ANNO VICESIMO PRIMO & VICESIMO SECUNDO

VICTORIÆ REGINÆ.

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C A P. XCII.

An Act to provide for the Conveyance of County Property to the Clerk of the Peace of the County. [2d *August* 1858.]

WHEREAS by divers Acts of Parliament Her Majesty's Justices of the Peace for the several Counties in *England* and *Wales*, in General or Quarter Sessions assembled, are authorized and empowered to purchase and hire Lands, Tenements, and Hereditaments for certain public Works and Purposes within such Counties, and they are also authorized and empowered to make and enter into Contracts in relation to such public Works and Purposes, and for other Purposes within their Jurisdiction as Justices of the Peace; but no Provision is made for the Manner in which such Purchases, Hirings, and Contracts are to be carried into effect: For Remedy whereof be it 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:

Justices of the Peace may order Conveyances or Grants of Land, &c. to be made in

I. In all Cases where by any Act or Acts of Parliament Justices of the Peace of any County or Division of a County now are or may be hereafter authorized to purchase or to take on Hire, for any of the public Uses or Purposes of such County, any Lands, Tenements, and

the Name of Clerk of the Peace or Treasurer.

Hereditaments, it shall be lawful for such Justices of the Peace, if they shall think fit, to order and direct that the Conveyance or Grant thereof shall and may be made and taken to and in the Name of the Clerk of the Peace for the Time being of such County, and his Successors, upon trust for such public Uses and Purposes; and such Conveyance or Grant, when so made, shall be valid and effectual in the Law, and shall vest such Lands, Tenements, and Hereditaments in such Clerk of the Peace and his Successors, upon trust for the Purposes for which the same were purchased and granted and conveyed, and be by him and them held for the public Uses and Purposes aforesaid, or otherwise be by him and them sold, conveyed, and disposed of in such Manner as the Justices of the Peace for the Time being of such County or Division of County in General or Quarter Sessions assembled may from Time to Time order and direct.

Contracts and Agreements may be entered into in the Name of the Clerk of the Peace or Treasurer.

II. Except where otherwise specially provided for by any Act or Acts of Parliament, all Contracts and Agreements to be made and entered into by the Justices of the Peace of any County or Division of County for any of the public Uses or Purposes of such County shall and may, by the Order of such Justices, if they shall think fit, be made and entered into on their Behalf by and in the Name of the Clerk of the Peace for the Time being of such County or Division of County; and all such Contracts and Agreements shall and may be enforced and sued upon by or against the Clerk of the Peace for the Time being of such County or Division of County; and no Action, Suit, or Proceeding shall abate or be discontinued by the Death, Resignation, or Removal of such Clerk of the Peace, but the Clerk of the Peace for the Time being shall always be deemed the Plaintiff or Defendant, as the Case may be; and all Costs, Charges, Damages, and Expenses which such Clerk of the Peace may incur or pay or be liable to pay by reason of such Action, Suit, or Proceeding shall be reimbursed to him or paid, by Order of the said Justices of the Peace, by the Treasurer of the County or Division of the County out of the County Rates raised or to be raised within such County or Division of County.

Lands, &c. to be vested in the Clerk of the Peace or Treasurer.

III. Except where otherwise specially provided by any Act or Acts of Parliament, on the Resolution of the General or General Quarter Sessions to that Effect, all Lands, Tenements, and Hereditaments which shall have been heretofore purchased or hired by the Justices of the Peace of any County or Division of a County under the Authority of any Act or Acts of Parliament, for any of the public Uses and Purposes of such County or Division of County, and granted or conveyed to any Person or Persons in trust for or on behalf

behalf of the said Justices, and which now remain applicable to such Uses and Purposes, shall, from and immediately after the passing of this Act, notwithstanding such Grant or Conveyance, become and be absolutely vested in the Clerk of the Peace for such County or Division of County and his Successors upon the Trusts and for the Uses and Purposes in the Grant or Conveyance thereof respectively declared, and the same Lands, Tenements, and Hereditaments shall be at all Times hereafter held, used, and managed, or, when so ordered by the said Justices, sold, conveyed, and disposed of, by the Clerk of the Peace for the Time being of such County or Division of County, according to the Orders and Directions of the said Justices of the Peace from Time to Time in General or Quarter Sessions assembled; and every Sale and Conveyance so made and executed by the Clerk of the Peace for the Time being shall be valid in the Law, and effectually vest the Lands and Hereditaments thereby conveyed in the Purchaser or Purchasers thereof.

Grants and Conveyances to be valid though not enrolled.

IV. All Grants and Conveyances of any Lands, Tenements, and Hereditaments heretofore made or hereafter to be made, under any of the Acts herein-before referred to, to or in trust for the said Justices, for any of the public Uses and Purposes of such Counties or Divisions of Counties, shall be valid and effectual to all Intents and Purposes, notwithstanding the same Grants and Conveyances may not have been or be enrolled, any Law, Statute, or Usage to the contrary notwithstanding.

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