Cinque Ports, the Two ancient Towns of *Winchelsea* and *Rye*, and their several Members and Liberties, in like Manner and to the same Extent to and for all Intents and Purposes as such Writs, Jurisdiction, Judgments, and Process respectively are now directed, obeyed, exercised, and executed in respect of, over, and within other Places in *England*; and the Sheriff and other Ministers of Counties shall, in the Execution of such Judgments, Writs, and Process, and for all other Purposes of Civil Justice, have such and the like Powers and Authorities within the Cinque Ports, the said Two ancient Towns, and their several Members and Liberties, as they respectively have in other Parts of their Counties.

Ports as in other Places.

III. If the Persons rated to the Relief of the Poor within the District or Division called the *Thanet* Division of *Dover*, which comprises the Parishes or Places of *Saint John the Baptist* (called *Margate*), *Saint Peter the Apostle*, *Birchington*, *Acol* otherwise the *Ville of Wood*, or within the Parishes of *Beakesbourne* and *Grange* otherwise *Grench*, or the Persons so rated within any One or more of such Parishes or Places, shall petition Her Majesty, stating that the Justices of the County of *Kent*, at their Annual General Session, or at any Adjournment thereof, have resolved that the Parishes or Places aforesaid or any One or more of them may be permitted to belong to the County of *Kent*, on Payment by the said Parishes or Places to the County of a Sum of Money to be named in such Resolution, in respect of the Expenditure made by the said Justices in Gaols, Houses of Correction, Courts of Justice, Lunatic Asylums, and other Buildings, and praying that the Parishes or Places aforesaid or any One or more of them may be deemed to be Part of the said County, it shall be lawful for Her Majesty, if She shall think fit, by the Advice of Her Privy Council, to order that the said Parishes or Places or such One or more of them as shall so petition shall, from a Date to be fixed in such Order, be deemed to be Part of the said County; and from and after that Period the Justices for the Time being assigned to keep the Peace in and for such County shall exercise the Jurisdiction of Justices of the Peace in and for the Parishes or Places named in such Order as fully as by Law they and each of them can or ought to do in and for other Places in such County.

On Petition of Inhabitants of Parishes within the Thanet Division, Her Majesty may order such Parishes to be Part of said County,

and County Justices to have Jurisdiction.

IV. It shall be lawful for the Justices of the said County of *Kent* at their Annual General Session, or at any Adjournment thereof to be holden after such Order, to levy and raise upon and from the rateable Property of the Inhabitants of the Parishes or Places comprised in the said Order the Sum or Sums of Money mentioned in such Resolution, by such annual or other Instalments as may in such Resolution have been stipulated and agreed by fair and equal Rates in the Nature of County Rates to be paid to the Treasurer of the said County, and applied in aid of the County Rate, and the said Justices of the said County shall have the same Powers and Remedies for making, levying, and recovering the said Rates as they now or for the Time being may by Law have for making, levying, and recovering the County Rates from Parishes lying partly within the Jurisdiction of the Justices of the said County, subject to all Rights and Remedies of Appeal and otherwise to which County Rates are or may be liable.

Justices of Kent empowered to levy County Rates in the Parishes and Places which may be severed from Dover.

V. From and after the Day fixed in such Order, or from and after the granting of a Charter of Incorporation to the said Parishes or Places or any One of them, or any Part or Parts thereof, the Act of the Fifty-first Year of King *George* the Third, Chapter Thirty-six, and Section One hundred and thirty-five of the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Seventy-six, and Section Eleven of the Act of the Session holden in the Sixth and Seventh Years of King *William* the Fourth, Chapter One hundred and five, and so much of Section Ten of the same Act as enacts that the Noncorporate Members and Liberties of the Towns and Ports of *Hastings*, *Sandwich*, *Dover*, and *Hythe*, and ancient Town of *Rye*, shall and may be chargeable and charged by the Courts of General or Quarter Sessions of the Peace holden for the same respectively with a due Proportion of the Expenses of such Towns and Ports and ancient Town respectively, and the Noncorporate Members and Liberties thereof, to the Payment of which Expenses Rates in the Nature of County Rates are applicable, and that the same shall and may be assessed and levied in the Manner in which Rates of that Description were assessed and levied before the passing of the said Act of the Fifth and Sixth Years of King *William*

51 G. 3. c. 36., 5 & 6 W. 4. c. 135., and Section 11. and Part of Section 10. of 6 & 7 W. 4. c. 105, repealed as to Places severed from Dover.

the Fourth, and that a due Proportion of Inhabitant Householders to serve as Grand Jurors and Jurors at the Courts of General or Quarter Sessions of the Peace of the said Towns and Ports of *Hastings*, *Sandwich*, *Dover*, and *Hythe*, and of the said ancient Town of *Rye*, shall be summoned by the Clerks of the Peace of the said Towns and Ports and ancient Town from the Noncorporate Members and Liberties thereof respectively, and that the Attendance of such Jurors shall be enforced and their Defaults punished in the Manner by the said last-mentioned Act directed with respect to Jurors in Boroughs, shall be repealed so far as the same concern or affect the Parishes or Places named in such Order, or in Case of a Charter of Incorporation the Part thereof comprised in such Charter, and from and after the Day fixed in such Order, or from and after the Date of such Charter of Incorporation, no Court of Sessions to be holden for the Town and Port of *Dover*, nor any Justices thereof, shall have any Jurisdiction or Authority over or in respect of the Parishes or Places comprised in the said Order, or the District comprised in any such Charter, as the Case may be, and no such Parish, Place, or District shall be liable to any Rate, Cess, or Impost to which the same or the Inhabitants thereof would but for this Act be liable as such Member or Liberty, save as herein-after otherwise provided; provided always, that all Persons who have exercised the Office of Mayor, Aldermen, or Guardians of the Poor in the said Cinque Ports, or any of them, shall be eligible for Re-election, and if elected shall have all the Powers they previously possessed.

Places severed from Dover to continue liable to existing Debt.

VI. 'And whereas the said Parishes or Places are now liable to contribute towards the 'Payment of Monies which have been borrowed on the Security of the Rates raised within 'the said Town and Port and the Limbs and Precincts of the same, under the Description 'of Rates in the Nature of County Rates, and the Interest of such Monies: And whereas 'Parts of the Monies so borrowed have been from Time to Time paid off, and the Council of 'the said Town and Port have from Time to Time determined what Portion of such 'Monies shall be paid off in each Year, and reported to the Recorder of *Dover* the rateable 'Proportion of such Sum and Interest to be assessed and levied upon each of the said Places, 'and the same has been assessed and levied accordingly:' The said Parishes of *Saint John the Baptist* (called *Margate*), *Saint Peter the Apostle* and *Birchington*, and *Acol* otherwise the *Ville of Wood*, shall, notwithstanding any such Order or Charter, continue liable to contribute towards the Satisfaction or Payment of the Debt now charged upon the said Rates; and it shall be lawful for the Council of *Dover*, and they are hereby required, to declare and determine from Time to Time what Portion of such Debt shall be paid off during any One Year, and to report to the Recorder of *Dover* the Sum required to be raised in such Year for paying off such Portion of the said Debt, and the Interest due in such Year in respect of such Debt; and the said Recorder from Time to Time, at the Quarter Sessions of the Peace for the said Borough of *Dover* which shall be held next after any such Report of the said Council shall have been made to him as aforesaid, shall ascertain the proportionate Part of such Sum which will be required to be paid by each of the Places severed from *Dover* by such Order or Charter as aforesaid, such proportionate Part to be ascertained and regulated by the respective rateable Values of all the Places jointly liable to the said Debt, and shall make a Rate in the Nature of a County Rate upon each of the said Places, severed as aforesaid, sufficient to raise such proportionate Part as aforesaid, with the Costs and Expenses of collecting, levying, and enforcing Payment thereof; and it shall be lawful for the Overseers or other Persons charged with the Collection of Rates made for the Relief of the Poor in each such Place, and they are hereby required, to pay to the Treasurer of *Dover* the Amount to which the same shall be so rated, by and out of the Monies from Time to Time raised upon such Place by any Rate or Rates made for the Relief of the Poor of such Place; and on Nonpayment thereof to the said Treasurer within Thirty Days after Delivery to such Overseers or other Persons as aforesaid of a Copy of the Rate so to be made by the said Recorder as aforesaid, the same shall be recoverable, by the Warrant of any Two Justices of the Peace for the said County of *Kent*, by Distress and Sale of the Offender's Goods, in like Manner in every respect as any Rate in the Nature of a County Rate may be recovered and enforced by virtue of any Law now in force.

Saving as to Persons committed or held

VII. This Act shall not extend to deprive the Court of General or Quarter Sessions of *Dover* of Jurisdiction in the Case of any Person who before such Order or Charter as aforesaid

said may have been committed or holden to Bail for Trial at such Court of General or Quarter Sessions from any Place severed from *Dover* by this Act, but all Proceedings upon and in relation to such Trial, or preliminary thereto or consequent thereupon, or otherwise consequent upon such Committal or Holding to Bail, shall be continued or had in like Manner in all respects as if such Order or Charter had not been made or obtained; and all Expenses incurred by the Town and Port of *Dover* in any such Case (the Amount of such Expenses to be ascertained and determined from Time to Time by the Recorder of *Dover*) shall be added to the Amount to be raised under the Provision herein-before contained by Rates to be levied upon the Place from which the Person may have been committed or holden to Bail.

to Bail in Places separate from Dover.

VIII. It shall be lawful for the Commissioners of Her Majesty's Treasury to award to any Persons who may sustain by reason of the passing of this Act, or of any such Order or Charter, any Loss of Fees, Emoluments, or Advantages accruing from Offices holden by them, such Compensation as, having regard to the Tenure and Nature of such respective Offices, such Commissioners deem just and proper; and all Compensation so to be awarded, except such as may be awarded in respect of any such Loss occasioned by the Severance from *Dover* of the Places severed from that Town and Port by such Order or Charter, shall be paid out of such Monies as shall be provided by Parliament for this Purpose; and all Compensation so to be awarded in respect of any Loss occasioned by such Order or Charter shall be certified by the said Commissioners of the Treasury to the Recorder of *Dover*, and shall be levied rateably upon the Places to which such Order or Charter shall relate by means of an Addition to the Rates to be made on the said Places for the Payment of the said Debt; and in case any such Compensation as last aforesaid shall continue payable after such Debt is paid off, Rates shall nevertheless continue to be made and levied in like Manner for the Payment of such Compensation until the same is fully paid, and such Compensation shall be paid thereout by the Treasurer of *Dover* to the Persons entitled thereto.

Compensations.

IX. Every Person who on the said Thirtieth Day of *September* One thousand eight hundred and fifty-five may be in the Custody of the said Lord Warden, under or by virtue of any Jurisdiction or Authority hereby abolished, shall, as soon as conveniently may be thereafter, without Writ of Habeas corpus or other Writ for that Purpose be removed by the Gaoler or Keeper of the Gaol in *Dover Castle* to the Common Gaol of the County in which he may have been arrested under the Writ or other Process for his Arrest and Imprisonment, and shall be by such Gaoler or Keeper delivered into the Custody of the Gaoler or Keeper of such Common Gaol, together with the Writ or other Process by virtue of which such Person was arrested and imprisoned, and all Writs or other Process lodged with such first-mentioned Gaoler or Keeper by virtue of which such Person is or might be detained in the Custody of the said Lord Warden; and the Gaoler or Keeper of the said Common Gaol shall give a Receipt in Writing for every Person so removed to such Common Gaol; and the reasonable Expenses of such Removal shall be paid by the Commissioners of Her Majesty's Treasury; and all Persons who may be in the lawful Custody of the said Lord Warden on the said Thirtieth Day of *September* One thousand eight hundred and fifty-five shall, until removed as aforesaid, and for and during the Time of such Removal, notwithstanding anything herein-before contained, be to all Intents and Purposes deemed and considered to be in the proper legal Custody, unless and until they respectively be sooner discharged in due Course of Law; and all Persons so removed shall, after being delivered into the Custody of the Gaoler or Keeper of the Common Gaol of such County as aforesaid, be deemed to be in the legal Custody of the Sheriff and of such Gaoler or Keeper, in like Manner as if all such Writs and Process as aforesaid had been originally directed to and to be executed by such Sheriff.

Prisoners in Gaol of Dover Castle to be removed to County Gaol.

X. Nothing in this Act shall affect any Jurisdiction, Power, or Authority of the said Lord Warden, or of any of the Officers of the Cinque Ports or other Persons, under any Act relating to the Adjustment of Salvage, or any Jurisdiction, Power, or Authority of the Court of Admiralty of the Cinque Ports, or of any of the Officers of such Court, or the Rights of the said Lord Warden to or in respect of Flotsam, Jetsam, and Lagan.

Saving Rights of Lord Warden, &c.