CAP. LXXXV.

An Act to provide for holding the Assizes of certain Counties of Cities and Towns in *Ireland* in the Assize Towns of the adjoining Counties at large, in certain Cases; and to make Provision as to Gaols in case of the Change of Assize Towns. [14th *August* 1850.]

'WHEREAS an Act was passed in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relating to Prisons in* Ireland, and it was thereby amongst other things provided, that in certain Cases therein mentioned the Lord Lieutenant or other Chief Governor or Governors of *Ireland* should be empowered to direct that all Prisoners within a County of a City or County of a Town in *Ireland* should be committed to and kept in Custody in the Gaol of the County at large, such Gaol being situate in such County of a City or County of a Town: And whereas under the Provisions of an Act of the Fifth and Sixth Years of His late Majesty King *William* the Fourth, intituled *An Act for the Appointment of convenient Places for the holding of Assizes in* Ireland, the Lord Lieutenant or other Chief Governor or Governors and the Privy Council of *Ireland* are empowered, from Time to Time, upon Presentation of a Memorial from a Majority of the Grand Jury of the Assizes of a County in *Ireland* for such Purpose, to direct at what Place or Places in any County in *Ireland* the Assizes and Sessions under the Commissions of Gaol Delivery and other Commissions for the Despatch of Civil and Criminal Business shall be holden: And whereas it is expedient that the said Lord Lieutenant and Privy Council should be empowered in certain Cases, upon the Application of the Grand Jury of a County of a City or County of a Town, to direct that the Assizes for such County of a City or County of a Town should be held in the Assize Town of the adjoining County at large, and that all Prisoners within such County of a City or County of a Town should be committed to and kept in Custody in the Gaol of the said County at large, though such Gaol be not situate within such County of a City or County of a Town:' 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 be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice of the Privy Council of *Ireland*, if he and they shall think fit, on the Application of the Majority of the Grand Jury at any Assizes of any County of a City or County of a Town, to direct and order that the Assizes and Sessions under the Commissions of Gaol Delivery and other Commissions for the Despatch of Civil and Criminal Business for any such County of a City or County of a Town in *Ireland*, or that any Special Commission or Commissions of Oyer and Terminer and Gaol Delivery for such County of a City or County of a Town, shall be holden at the Assize Town for the Time being of the County at large adjoining such County of a City or County of a Town, or (in case there be more than One adjoining County) of such One of the said adjoining Counties at large as shall be specified in such Order in Council, or to direct and order that all or any Prisoners within such County of a City or County of a Town shall be committed or transmitted to or kept in Custody in the County Gaol, or any Gaol, Bridewell, or House of Correction of such adjoining County at large, or of such One of the adjoining Counties at large (in case there be more than One) as shall be specified in such Order; and in such Case every such Prisoner so in Custody shall to all Intents and Purposes be deemed to be in the proper legal Custody during the Time he or she shall be kept in or be in course of Transmission or Removal to or from such Place of Confinement, or in, to, or from any Court House in such Assize Town, as fully and effectually as if he or she were in Custody within such County of a City or County of a Town; and in case of such last-mentioned Order or Direction, the Maintenance of such Prisoners, and a due Proportion of the Expenses of such Gaol, Bridewell, or House of Correction of such County at large, shall be provided for by Presentments to be made by the Grand Jury at the Assizes of such County of a City or County of a Town to which such Prisoners shall belong (and which Presentments such Grand Jury are hereby required to make), in lieu of all other Presentments in respect of the Gaol of such County of a City or County of a Town; and the

7 G. 4. c. 74. s. 100.

5 & 6 W. 4. c. 26.

The Lord Lieutenant and Privy Council of Ireland may direct the Assizes of a County of a City or Town to be held at the Assize Town of the adjoining County at large in certain Cases, and the Prisoners to be sent.

the Sums presented for the Maintenance of such Prisoners, and such Proportion of Gaol Expenses, shall be paid by the Treasurer of such County of a City or County of a Town to the Treasurer of such County at large.

Power to Lord Lieutenant and Council to make Regulations for the Purposes of this Act.

II. And be it enacted, That in case the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice of the Privy Council of *Ireland*, shall think fit as aforesaid to order and direct that the Assizes and Sessions under the Commissions of Gaol Delivery, and other Commissions for the Despatch of Civil and Criminal Business, or any Special Commission or Commissions of Oyer and Terminer and Gaol Delivery, for any such County of a City or County of a Town, shall be holden at the Assize Town of the adjoining County at large, such Assizes and Sessions or such Special Commissions shall to all Intents and Purposes be deemed to be the Assizes or Sessions or Special Commission or Commissions for such County of a City or County of a Town, as fully and effectually as if the same were held within such County of a City or County of a Town; and all Grand Jurors, Special and Common Jurors, Witnesses, Prosecutors, Officers, and Persons whatsoever whose Duty it shall be to attend at the Assizes or such Sessions or Special Commissions of the said County of a City or County of a Town, shall attend at, and all Matters and Things to be transacted and done at or relating to such Assizes, Sessions, or Special Commissions shall be transacted and done at or relating to such Place as aforesaid in such adjoining County at large, as fully and effectually as if the same were within such County of a City or County of a Town; and it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors, by and with the Advice aforesaid, to make Rules and Regulations touching the Use of any Court House, House of Correction, Prison, or Common Gaol of such County at large for the Purposes of this Act, and touching the Alterations of any Writs, Precepts, Documents, or other Proceedings whatsoever for carrying into effect the Purposes of this Act, and touching any other Matters that may be requisite for carrying into effect the Purposes of this Act; and all such Rules and Regulations shall be of the like Force and Effect as if the same had been made by the Authority of Parliament, and shall be notified in the *Dublin Gazette*, or in such other Manner as the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice of the Privy Council of *Ireland*, shall think fit to direct: Provided always, that it shall be lawful for the Grand Jury of such County of a City or County of a Town to be sworn and to act in discharge of their fiscal Business either in their respective County of a City or County of a Town or in such Assize Town as aforesaid in such adjoining County at large to which such Assizes, Sessions, or Special Commissions shall have been removed under and by virtue of the Provisions of this Act, according as the same may be directed in that Behalf by the same or any subsequent Order in Council.

Place for holding Assizes not to be so changed, unless desired by Majority of Grand Jury.

III. Provided always, and be it enacted, That it shall not be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and the Privy Council there, to make any Order for changing the Place for holding the Assizes or Sessions under the Commissions of Gaol Delivery or other Commissions for the Despatch of Civil and Criminal Business of any County of a City or County of a Town for the Purposes of this Act, unless a Memorial shall have been presented to him or them by a Majority of the Grand Jury of any Assizes of such County of a City or County of a Town, held within Twelve Months preceding such Order, praying that such Change may be made, and unless a Resolution, agreed to by a Majority of the Grand Jury of any Assizes (held within such Twelve Months) of such County at large (into which the Assizes of such County of a City or County of a Town shall be proposed to be moved as aforesaid) shall have been transmitted to such Lord Lieutenant or other Chief Governor or Governors by such last-mentioned Grand Jury assenting to such Change being made.

Where Place of holding Assizes of Counties, &c. is changed, Lord Lieutenant and Council may

IV. And be it enacted, That in all Cases in which the Place of holding Assizes and Sessions under the Commissions of Gaol Delivery and other Commissions for the Despatch of Civil and Criminal Business for any County, County of a City, or County of a Town has been or shall be changed under the Provisions of the said recited Act of the Fifth and Sixth Years of King *William* the Fourth or of this Act, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice of the

the Privy Council of *Ireland*, to order that such Prison or Gaol as he or they shall think fit shall be the Common Gaol of the County, County of a City, or County of a Town, in relation to which such Change shall have been made, and to order the Removal or Custody of Prisoners thereto or therein accordingly; and in such Cases such Presentments shall and may be made by the respective Grand Jury at the Assizes from Time to Time in respect of the Expenses of any such Gaol and the Prisoners therein, and in like Manner as may be or ought by Law to be made by such Grand Jury in respect of the Common Gaol of such County, County of a City, or County of a Town, as the Case may be.

appoint County Gaol.

V. 'And whereas by reason of the Change of the Place of holding any such Assizes, 'Sessions, and Commissions as aforesaid certain of the Officers of the Gaols or Prisons of 'any such Counties, Counties of Cities, or Counties of Towns as to which any such Change 'shall have been made may become unnecessary; and it is expedient that the respective 'Grand Juries should be empowered to grant an annual Allowance or Compensation to any 'such Officers who may by reason of such Change be discharged from their Offices:' Be it enacted, That whenever the Place of holding any such Assizes, Sessions, and Commissions as aforesaid for any County, County of a City, or County of a Town shall have been changed as aforesaid, and by reason of such Change any Officers of any Gaol or Prison of such County, County of a City, or County of a Town, or of any Gaol or Prison used for the Purposes of the same, or any of them, shall become unnecessary, and shall be discharged from their respective Offices, it shall be lawful for the Grand Jury of such County, County of a City, or County of a Town, if they shall think fit, at each Assizes, without Application to Presentment Sessions, to present One Moiety of such respective annual Sum as the Grand Jury shall deem fit to be paid as an Allowance or Compensation to every such Officer so discharged for the Cause aforesaid, during his Life respectively; which respective Sums shall be from Time to Time raised, levied, and paid as other Sums raised and levied under Presentments of the Grand Jury at the same Assizes: Provided always, that no such annual Allowance or Sum shall in any Case exceed Two Thirds of the annual Salary to which such Person shall have been entitled at the Time of his Discharge as aforesaid: Provided also, that if any such Officer as aforesaid shall be nominated and appointed to any Office or Employment in or relating to any of the Gaols of the same County, County of a City, or County of a Town, the Salary and Emoluments of which Office or Employment shall be equal to or shall exceed the Amount of Salary and Emoluments which such Officer before received, then and in such Case the Compensation so hereby provided for every Person so appointed and employed shall cease and determine from the Day of such Nomination and Appointment: Provided also, that if any Person so to be nominated and appointed as aforesaid shall decline or refuse to accept such Office or Employment, his or her Compensation under this Act shall utterly cease and determine.

Grand Juries may present Compensation to Officers of Gaols no longer required in consequence of such Change.

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

Act may be amended, &c.

CAP. LXXXVI.

An Act for the Erection on the Earthen Mound in the City of *Edinburgh* of Buildings for a National Gallery, and other Purposes connected therewith and with the Promotion of the Fine Arts in *Scotland*. [14th *August* 1850.]

'WHEREAS an Act was passed in the Fifty-sixth Year of the Reign of His Majesty 'King *George* the Third, intituled *An Act to enable the Lord Provost, Magistrates,* '*and Council of the City of* Edinburgh *to carry into effect certain Purposes in regard to the* '*Erection of a Chapel at the West End of* Princes Street, *and for effecting certain Improve-* '*ments in the Neighbourhood thereof and in other Parts of the extended Royalty of the said* '*City*; and another Act was passed in the Session of Parliament holden in the Seventh and

56 G. 3. c. xli.