



Local Government Act 1888

1888 CHAPTER 41

PART II

APPLICATION OF ACT TO BOROUGHES, THE METROPOLIS, AND CERTAIN SPECIAL COUNTIES.

Application of Act to Metropolis.

42 Arrangements for paid chairman and sitting of quarter sessions for London.

- (1) If the London county council petitions Her Majesty the Queen in that behalf, it shall be lawful for Her Majesty from time to time to appoint a barrister of not less than ten years' standing to be paid chairman or deputy chairman, or one of the paid deputy chairmen, as the case may be, of the quarter sessions for the county of London.
- (2) Any person so appointed shall hold office during good behaviour, and shall by virtue of his office be a justice of the peace for the county of London.
- (3) There shall be paid to him out of the county fund as a general county purpose such yearly salary not exceeding that stated in the petition in consequence of which the appointment was made, as Her Majesty directs.
- (4) Such chairman or deputy chairman shall not, during his office, be eligible to serve in Parliament, and shall not during his continuance in office practise as a barrister.
- (5) Where there is any such paid chairman or deputy chairman of the quarter sessions, the court may be held before such chairman or deputy chairman alone.
- (6) Separate courts of quarter sessions may be held at different parts of the county of London at the same time if so directed by the county council with the approval of a Secretary of State, and every court of general sessions of the peace for the county of London and every adjournment thereof shall have the same jurisdiction in all respects, including the power, of hearing and determining appeals, as if such court were quarter sessions.
- (7) The London county council may from time to time submit to a Secretary of State a scheme for regulating the holding of courts of quarter sessions in London either at

Status: This is the original version (as it was originally enacted).

any one place or at different places, and in the latter case either at the same time or at different times, and for determining the legal character of each sessions so held, that is to say, whether quarter, general, original, or adjourned sessions, or otherwise, and for making such regulations respecting committals for trial, recognisances, depositions, and other matters as are necessary or proper for giving effect to the scheme, and such scheme, when approved by a Secretary of State, shall be published in the London Gazette, and thereupon shall have effect as if it were enacted in this Act.

- (8) Until the quarter sessions for the county of London constitute special sessional divisions, every petty sessional division of the counties of Middlesex, Surrey, and Kent existing at the appointed day, or so much of such division as is situate in the county of London, shall form a special or petty sessional division of the county of London.
- (9) Where any special or petty sessional division of the counties of Middlesex, Surrey, and Kent, existing at the appointed day, is situate partly within and partly without the county of London, so much thereof as is situate without the said county shall, until any alteration is made by the quarter sessions for the county of Middlesex, Surrey, or Kent, as the case may be, be a special or petty sessional division of that county.
- (10) The quarter sessions for the county of London shall be substituted for the general assessment sessions under the Valuation (Metropolis) Act, 1869, and have all the jurisdiction vested in those sessions, and shall exercise the same within the same area. Upon the hearing of any appeals in relation to property in the city of London, such two members of the court of quarter sessions of the city of London as may be appointed by that court for the purpose, shall be entitled to attend and sit as members of the quarter sessions for the county of London.
- (11) The enactments respecting the times for holding sessions of the peace for the county of Middlesex, and the appointment and payment of any assistant judge, or deputy assistant judge, or of a person to preside in a second court at any sessions in the county of Middlesex, shall cease to apply to the county of Middlesex.
- (12) Quarter sessions for the counties of Middlesex, Surrey, and Kent respectively may be held, and the justices of each of those counties may hold special and petty sessions for any division of such county, and appoint a petty sessional or occasional court house, at any place in the county of London, and for all purposes relating to such sessions or any business transacted at such court house, such place shall be deemed to be within the county and division for which the justices holding the same are justices, but no jurors shall be summoned for such sessions from within the county of London.
- (13) Nothing in this Act shall alter the powers or duties of the justices, quarter sessions, recorder, or common serjeant of the city of London, further or otherwise than is expressly provided or than the powers and duties of the justices or quarter sessions of any county are altered.
- (14) Provided that from and after the appointed day the rights claimed by the court of common council to appoint to the offices of common serjeant, and judge of the City of London Court shall cease, and in any future vacancy in each of the said offices, it shall be lawful for Her Majesty the Queen to appoint a duly qualified barrister to be such common serjeant, or judge, and from and after the next vacancy no recorder shall exercise any judicial functions unless he is appointed by Her Majesty to exercise such functions.