



CHAPTER xxvii.

An Act to extend the limits of the Act for appointing a Stipendiary Justice of the Peace for the parish of Merthyr Tydfil and adjoining places and for other purposes. A.D. 1894.
[18th June 1894.]

WHEREAS an Act (in this Act called "the Act of 1843") was passed in the sixth and seventh years of the reign of Her Majesty intituled "An Act to provide for the more effectual execution of the Office of a Justice of the Peace within the parish of Merthyr Tidvil and certain adjoining parishes" and it was by the Act of 1843 provided that the limits of the Act should be held to include the whole of the parish of Merthyr Tidvil the hamlet of Brithdir in the parish of Gellygaer the parish of Aberdare and the hamlet of Rhigos in the parish of Ystrad-y-fodwg in the county of Glamorgan and provision was made for the appointment by the justice of a clerk to assist him in the execution of his office : 6 & 7 Vict.
c. xliv.

And whereas a more active and vigilant administration of the law has been secured within the limits of the Act of 1843 by the appointments thereby authorised and the performance of their respective duties by the justice and clerk severally appointed and acting from time to time under the provisions of the Act :

And whereas an Act (in this Act called "the Act of 1868") was passed in the thirty-first and thirty-second years of the reign of Her Majesty to extend the limits of the said Act of 1843 and for the increase of the salaries of the stipendiary justice and the clerk appointed by the said Act of 1843 : 31 & 32 Vict.
c. xxxvi.

And whereas it is expedient that the limits of the Acts of 1843 and 1868 be extended and that the salaries respectively authorised by the said Acts to be paid to the justice and clerk from time to time appointed and acting under the provisions thereof should be increased :

A.D. 1894. And whereas the objects aforesaid cannot be effected without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and 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 (that is to say) :—

Short title.

1. This Act may be cited as the Merthyr Tydfil Stipendiary Justice Act 1894 and the Act of 1843 the Act of 1868 and this Act may be cited together for all purposes as the Merthyr Tydfil Stipendiary Justice Acts 1843 to 1894.

Interpre-
tation.

2. In this Act the expression "the justice" means the justice holding office at the date of this Act under the Acts of 1843 and 1868 and includes any justice hereafter holding office under the Acts of 1843 1868 and this Act.

Extension of
limits.

3. The limits of the Acts of 1843 and 1868 are by this Act extended and shall include the hamlets of Garthgynid and Ysgwyddgwyn in the parish of Gellygaer in the county of Glamorgan and the provisions of the Acts of 1843 and 1868 as varied by this Act and the powers authorities rights remedies and jurisdiction conferred by the said Acts shall be read construed and applied and exercised and enjoyed as if the limits of the Acts of 1843 and 1868 had extended to and included the added limits and as if the same provisions had been enacted and the same powers and authorities rights remedies and jurisdiction had been conferred with express reference to the limits of the Acts of 1843 and 1868 and the added limits.

Times of
courts.

4. The justice shall attend for the despatch of business at such places and upon such days and at such times within the said district as the Standing Joint Committee of the county of Glamorgan shall from time to time appoint Provided that he shall not be required to attend more than four days in each week.

Salary of
justice.

5. A salary at the rate of nine hundred pounds a year or such other salary in lieu thereof as shall in future from time to time be fixed by the Standing Joint Committee of the county of Glamorgan subject to the approval of a Secretary of State shall be paid to the justice so long as he shall continue to discharge the duties of his office which salary shall be paid quarterly by equal payments The commencement of the salary shall be calculated from the passing of this Act or the date of the appointment of any justice appointed after the passing of this Act and in case of the resignation or death

of any justice he or his representative shall be entitled to such proportion of the said salary as shall have accrued up to the period of his resignation or death. Provided always that it shall not be lawful for such justice to act as a barrister during the continuance of his appointment as justice.

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6. The justice shall reside at some place within the district or within three miles of the boundary thereof.

Residence of
justice.

7. David Rees Lewis the present clerk shall be the clerk to assist in the performance of the office of the justice and any future clerk who must be a person qualified as set out in section 7 of the Justices Clerks Act 1877 shall be appointed by a majority of the justices including the stipendiary justice acting in the divisions of Caerphilly Higher and Miskin Higher of the county of Glamorgan assembled at a special session of the said divisions called for the purpose and the clerk shall be paid an annual salary of five hundred and fifty pounds or such other sum as shall from time to time be fixed and appointed by the Standing Joint Committee of the county of Glamorgan subject to an appeal to a Secretary of State who is hereby empowered finally to determine the amount of the said salary.

Appointment
of clerk and
salary.

8. The clerk shall not perform any of his duties by deputy unless with the consent of the justice.

Performance
of clerks
duties.

9. Section 71 of the Local Government Act 1888 with respect to the audit of the accounts of county councils shall apply to the accounts to be delivered by the clerk under section 8 of the Act of 1843 as if such clerk were an officer of the County Council of Glamorgan.

Audit of fees
account.

10. The 8th section of the Act of 1843 shall be read construed and applied as if the fees by that Act authorised to be received accounted for and paid over included the fees from time to time payable in respect of matters arising or dealt with in the added limits as well as in respect of matters arising or dealt with in the limits of the Acts of 1843 and 1868.

Construction
of s. 8 of Act
of 1843.

11. The 10th and 11th sections of the Act of 1843 shall be read construed and applied as if the salaries by this Act authorised and directed to be paid had been expressly included in those sections and the same had been enacted for the purpose of paying and making provision for payment of the said salaries and as if the overseers of the poor of the parish of Llanwonno had been included in Section 11 of the Act of 1843 as well as the other overseers in that section mentioned.

Construction
of ss. 10 &
11 of Act of
1843.

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Construction
of s. 12 of
Act of 1843.

12. Section 12 of the Act of 1843 shall be read construed and applied as if the hamlets of Ysgwyddgwyn and Garthgynid had been included in such section as well as the hamlet of Brithdir.

Repeal of
enactments.

13. (1.) Sections 3 and 4 of the Act of 1843 are hereby repealed.

(2.) Immediately after payment to the justice and clerk of the salaries payable under the said Acts of 1843 and 1868 which shall accrue due up to the passing of this Act sections 6 and 7 of the Act of 1843 and sections 3 and 5 of the Act of 1868 shall be repealed.

(3.) The following words in section 5 of the Act of 1843 namely "during his residence within the limits herein-before prescribed" and the following words in section 8 of the Act of 1843 namely "and verify the same upon oath before some justice of the peace for the said county of Glamorgan" are hereby repealed.

Expenses of
Act.

14. All costs charges and expenses attending the passing of this Act or in any manner relating thereto shall be paid by the treasurer of the county of Glamorgan out of the moneys received by him from the clerk of the justice or from the rate authorised to be levied for the purposes of the said Acts of 1843 and 1868 and this Act.

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