ANNO QUINQUAGESIMO PRIMO

GEORGII III. REGIS.

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C A P. C.

An Act to amend an Act paſſed in the Thirty-eighth Year of His preſent Majeſty's Reign, intituled, *An Act to regulate the Trial of Cauſes, Indictments, and other Proceedings which ariſe within the Counties of certain Cities and Towns Corporate within this Kingdom.* [26th *June* 1811.]

WHEREAS by an Act of Parliament made and paſſed in the Thirty-eighth Year of the Reign of His preſent Majeſty intituled, *An Act to regulate the Trial of Cauſes, Indictments, and other Proceedings, which ariſe within the Counties of certain Cities and Towns Corporate within this Kingdom,* it is amongſt other Things enacted, that it ſhould and might be lawful for any Proſecutor or Proſecutors to prefer his, her, or their Bill or Bills of Indictment, for any Offence or Offences committed or charged to be committed within the County of any City or Town Corporate, to the Jury of the County next adjoining to the County of ſuch City or Town Corporate, ſworn and charged to enquire for the King for the Body of ſuch adjoining County, at any Seſſions of Oyer and Terminer or General Gaol Delivery; and that every ſuch Bill of Indictment found to be a true Bill by ſuch Jury ſhould be valid and effectual in Law, as if the ſame had been found to be a true Bill by 38 G. 3. c. 52.

any Jury ſworn and charged to enquire for the King, for the Body of the County of ſuch City or Town Corporate: And whereas it was further provided by the ſaid recited Act, that if it ſhould appear, in the Manner therein mentioned, to any Court of Oyer and Terminer or General Gaol Delivery for the County of any City or Town Corporate, that any Indictment found by any Grand Jury of the County of ſuch City or Town Corporate, or any Inquiſition taken before the Coroner or Coroners of the County of ſuch City or Town Corporate, or other Franchiſe, was fit and proper to be tried by a Jury of any next adjoining County, that the ſame Proceedings and Trial ſhould be had, and the ſame Judgment ſhould be given as would and might be had and given in Caſes of Indictments or Inquiſitions for the like Offences committed within ſuch next adjoining Counties; but no Power was given in Caſes of Conviction, in purſuance of any of the Proviſions in the ſaid recited Act, of ordering the Execution of the Sentence in the County of the City or Town Corporate within which the Offence had been committed, and was charged to have been committed: And whereas it may be fit and expedient, that in ſuch Caſes the Puniſhment ſhould be inflicted, and the Sentences put in Execution, in the reſpective Counties of the Cities or Towns Corporate where ſuch Offences had been ſo committed: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, it ſhall and may be lawful for the Court before which any Conviction ſhall have taken place in purſuance of the Proviſions of the ſaid recited Act, to order every ſuch Convict to be puniſhed according to Law, either within the County where ſuch Conviction ſhall have taken place, or within the County of the City or Town Corporate wherein ſuch Offence ſhall have been committed; and in caſes where the Court ſhall order ſuch Convict to be puniſhed within the County of ſuch City or Town Corporate, it ſhall and may be lawful for the Court after paſſing Sentence upon every ſuch Convict or Convicts, to order him, her, or them to be delivered into the Cuſtody of the Sheriff or Sheriffs, Gaoler or other proper Officer or Officers of the County of ſuch City or Town Corporate, and the Sheriff or Sheriffs, Gaoler or other proper Officer or Officers of the County of ſuch City or Town Corporate is and are hereby commanded to receive into his or their Cuſtody every ſuch Convict or Convicts, and to execute the Sentence ſo paſſed upon him, her and them in ſuch adjoining County, as if he, ſhe, or they had been tried and had received ſuch Sentence in the County of ſuch City or Town Corporate.

In Caſes of Conviction under recited Act, the Sentence may be executed in the County of the City or Town Corporate.

II. And whereas it is provided by the ſaid in Part recited Act, that in all Caſes of Indictments and other Proceedings which may be tried before His Majeſty's Juſtices of Oyer and Terminer or General Gaol Delivery, for any County in purſuance of the Proviſions contained in the ſaid Act, it ſhould and might be lawful for ſuch Juſtices to order the Expences of the Proſecution and of the Witneſſes, and of the ſeveral Rewards payable in purſuance of the Statutes in ſuch Caſes made and provided on the Conviction of Offenders, to be paid by and to the ſame Perſons and in the ſame Manner as the ſame would have been payable if ſuch Indictment had been tried in the Court of Oyer and Terminer or General Gaol Delivery of the County of

ſuch City or Town Corporate: And whereas it is juſt and expedient that a ſimilar Proviſion ſhould be made for the Payment of all other Expences which may be incurred by any ſuch adjoining County in relation to any Perſon who may be tried, or removed for Trial to ſuch adjoining County, for any Offence committed or charged to have been committed in the County of any ſuch City or Town Corporate; be it therefore enacted, That it ſhall and may be lawful for the Juſtices of Oyer and Terminer or General Gaol Delivery, at any Seſſion thereof holden for ſuch County, and they are hereby required to order all Expences whatſoever incurred by ſuch County in relation to any Perſon who ſhall be tried in ſuch County or removed thither for Trial, for any Offence committed or charged to have been committed within the County of any ſuch City or Town Corporate, as well in maintaining and ſupporting ſuch Perſon and carrying the Sentence into Execution as in any other reſpect, to be repaid to the Treaſurer of ſuch County or other Perſon acting as Treaſurer of ſuch County, or who ſhall have actually paid ſuch Expences, by the ſame Perſon or Perſons and in the ſame Manner as the ſame would have been payable if ſuch Offender or ſuppoſed Offender had remained in the County of ſuch City or Town Corporate, and had been tried in the Court of Oyer and Terminer or General Gaol Delivery of the County of ſuch City or Town Corporate, and as if the Sentence with reſpect to ſuch Offender had been carried into Execution within the County of ſuch City or Town Corporate.

Providing for Payment of Expences not before provided for by the County of a City or Town Corporate.

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