ANNO SEPTIMO & OCTAVO

VICTORIÆ REGINÆ.

****

C A P. LXI.

An Act to annex detached Parts of Counties to the Counties in which they are situated.

[6th *August* 1844.]

WHEREAS there exist in *England* and *Wales* Parts of Counties detached from the main Body of the County, and Delay and Hindrance to the Administration of Justice ensue, and Inconvenience in other respects; and it is desirable to remedy the said Evil: 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, That from and after the Twentieth Day of *October* next every Part of any County in *England* or *Wales* which is detached from the main Body of such County shall be considered for all Purposes as forming Part of that County of which it is considered a Part for the Purposes of the Election of Members to serve in Parliament as Knights of the Shire, under the Provisions of an Act passed in the Third Year of the Reign of His late Majesty, intituled *An Act to settle and to describe the Divisions of Counties and the Limits of Cities and Boroughs in* England *and* Wales, *in so far as respects the Election of Members to serve in Parliament:* Provided always, that nothing herein contained shall be construed to alter the County, Riding, or Division to which any such detached

Detached Portions of Counties to be Part of the County by which they are surrounded.

2 & 3 W. 4. c. 64.

Part shall be deemed to belong for the Purpose of holding Inquests, under the Provisions of an Act passed in the Sixth Year of the Reign of Her Majesty, intituled *An Act for the more convenient holding of Coroners Inquests.*

6 & 7 Vict. c. 12.

Detached Parts to belong to adjoining Hundred, &c., or to form a separate Hundred.

II. And be it enacted, That every such detached Portion which under the Provisions of this Act shall be annexed for Purposes other than that of voting for Members of Parliament to any County to which it did not belong for such Purposes before the passing of this Act shall thenceforth be taken to be Part of the Hundred, Wapentake, Ward, Rape, Lathe, or other like Division by which it is wholly or for the most Part surrounded, or to which it is next adjoining, in the County to which it will thenceforth belong, unless the Justices of the County, Riding, Parts, or Division, in General or Quarter Session assembled, shall declare it to be a new or separate Hundred or other like Division, which they shall be empowered to do; and it shall be lawful for the Justices of such County, Riding, Parts, or Division, in General or Quarter Sessions assembled, in every Case in which there shall appear to them to be any Doubt to which of such Divisions any such detached Part shall belong under this Act, to declare the Division to which it shall be taken to belong; and such Determination shall be final and conclusive, and shall be published in the *London Gazette*, the Production of which Paper shall be Evidence thereof.

Provision as to Special and Petty Sessions.

III. And be it enacted, That in all Cases where any such detached Part of a County shall have formed before the passing of this Act a separate Division in which Special and Petty Sessions of the Peace for such County shall have been usually holden, such detached Part shall remain a separate Division for Special and Petty Sessions of the County to which it shall be annexed after the passing of this Act, until the Justices of the County, Riding, Parts, or Division to which it shall be annexed after the passing of this Act shall have re-constituted such Division for Special and Petty Sessions of the Peace under the Provisions of an Act passed in the Ninth Year of the Reign of King *George* the Fourth, intituled *An Act for the better Regulation of Divisions in the several Counties of* England *and* Wales, and also of an Act passed in the Sixth and Seventh Years of the Reign of King *William* the Fourth, intituled *An Act for amending an Act of the Ninth Year of the Reign of His late Majesty King* George *the Fourth, intituled* '*An Act for the better Regulation of Divisions in* '*the several Counties of* England *and* Wales.'

9 G. 4. c. 43.

6 & 7 W. 4. c. 12.

Error in stating Name of County not to invalidate legal Documents.

IV. Provided always, and be it enacted, That no judicial Proceeding, or Deed or other Instrument in Writing, shall be invalidated by reason of any Error in stating the Name of the County to which such detached Portion originally belonged, instead of the County to which it will belong under this Act, or the converse; and that every Proceeding at Law, whether civil or criminal, already commenced, or to be commenced before the Twentieth Day of *October* next, shall and may be prosecuted and heard and determined exactly as if this Act had not been passed, save and except in so far as it shall be otherwise ordered by any of Her Majesty's Superior Courts of

Common Law having Jurisdiction in any Case in which such Order shall be made.

V. Provided always, and be it enacted, That nothing herein contained shall alter or interfere with any Ecclesiastical Jurisdiction or Right of Patronage. Saving of Ecclesiastical Rights.

VI. And whereas as to some such detached Parts there are Coroners appointed expressly for and having Jurisdiction in such detached Parts only; be it therefore enacted, That as to every such detached Part for which at the Time of the passing of this Act there is a Coroner appointed for and acting in such detached Part, such Coroner shall during his Life, or until he shall resign or be removed from his Office, continue to hold and exercise his Office and Jurisdiction within such detached Part in as ample a Manner as if this Act had not been passed. Saving the Rights of certain Coroners.

VII. Provided always, and be it enacted, That nothing herein contained shall be construed to affect or alter the Assessments of the Land Tax or Assessed Taxes in or for any such detached Portion of a County, or to extend or diminish the Jurisdiction of any Commissioners acting therein in the Execution of the Acts relating to the said Taxes respectively, but that all such detached Portions shall be subject in that Behalf to the Jurisdiction of the Commissioners acting for the same County or District as they would have been subject to if this Act had not been passed; and all Parishes and Parts of Parishes and Places, and all Manors, Lands, Tenements, and Hereditaments within any such detached Portion, shall continue chargeable towards raising the Land Tax charged upon the same County or other District to or in aid of which they have heretofore contributed a Quota or Portion of such Land Tax. Act not to extend to alter or affect the Land Tax or Assessed Taxes in detached Portions of Counties.

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

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1844.