

ANNO DUODECIMO

VICTORIÆ REGINÆ.

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CAP. XVIII.

An Act for the holding of Petty Sessions of the Peace in Boroughs, and for providing Places for the holding of such Petty Sessions in Counties and Boroughs. [11th *May* 1849.]

WHEREAS certain Meetings of Justices of the Peace called Petty Sessions of the Peace are holden in and for certain Divisions of the several Counties of *England* and *Wales* called Petty Sessional Divisions, and important Duties have lately been assigned to the Justices attending at such Petty Sessions, and to their Clerks, by certain Acts of Parliament, and it is desirable to declare and enact that the Sittings of Justices of the Peace, or of a Stipendiary Magistrate, in and for every City, Borough, or Town Corporate having a separate Commission of the Peace, or for any Part thereof, shall be deemed a Petty Sessions of the Peace within the Meaning of such Acts, and that Buildings or Places at which such Petty Sessions may be holden shall, where necessary, be provided: 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 every Sitting and Acting of Justices of the Peace, or of a Stipendiary Magistrate, in and for any City, Borough, or Town Corporate having a separate Commission of the Peace, or any

Petty Sessions of the Peace in Boroughs.

any Part thereof, within *England* and *Wales*, at any Police Court or other Place appointed in that Behalf, shall be deemed a Petty Sessions of the Peace, and the District for which the same shall be holden shall be deemed a Petty Sessional Division, within the Meaning of any Acts of Parliament, already made or hereafter to be made, having relation to such Petty Sessions, or to any Business to be transacted thereat.

Justices at General or Quarter Sessions, or the Council in Boroughs, may provide Places for holding Petty Sessions.

II. And be it enacted, That in all Cases where at present there are not, or where hereafter there shall not be, any fit or proper Place for the holding of such Petty Sessions within any such Petty Sessional Division as aforesaid, in any County, Riding, Liberty, or Division within *England* and *Wales*, or within any City, Borough, or Town Corporate within the same, it shall be lawful for the Justices of the Peace for any such County, Riding, Liberty, or Division, in General or Quarter Sessions assembled, and for the Council or other governing Body in any such City, Borough, or Town Corporate having a separate Commission of the Peace, respectively, if they shall respectively think fit, from Time to Time to direct that fit and proper Places be hired or otherwise provided for the holding of such Petty Sessions of the Peace within any such Petty Sessional Division as aforesaid, and that the Expenses thereof and attendant thereon be paid out of the County Rate or Borough Fund respectively, as the Case may be: Provided always, that no such Direction for hiring or otherwise providing any Place for the holding of such Petty Sessions shall be given by the Justices for any such County, Riding, Liberty, or Division, so assembled as aforesaid, unless an Application in Writing for that Purpose, signed by the Justices of the Peace acting in such Petty Sessional Division, or the major Part of such Justices, shall have been transmitted to the Clerk of the Peace Six Weeks at the least before the holding of the General or Quarter Sessions at which such Direction shall be given; and the Clerk of the Peace shall cause Notice of such Application to be published in some Newspaper circulating in the same County, Riding, Liberty, or Division, and in which the Advertisements of County Business are usually inserted, Fourteen Days at the least before the holding of such General or Quarter Sessions: Provided always, that in every such Case when it may be so required to provide a fit and proper Place for the holding of such Petty Sessions as aforesaid, if it shall appear to the Justices so assembled as aforesaid, or to the Council of such City, Borough, or Town Corporate respectively, that the County Court for the District is holden in any Building or Place which would be appropriate for the holding of such Petty Sessions, it shall be lawful for such Justices or Council respectively to contract with the Treasurer of such County Court for

The Justices or Council may agree for the Use of the County Court for that Purpose.

for the Use and Occupation thereof or of so much thereof as may be needed for the Purposes of such Petty Sessions, for such Time or Times, weekly or otherwise, and at such annual Rent, and subject to such Conditions as to Repairs, Alterations, or Improvements of such Building or Place, as may be agreed upon.

Justices of the Peace of different Counties may provide Places for holding Petty Sessions at the joint Expense of such Counties.

III. Provided always, and be it enacted, That where Justices of the Peace, acting as such for Two or more adjoining Counties, Ridings, Liberties, or Divisions, hold Petty Sessions on or near the common Boundaries of such Counties, Ridings, Liberties, or Divisions, it shall be lawful for the Justices of the Peace of each of such Counties, Ridings, Liberties, or Divisions, upon such Application as hereinbefore provided, to agree with the Justices of the Peace of the other or others of such Counties, Ridings, Liberties, or Divisions, that a Place for the holding of such Petty Sessions be hired or otherwise provided within either of such Counties, Ridings, Liberties, or Divisions, and that the same be so hired or otherwise provided at the joint Expense of such Counties, Ridings, Liberties, or Divisions, in such Manner and Proportions as in the said Agreement shall be specified; and all the Provisions of an Act of the last Session, intituled *An Act to provide for the Expenses of erecting and maintaining Lock-up Houses on the Borders of Counties*, concerning the Appointment and re-assembling of Committees, filling up Vacancies in Committees, the Proceedings of Committees, the Agreement to be drawn by them (except so far as respects the Appointment and Salary of a Superintendent Constable), and the Powers of the Court of General or Quarter Sessions and of Committees in relation to such Agreement, and the executing the same, and doing all necessary Acts consequential upon such Agreement, shall extend and be applicable to every Agreement to be made under this Act by and between the Justices of Two or more such Counties, Ridings, Liberties, or Divisions as aforesaid, as if such Provisions had been here repeated, and the Agreement to be made as aforesaid under this Act, and the Place to be provided for the holding of such Petty Sessions as aforesaid, had been substituted in such Provisions for such Agreement and Lock-up House as in the said Act mentioned.

11 & 12 Vict. c. 101.

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