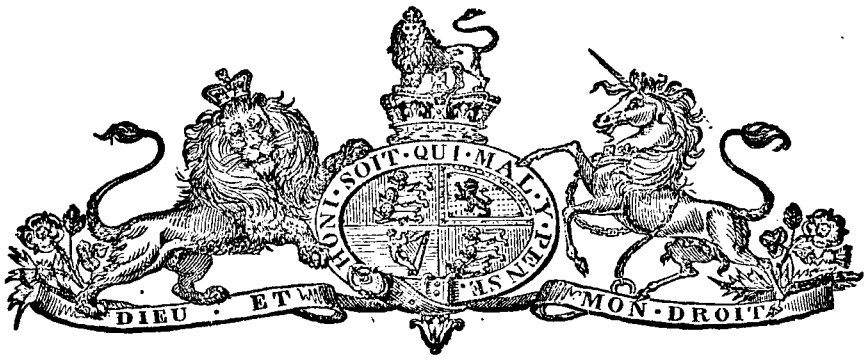


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CAP. XXII.

An Act to amend the Law relating to Places for holding Petty Sessions and to Lock-up Houses for the temporary Confinement of Persons taken into Custody and not yet committed for Trial.

[29th *May* 1868.]

WHEREAS it is expedient to amend the Law relating to Places for holding Petty Sessions and to Lock-up Houses for the temporary Confinement of Persons taken into Custody and not yet committed for Trial:

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:

1. This Act may be cited for all Purposes as "The Petty Sessions and Lock-up House Act, 1868." Short Title.

2. This Act shall not apply to *Scotland* or *Ireland*. Application of Act.

3. For the Purposes of this Act,— Interpretation of Terms.

"Petty Sessions" shall include "Special Sessions," and "Quarter Sessions" shall include "General Sessions:"

"Borough"

"Borough" shall mean any Place for the Time being subject to an Act passed in the Session holden in the Fifth and Sixth Years of the Reign of King *William* the Fourth, Chapter Seventy-six, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales:

"Local Authority" shall mean,—

In any County, Parts, Liberty, or Division of a County having a separate Commission of the Peace,—the Justices in Quarter Sessions assembled;

In any Borough having a separate Commission of the Peace,—the Council of the Borough.

Power to Two or more Authorities to agree for common Sessions House.

4. Two or more Local Authorities may, with the Approval of One of Her Majesty's Principal Secretaries of State, contract that a Place for the holding of Petty Sessions by each of such Authorities shall be provided at the joint Expense of such Authorities in such Manner and Proportions as in the said Contract mentioned.

Power to Local Authority to contract for Sessions House.

5. Where any Local Authority is in possession of a convenient Building for holding Petty Sessions or for transacting Business authorized by any Act of Parliament to be performed by Justices out of Petty Sessions, any neighbouring Local Authority may contract with such former Authority for the Use, by themselves, of such Building for such Purposes or any of them, and may use the same accordingly.

Power to Local Authorities to contract for Lock-up Houses.

6. Any Local Authority may, with the Approval of One of Her Majesty's Principal Secretaries of State, contract with any neighbouring Local Authority for the Reception by such Authority into their Lock-up House, and the Custody and Maintenance therein, of any Persons who would otherwise be liable to be placed in a Lock-up House situate within the Jurisdiction of the former Authority.

Contracts may include Cost of Conveyance.

7. Any Contract entered into between any Local Authorities for the Reception into and Custody in the Lock-up House of one Authority of Persons belonging to the Jurisdiction of the other Authority may include the Costs of conveying such Persons to and from such Lock-up Houses previously to their Committal for Trial, and also the Costs of conveying them to Prison when committed for Trial.

Petty Sessions Houses and Lock-ups

8. Where any Contract has been made by any Two or more Local Authorities in pursuance of this Act in relation to any Place

Place for holding Petty Sessions, or for transacting Business to be performed by Justices out of Petty Sessions, such Place, for all Purposes of and incidental to the holding of Petty Sessions and of the Orders to be made and the other Business to be transacted thereat, shall be deemed to be within the Jurisdiction of each of such Authorities respectively, and where any Contract has been made by any Two or more Local Authorities in pursuance of this Act in relation to any Lock-up House, such Lock-up House for all Purposes of and incidental to the Power to detain therein and remand thereto, and to convey thereto and therefrom, Persons taken into Custody, and for all other Purposes of a Lock-up House, shall be deemed to be within the Jurisdiction of each of such Authorities respectively.

to be deemed to be within the Jurisdiction of contracting Local Authorities.

9. All Expenses payable by one Local Authority to another in pursuance of any Contract made in pursuance of this Act shall be raised and defrayed in the same Manner as such Expenses would have been raised and defrayed if they had been incurred for the Purposes of and in relation to the Subject Matter of such Contract by and within the Jurisdiction of the Authority that has contracted to pay the same.

Expenses how to be provided.

10. The Approval of One of Her Majesty's Principal Secretaries of State, when given to any Contract made in pursuance of this Act, shall be conclusive Evidence that such Contract is within, and has been duly made in pursuance of, the Provisions of this Act; and a Copy of the *London Gazette* purporting to contain an Announcement of any of the following Facts:—

1. That a common Lock-up House has been established for the Reception of Persons taken into Custody within any Two or more Jurisdictions, and not yet committed for Trial:
2. That a Place has in pursuance of this Act been constituted a Place for holding the Petty Sessions of particular Petty Sessional Divisions, or for transacting Business to be performed by Justices out of Petty Sessions:
3. That a Lock-up House situate in any particular Place has been partly appropriated for the Reception of Persons who would otherwise be liable to be placed in a Lock-up House situate within some other Jurisdiction:

Shall be Evidence of the Facts stated in such Announcement.

Effect of Approval of Secretary of State and Evidence of Transactions.

11. Any Local Authority may form a Committee consisting of Two or more of its Members, and may delegate to such Committee all or any Powers conferred on them by this Act, and may from Time to Time revoke or alter any Power so given to such Committee.

Power to Local Authority to form Committee of its own Members and others.

A Com-

A Committee may elect a Chairman of their Meetings. If no such Chairman is elected, or if he is not present at the Time appointed for holding the same, the Members present shall choose One of their Number to be Chairman of such Meeting. A Committee may meet and adjourn as they think proper. Every Question at a Meeting shall be determined by a Majority of Votes of the Members present, and voting on that Question; and in case of an equal Division of Votes the Chairman shall have a Second or Casting Vote.

The Proceedings of a Committee shall not be invalidated by any Vacancy or Vacancies amongst its Members, or, in case of a County, by the Termination of the Sessions by which they were appointed.

Powers under this Act to be in addition to Powers under other Acts.

12. All Powers conferred by this Act shall be deemed to be in addition to and not in derogation of any other Powers conferred by any other Act of Parliament, and any such other Powers may be exercised as if this Act had not passed.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1868.