shall not be sufficient the same shall be paid as Part of the Costs of Management of the Land Revenues of Her Majesty.

Short Title.

XXXII. It shall be sufficient for all Purposes to cite this Act as the "*Whittlewood* Disafforesting Act, 1853."

CAP. XLIII.

An Act for enabling the Justices of Counties to contract in certain Cases for the Maintenance and Confinement of convicted Prisoners in the Gaols of adjoining Counties. [4*th August* 1853.]

5 & 6 W. 4. c. 38.

'WHEREAS by an Act passed in the Fifth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in* England *and* Wales, *and for appointing Inspectors of Prisons in* Great Britain, it was enacted, that it should be lawful for His said Majesty, by an Order to be notified in Writing by One of His Majesty's Principal Secretaries of State, to direct that any Persons in Prison within *England* and *Wales* under Sentence of any Court or of any competent Authority for any Offence committed by them should be moved from the Prison in which they were confined to any other of His Majesty's Prisons or Penitentiaries within *England* or *Wales*, there to be imprisoned for and during their respective Terms of Imprisonment: And whereas it is expedient to extend the Provisions of the said Act by enabling the Justices of any County to enter into Contracts in certain Cases for the Maintenance and Confinement of convicted Prisoners in the Prison of an adjoining County:' 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 whenever it shall appear to Her Majesty's Principal Secretary of State for the Home Department, by the Report of the Justices assembled at any General Quarter Sessions of the Peace or Adjournment thereof, held for any County, or Riding or Division of a County, in *England* or *Wales*, that any Gaol or House of Correction for such County, Riding, or Division of a County is either permanently or occasionally insufficient for or inadequate to the safe Confinement of the Number of Prisoners committed thereto, or to give effect to the Rules prescribed and then in force under any Acts for the Government and Discipline of such Gaol or House of Correction, and that the Justices of the Peace of any adjoining County, or Riding or Division of a County, possess the requisite Accommodation, and are willing to receive into and maintain in the Gaol or House of Correction of such adjoining County, or Riding or Division of a County, any specified Number of such Prisoners, it shall be lawful for the said Secretary of State, if he shall think proper so to do, by Writing under his Hand to authorize the Visiting Justices, or any Three of them, of such adjoining Counties, or Ridings or Divisions of Counties respectively, by Writing under their Hand, to enter into such Contracts for the Reception, Maintenance, and Confinement of such Prisoners in the Gaol or House of Correction of any adjoining County, or Riding or Division of a County, for such Period and upon such Terms as may be mutually agreed upon between the Visiting Justices of such adjoining Counties, or Ridings or Divisions of Counties respectively, and when in pursuance of such Authority any such Contract shall have been entered into, the same or a Counterpart shall be submitted to the next General Quarter Sessions of the Peace of the respective Counties, or Ridings or Divisions of Counties, Parties thereto, and filed among the Records of the said Counties, Ridings or Divisions respectively; and all Payments to become due under such Contract shall be payable out of the County Rates or out of such other Fund as but for such Contract would have been chargeable with the Cost of Maintenance and Confinement of the said Prisoners in the Gaol or House of Correction from which they may be so removed or transferred as aforesaid.

When Gaol of any County is insufficient for the Custody of Prisoners, the Secretary of State may authorize the Justices of any adjoining County to contract for the Maintenance, &c. of such Prisoners.