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VICTORIÆ REGINÆ.

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CAP. CIII.

An Act to provide for the Discontinuance of a separate Court of Quarter Sessions and a separate Gaol in the Borough of *Falmouth*.

[5th *July* 1865.]

WHEREAS it is expedient to provide for the Discontinuance of a separate Court of Quarter Sessions and a separate Gaol for the Borough of *Falmouth*: 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:

Short Title.

1. This Act may be cited for all Purposes as "The *Falmouth* Gaol Discontinuance Act, 1865."

Commencement of Act.

2. This Act shall not come into operation until the First Day of *January* One thousand eight hundred and sixty-six, which Day is herein-after referred to as the Commencement of the Act.

Falmouth to cease to have separate Court of

3. From and after the Commencement of this Act no separate Court of Quarter Sessions shall be holden for the Borough of *Falmouth*, and there shall be no Recorder and no Coroner for

the

Quarter Sessions.

the said Borough, and the said Borough shall for all the Purposes of a County Rate, and of the Jurisdiction of the County Justices and of the County Coroner, and for all other Purposes, be deemed to be a Borough to which a separate Commission of the Peace, but no separate Court of Quarter Sessions, has been granted.

Provision as to Prison at Falmouth.

4. From and after the Commencement of this Act no Person shall be committed to the Prison at *Falmouth*, and all Persons who would otherwise have been committed to the Prison at *Falmouth* shall be committed to the Prison of the County of *Cornwall*, and shall be dealt with in all respects as if the Borough of *Falmouth* had never had a separate Court of Quarter Sessions, and never had a separate Gaol.

Removal of Prisoners in Falmouth Prison.

5. As soon as conveniently may be after the Commencement of this Act the Gaoler of *Falmouth* Prison shall, without Writ of Habeas corpus or other Writ for that Purpose, remove every Prisoner under Sentence or committed for Trial in such Prison to the Prison of the County of *Cornwall*, and deliver such Prisoner into the Custody of the Gaoler of the said County Prison, together with the Writ and other Process under which the Prisoner was arrested or confined; and the Gaoler of the said County Prison shall be bound to receive such Prisoner, and shall give a Receipt to the Gaoler of the *Falmouth* Prison for every Prisoner removed in pursuance of this Section; and all Prisoners so removed who may have been committed for Trial shall be tried in all respects in the same Manner as if they had originally been committed to the County Prison for Trial by a Justice or Justices of the County of *Cornwall*; and all other Prisoners so removed shall be dealt with in all respects in the same Manner as if they had originally been sentenced to be confined in the said County Prison instead of in *Falmouth* Prison.

Prison at Falmouth to belong to County of Cornwall.

6. Subject to the Provision herein contained as to the Removal of the Prisoners to the County of *Cornwall*, the Prison of the said Borough of *Falmouth* shall from and after the Commencement of this Act vest in the Clerk of the Peace for the Time being of the said County of *Cornwall*, and his Successors, to be held by him and them on trust for the said County, to be used as a Lock-up House so long as the said Justices may require the same, and subject thereto to be held upon trust for the said Borough, to be sold, and the Proceeds of such Sale to be paid to such Persons and to be applied in such Manner as the Council of the said Borough may direct.

7. The

Falmouth Borough.

Compensation and Superannuation Allowances to Recorder, &c. at Falmouth.

7. The Recorder of *Falmouth* shall be entitled to receive his Salary during his Life, or until such Time as he accepts some other Office of equal or greater Value, or of such Character as would if he had continued Recorder have disqualified him from holding or been inconsistent with his holding the Office of Recorder; and the Council of the said Borough of *Falmouth* may allow such Compensation or Allowance as they think fit to any other Person who, by reason of the passing of this Act, is deprived of any Salary or Emoluments, so that no such Compensation or Allowance exceeds the Proportion of the Salary and Emolument, if any, which might be granted under similar Circumstances to a Person in the Civil Service under the Acts for regulating such Compensations or Allowances for the Time being in force; and any Compensation or Allowance so allowed shall be paid out of any Rates applicable to the Payment of the Salaries of such Officers.

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