ANNO DUODECIMO & DECIMO TERTIO

VICTORIÆ REGINÆ.

C A P. XLII.

An Act to provide for the Execution for One Year of the Office of Sheriff in the County of *Westmoreland*. [13th *July* 1849.]

WHEREAS *Henry* Earl of *Thanet*, deceased, was in his Lifetime and at the Time of his Death Hereditary High Sheriff of the County of *Westmoreland:* And whereas the said *Henry* Earl of *Thanet* died on or about the Twelfth Day of *June* in the Year of our Lord One thousand eight hundred and forty-nine, without Issue: And whereas it is alleged that he first duly made and published his last Will and Testament in Writing, bearing Date the Twenty-first Day of *December* One thousand eight hundred and forty-eight, and duly executed the same, whereby the said *Henry* Earl of *Thanet* devised and bequeathed the said Office of Sheriff to one *Richard Tufton* for Life, with divers Remainders over: And whereas Doubts have arisen whether the said Office of Sheriff passed by the said Will, or whether the same became on the Death of the said *Henry* Earl of *Thanet* vested in his Heir or Heiress at Law, or whether the same became escheated to the Crown; and such Doubts and Rights cannot conveniently be settled and ascertained within the Time necessary for executing and performing the said Office of Sheriff within the said County: And whereas it is necessary, for the Adminis-

tration of Justice within the said County of *Westmoreland*, that a Sheriff for the said County should forthwith be appointed until such Doubts and Rights shall be settled and ascertained: 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 it shall and may be lawful for the Queen's most Excellent Majesty, from and after the passing of this Act, to nominate and to appoint, in such Manner and Form as is provided by an Act passed in the Third and Fourth Years of the Reign of King *William* the Fourth, for, amongst other things, "facilitating the Appointment of Sheriffs," such Person to be Sheriff for One Year of the County of *Westmoreland* as She shall by the Advice of Her Council think fit; and such Person so to be nominated and appointed shall hold, use, and execute the said Office of Sheriff within the said County of *Westmoreland* during One Year from the Date of such Appointment, or for any shorter Period, in case Her said Majesty shall by an Order in Council so order and direct, and upon taking the Oath of Office by the said Act prescribed shall from thenceforth have and exercise all Powers, Privileges, and Authorities whatsoever hitherto usually exercised and enjoyed by the Sheriff of the County of *Westmoreland*, or any other Sheriff, now or heretofore appointed under and by virtue of the said Act, and shall be subject to the same Duties and Liabilities as the Sheriff of the County of *Westmoreland* has hitherto been subject and liable to, and to all the Liabilities imposed upon Sheriffs in *England* and *Wales* by the said recited Act.

Power to Her Majesty to appoint a Sheriff for One Year for the County of Westmoreland in manner provided by 3 & 4 W. 4. c. 99.

II. And be it further enacted, That it shall and may be lawful to and for Her said Majesty, by any Order in Council to be hereafter made, to order and direct that from and after a certain Day to be therein named all the Powers, Authorities, Rights, Privileges, and Liabilities by the said recited Act or this Act conferred or imposed upon the said Person so to be nominated and appointed as aforesaid shall from and after such Day cease and determine, save and except that the said Sheriff so to be nominated and appointed as aforesaid shall be liable and amenable to all such Suits, Actions, and Proceedings, and to make all such Returns, as any other Sheriff for any other County of *England* or *Wales* is now subject or liable to.

Her Majesty may order, from and after a certain Day, that all Powers, &c. conferred shall cease, save that the Sheriff shall be liable to all Suits, and to make Returns.

III. Provided always, That, subject only to the Power by this Act professed to be given to Her Majesty to appoint a Person to the Office of Sheriff of the County of *Westmoreland* for One Year as aforesaid, nothing herein contained shall prejudice or affect any Title in Her Majesty, Her Heirs or Successors, in respect of the said Office, or

Nothing herein to prejudice the Rights of Her Majesty, nor of other Persons.

or the Title, Rights, or Interests of any Person or Persons claiming or to claim, by Descent, Devise, or otherwise, the said Office of Sheriff of the County of *Westmoreland.*

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