CAP. CV.

An Act for facilitating the Union of Liberties with the Counties in which they are situate. [14th *August* 1850.]

'WHEREAS divers Liberties (having separate Commissions of the Peace, and not being 'incorporated Boroughs,) have been constituted in *England* and *Wales*, and it is 'expedient to enable a Union of such Liberties to be made with the Counties in which they 'are situate:' 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 where it shall seem expedient to the Justices of any Liberty, or to the Justices of the County in which any Liberty is situate, that the Union of the Liberty with the County in which the same is situated should be effected under this Act, it shall be lawful for such Justices, in General or Quarter Sessions assembled, to resolve that a Petition shall be presented to Her Majesty, praying that such Union take place, and thereupon to adjourn the further Consideration of such Petition until Notice thereof shall be given as herein-after provided.

Petition for Union of Liberty with County.

Preparation of Petition.

II. And be it enacted, That previously to the Consideration of any such Petition Notice of the Resolution of such Justices shall be advertised in a *London* Newspaper, and also in some Newspaper circulating in the County to which the Liberty is proposed to be united, for Three successive Weeks, and shall also (unless the Clerk of the Peace of the County and of the Liberty is the same Person) be given to the Clerk of the Peace of the County, in case the Resolution shall be the Resolution of the Justices of the Liberty, or, in case the Resolution shall be the Resolution of the Justices of the County, to the Clerk of the Peace of the Liberty, and such Notice shall be so advertised and given by the Clerk of the Peace of the County or Liberty the Justices of which shall come to the Resolution, and shall mention the Time and Place when the Petition for Union will be taken into consideration by the Justices of the County or Liberty coming to the Resolution; and the said Justices shall confer with any Person who shall attend the Meeting of the said Justices for that Purpose, and who shall appear to the said Justices to be interested in the Matter of the said Petition, touching the said Petition, and such other Circumstances as shall appear to the said Justices fit to be considered in effecting a Union of the Liberty with the County under the Provisions of this Act; and such Petition (which shall set forth the Reasons upon which the same is founded, and also the Terms and Conditions upon or under which it is desired that the Union shall take place, and particularly the Mode in which the Gaol and other Property of the Liberty, and the Debt, if any, charged on the Rates of such Liberty, is proposed to be dealt with, and the Nature and Amount of Compensation, if any, to be paid to any Custos Rotulorum, hereditary Sheriff, Clerk of the Peace, Coroner, Treasurer, or other Person holding or entitled to any permanent Franchise or Office in or belonging to the said Liberty, and in what Manner such Compensation is proposed to be raised and paid, and such other Matters and Things as are proper to be provided for on the Union of the Liberty with the County,) shall be certified to Her Majesty under the Hand of the Chairman of the Justices present when such Petition shall be agreed to.

Union of Liberty with County.

III. And be it enacted, That where Petitions as aforesaid, as well of the Justices of the County as of any Liberty situate therein, shall be certified as aforesaid to Her Majesty, it shall be lawful for Her Majesty, if She shall think fit, with the Advice of Her Privy Council, after taking into consideration such Petitions and also any other Petition which may be presented to Her by any Person concerning any proposed Union of the Liberty with the County, to order the Union of such Liberty with the County, from such Time, upon such Terms and Conditions, and subject to such Restrictions, and generally in such Manner, as to Her Majesty, with the Advice aforesaid, shall seem expedient; and it shall be lawful for Her Majesty, with the Advice aforesaid, to constitute such Liberty a separate Hundred, or to annex the same to any existing Hundred or in Parts to existing Hundreds of such County; and every such Order, herein-after referred to as the "Order of Union," shall be published in the *London Gazette*.

IV. And

IV. And be it enacted, That from and after the Time mentioned in any such Order of Union for the Union of any Liberty with the County in which it is situate, under the Provisions of this Act, save so far as otherwise directed by such Order, and subject to the Provisions thereof, such Liberty shall be taken to be in all respects Part of the County to which the same is united under such Order, and shall be subject to the Jurisdiction of the Justices of such County, and the Jurisdiction and Powers of any Justices under any separate Commission of the Peace theretofore issued for such Liberty shall cease, and no separate Commission of the Peace shall be issued and no separate Sessions of the Peace shall be holden for any such Liberty, any Law, Statute, Letters Patent, Grant, or Charter whatsoever to the contrary notwithstanding; and the Sessions to be holden in and for the County shall have full Jurisdiction over all Things cognizable by the Sessions for the Liberty, and the Caption and Venue in every Indictment or other Proceeding shall be in the County, without naming the Liberty; and the Inhabitants of the Liberty shall, being duly qualified to serve upon Juries under the Provisions of an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relating to Jurors and Juries*, be returned and be liable to serve on Juries at the Sessions of the Peace for the County.

After Union no separate Commission of the Peace to issue for Liberty.

Sessions for the County to have Jurisdiction in Liberty.

Inhabitants of Liberty to serve on Juries for County.

V. And be it enacted, That, unless otherwise directed by the Order of Union, and subject to the Provisions thereof, the Gaol belonging to the Liberty shall upon the Union of the Liberty with the County be a Common Gaol for the County, and shall be under the Control and Management of the Justices of such County; and all Laws and Enactments in force with respect to a County Gaol, or to Persons imprisoned in a County Gaol, shall be in force with respect to any and every Gaol at the Time of such Union belonging to the Liberty, and to the Persons imprisoned therein.

Gaol of Liberty to become Gaol of County.

VI. And be it enacted, That, save where otherwise directed by the Order of Union, and subject to the Provisions and Directions thereof, every Person who shall at the Time of the Union stand committed to take his Trial at any Court of Gaol Delivery, General or Quarter Sessions of the Peace, for the Liberty, charged with any Offence which the Justices of the Liberty would have had Jurisdiction to try, shall take his Trial at the next Court of Quarter Sessions for the County to which such Liberty is united, if the Offence is cognizable by a Court of Quarter Sessions, and if not, then before the Judges of Oyer and Terminer and Gaol Delivery at their next Circuit; and all Persons bound by Recognizance to prosecute and give Evidence against such Offenders shall be bound to appear to prosecute and give Evidence at the Court at which such Offenders shall be tried as aforesaid; and all such Recognizances, and all Depositions relating to such Charges, shall be transmitted to the proper Officer of the Court where such Offenders shall be tried; and the Sheriff, Under Sheriff, Gaolers, and other Officers of the County in which such Offenders shall be so tried are hereby authorized and required in every such Case to receive every Prisoner delivered into the Custody of the Sheriff or removed to the Gaol of the County, and him safely keep until delivered in due Course of Law; and the Judges of Assize and others named in Her Majesty's Commission of Oyer and Terminer and Gaol Delivery, or the Justices of the County, as the Case may be, in which such Offenders shall be tried, are hereby authorized and required to hear and determine all such Cases, and to order the Payment of the usual and fit Expenses of the Prosecutors and Witnesses, and all other Costs and Expenses which in like Case may be directed to be paid by Order of Court.

Prisoners to be tried at Sessions for united County and Liberty, and, where necessary, at Assizes.

VII. And be it enacted, That the Custos Rotulorum of every County to which any Liberty shall be united under the Provisions of this Act shall, unless otherwise directed by the Order of Union, become the Keeper of Records of the Court of Sessions of the Peace of the said Liberty, and the Records of the said Court shall be delivered to such Custos Rotulorum accordingly.

Records to be delivered to Custos Rotulorum of County.

VIII. And be it enacted, That, save where otherwise directed by the Order of Union, and subject to the Provisions of such Order, the Treasurer for the Liberty shall, upon the Union of the Liberty with the County, pay over to the Treasurer of the County all Monies in his Hands of or belonging to the Liberty; and the Treasurer of the County shall stand possessed of and shall apply all such Monies for such Purposes as the Order of Union shall direct,

Treasurer of Liberty to pay over Monies to Treasurer of County.

direct, and, in default of such Direction, as Part of the County Stock; and, subject to the Provisions of the Order of Union, all such Sums as may be required to be raised and paid, for Compensation or otherwise, under such Order, and may not be paid out of the said Monies in the Hands of the Treasurer of the Liberty, shall be defrayed out of the County Stock, and shall be raised and paid at such Times and in such Manner as the Justices of the County in General or Quarter Sessions assembled shall direct.

Interpretation of Terms.

IX. And be it enacted, That in this Act the Word "Liberty" shall be taken to mean also Division of a County, Town and County, and Soke; and the Word "Gaol" shall be taken to mean also Prison or House of Correction; and in describing any Person or Thing any Word importing the Singular Number shall be construed to mean also several Persons or Things respectively, unless there be something in the Subject or Context repugnant to such Construction.

Boroughs within Liberties.

X. Provided always, and be it enacted, That where any Borough Corporate or other Corporate Place, or any Part thereof, is situate within any Liberty united with any County under this Act, such Borough or Place, or Part thereof, as aforesaid, from the Time of such Union (save as otherwise directed by the Order of Union) shall be deemed to be within and Part of such County for all Purposes for which before such Union it was within and Part of such Liberty; and such Borough or Place, or Part thereof, and such County respectively, in relation to each other and the Inhabitants and others in respect thereof, shall have and be subject to the like Rights, Privileges, Liabilities, and Jurisdiction which such Borough or Place, or Part thereof, and such Liberty respectively, had and were subject to before such Union, and, save as aforesaid, no Borough or other Corporate Place named in either of the Schedules to the Act of the Sixth Year of King *William* the Fourth, "to provide for the Regulation of Municipal Corporations in *England* and *Wales*," or to which the Provisions of that Act have been extended by Charter or Act of Parliament, shall be subject to the Provisions of this Act.

Act not to extend to Southwark, Scotland, or Ireland.

XI. And be it enacted, That this Act shall not extend to the Borough of *Southwark*, to *Scotland*, or *Ireland*.

Act may be amended, &c.

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

CAP. CVI.

An Act to continue, for a Time to be limited, an Act of the Eleventh Year of Her present Majesty, for the better Prevention of Crime and Outrage in certain Parts of *Ireland*. [14th *August* 1850.]

11 & 12 Vict. c. 2.

'WHEREAS an Act was passed in the Eleventh Year of the Reign of Her present Majesty, intituled *An Act for the better Prevention of Crime and Outrage in certain Parts of* Ireland *until the First Day of* December *One thousand eight hundred and forty-nine, and to the End of the then next Session of Parliament:* And whereas it is expedient that the said recited Act should be continued for a limited Period:' 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 the said recited Act shall be and continue in full Force and Effect until the Thirty-first Day of *December* in the Year One thousand eight hundred and fifty-one, and from thence until the End of the then next Session of Parliament.

Recited Act continued to 31st Dec. 1851, and to the End of the then next Session.

Act may be amended, &c. this Session.

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