

ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

CAP. XXXVII.

An Act for repealing an Act, made in the Fifty-first Year of His present Majesty, for the more effectual Administration of the Office of a Justice of the Peace, in such Parts of the Counties of *Middlesex* and *Surrey* as lie in and near the Metropolis; and for making other Provisions in lieu thereof; to continue in force until the First Day of *June* One thousand eight hundred and twenty, and from thence until the Expiration of Six Weeks from the Commencement of the then next Session of Parliament. [17th *December* 1813.]

WHEREAS an Act was made in the Fifty-first Year of the Reign of His present Majesty, intituled *An Act for repealing Two Acts, made in the Forty-second and Forty-seventh Years of the Reign of His present Majesty, for the more effectual Administration of the Office of a Justice of the Peace, in such Parts of the Counties of* Middlesex *and* Surrey *as lie in and near the Metropolis, and for the more effectual Prevention of Felonies, and for making other Provisions in lieu thereof; to continue in force until the First Day of* June *One thousand eight hundred and thirteen, and from thence until the Expiration of Six Weeks from the Commencement of the then next Session of Parliament:* And whereas it is expedient that the said Act should 51 G. 3. c. 119.

be repealed, and more effectual Provisions made in lieu thereof; may it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most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by the Authority of the same, That the said Act shall from and after the passing of this Act be and the same is hereby repealed.

Recited Act repealed.

The Seven Public Offices now established, and the Justices acting therein, to be continued.

II. And be it enacted, That the several Public Offices now established in the following Places, namely, the Parishes of *Saint Margaret Westminster*, *Saint James Westminster*, *Saint Andrew Holborn*, *Saint Leonard Shoreditch*, *Saint Mary Whitechapel*, and *Saint Paul Shadwell*, in the County of *Middlesex*, and the Parish of *Saint Saviour*, in the Borough of *Southwark*, in the County of *Surrey*, shall be continued, and the several Persons appointed by His Majesty to execute the Office of Justice of the Peace at each of the said Offices, by virtue of the said Act, shall continue to execute the same, together with such other Justices of the Peace for the said Counties respectively as may think proper to attend.

His Majesty may appoint Justices to fill up Vacancies.

Attendance.

III. And be it further enacted, That it shall and may be lawful for His Majesty, from Time to Time, upon any Vacancy in any of the said Offices, by Death or otherwise, to appoint other fit and proper Persons, being Justices of the Peace of the said Counties of *Middlesex* and *Surrey* respectively, to execute the Duties of the said Office in his Place; and that one or more of the said Justices so appointed as aforesaid, shall diligently attend at each of the said Public Offices every Day from Ten of the Clock in the Morning until Eight of the Clock in the Evening, and at such other Times and Places as shall be found necessary; and that Two of the said Justices so to be appointed as aforesaid, shall in like Manner attend together at each of the said Offices, from Twelve of the Clock at Noon until Three in the Afternoon.

No Justice shall take Fees but at the Public Offices.

IV. And be it further enacted, That no Justice or Justices of the Peace for the the County of *Middlesex*, County of *Surrey*, City and Liberty of *Westminster*, or Liberty of the Tower of *London*, or his or their Clerk or Clerks, or any Person for them, other than at the said Public Offices, shall directly or indirectly, upon any Pretence or under any Colour whatever, take or receive any Fee, Gratuity, Reward, or Recompence, for any Act by him or them done or to be done in the Execution of his or their Office or Employ as Justice or Justices of the Peace, Clerk or Clerks as aforesaid, within the Limits of the Weekly Bills of Mortality, or within the Parishes of *Saint Mary-le-bone*, *Paddington*, *Saint Pancras*, *Kensington*, and *Saint Luke* at *Chelsea*, in the said County of *Middlesex*, upon Pain of forfeiting the Sum of One hundred Pounds for every such Offence; to be recovered, one Moiety thereof to the Receiver appointed in the Manner herein-after mentioned, to be applied to the Purposes of this Act, and the other Moiety thereof, with full Costs of Suit, to the Person or Persons who shall sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, Plaint, or Information, wherein no Essoign, Privilege, Wager of Law, or more than one Imparlance shall be allowed: Provided always nevertheless, that nothing in this Act contained shall be construed to extend to any Fees taken at any General or Quarter Sessions of the Peace, or at any Meeting of Justices, for the Purpose of licensing

Not to extend to Fees for licensing Alehouses, or to

licenſing Alehouſes, purſuant to an Act paſſed in the Twenty-ſixth Year of His late Majeſty King *George* the Second, intituled *An Act for regulating the Manner of licenſing Alehouſes in that Part of* Great Britain *called* England, *and for the more eaſy convicting Perſons ſelling Ale and other Liquors without Licence*; or to any Fees taken at a certain Public Office within the Liberty of *Weſtminſter*, known by the Name of *The Public Office in Bow-Street*; or to any Fees taken by any Veſtry Clerk or his Aſſiſtant, as Clerk to any Juſtice or Juſtices of the Peace acting within the Pariſh in which ſuch Juſtice or Juſtices reſide, for the Purpoſe of enforcing the Payment of any Taxes or Aſſeſſments ariſing within the ſame Pariſh, or for the Purpoſe of hearing and determining any Offence cognizable before a Juſtice or Juſtices of the Peace, by virtue of any Statute made and provided for the ſpecial Regulation or Government of ſuch Pariſh.

Fees taken at the Office in Bow Street. 26 G. 2. c. 31.

V. And be it further enacted, That the Juſtices ſo appointed to attend at the ſaid Seven Public Offices as aforeſaid, and their Clerks reſpectively, ſhall, in Books to be provided for that Purpoſe, keep a full, true, and particular Account of all the Fees taken and received at each of the ſaid Offices, together with all Penalties and Forfeitures which ſhall have been recovered, levied, or received in purſuance of any Adjudication, Conviction, or Order, had or made at any of the ſaid Seven Public Offices, or any Proceſs or Warrant iſſuing from the ſame; to which ſaid Books and Accounts the Receiver to be appointed in Manner herein-after mentioned ſhall at all Times have free Acceſs; and the ſaid Juſtices ſhall, Once in every Month, deliver unto ſuch Receiver ſuch Account, verified upon Oath by ſuch Juſtice or Juſtices, their Clerk or Clerks, and ſuch other Perſon or Perſons as ſhall be employed in keeping ſuch Accounts reſpectively, or any Part thereof, before ſome Juſtice of the Peace for the ſaid County of *Middleſex* or County of *Surrey*, as the Caſe may be; which Oath ſuch Juſtice is hereby authorized and required to adminiſter, and ſhall pay and cauſe to be paid the Amount of all ſuch Fees unto ſuch Receiver to be applied in Manner herein-after mentioned; any Law, Statute, or Cuſtom, to the contrary notwithſtanding.

Account of Fees taken at the Seven Public Offices ſhall be delivered Monthly to the Receiver, and the Amount of Fees paid to him.

VI. And be it further enacted, That all ſuch Penalties and Forfeitures, and Shares of Penalties and Forfeitures, as are or ſhall be limited and made payable to His Majeſty, His Heirs and Succeſſors, or to any Deſcription of Perſons, other than the Informer or Informers who ſhall ſue for the ſame, or any Party aggrieved, and which ſhall be recoverable in a ſummary Way before a Juſtice or Juſtices of the Peace, and which ſhall be recovered or adjudged before any Juſtice or Juſtices of the Peace at either of the ſaid Seven Public Offices, ſhall be accounted for and paid into the Hands of the Receiver to be appointed in Manner herein-after mentioned, by the Juſtice, Clerk, Conſtable, Officer, or other Perſon or Perſons who ſhall levy or receive the ſame; to be applied by ſuch Receiver in Manner herein-after mentioned; any Law, Statute, or Cuſtom, to the contrary notwithſtanding.

All Penalties (except to Informers or Parties aggrieved) recovered at the Public Offices, ſhall be paid to the Receiver.

VII. And be it further enacted, That if the ſaid Juſtices appointed as aforeſaid, or any other Perſon having received any ſuch Fees at any of the ſaid Seven Public Offices, ſhall neglect to account for and pay the ſame in Manner aforeſaid; or if any Juſtice, Juſtice's Clerk, Conſtable, Officer, or other Perſon, who ſhall levy or receive ſuch Penalties or Forfeitures, or Shares of Penalties or Forfeitures, ſhall neglect to pay the ſame into the Hands

If Fees are not accounted for, Receiver may ſue for the ſame in any Court of Record.

Hands of ſuch Receiver in Manner aforeſaid; or if any Perſon having reſigned ſuch Office of Receiver, or having been removed from the ſame, ſhall neglect, within Twenty-one Days after Notice for that Purpoſe, to account for and pay into the Hands of the ſucceeding Receiver all ſuch Sums of Money as ſhall remain in his Hands applicable to the Purpoſes of this Act, it ſhall be lawful for ſuch Receiver for the Time being, in his own proper Name only, or by his Name and Deſcription of Office, to ſue for and recover the ſame, with Double Coſts of Suit, in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt or on the Caſe; in which Action it ſhall be ſufficient for ſuch Receiver to declare as for Money had and received to the Uſe of ſuch Receiver for the Purpoſes of this Act; and the Defendant or Defendants in ſuch Action may, at the Diſcretion of any Judge of ſuch Court, be held to ſpecial Bail, in ſuch competent Sum as ſuch Judge ſhall order and direct; and in any ſuch Action againſt any ſuch Perſon ſo liable to account as aforeſaid, the ſaid Court in which ſuch Action ſhall be brought may, if ſuch Court ſhall think proper, at the Inſtance of either of the Parties, refer the Account in diſpute, in a ſummary Manner, to be audited by any Officer of the ſaid Court, or other fit Perſon at their Diſcretion, who may examine both Plaintiff and Defendant upon Oath (which Oath the ſaid Perſon ſhall have Power to adminiſter), and upon the Report of ſuch Referee, unleſs either of the Parties ſhall ſhew good Cauſe to the contrary, ſuch Court may make ſuch a Rule or Order, either for the Payment of ſuch Sum as upon ſuch Report ſhall appear to be due, or for ſtaying the Proceedings in ſuch Cauſe, and upon ſuch Terms and Conditions as to the ſame Court ſhall appear reaſonable and juſt; or the ſaid Court may order Judgment to be entered up by Confeſſion for ſuch Sum as upon ſuch Report ſhall appear to be due.

Receiver may ſue for Money in the Hands of deceaſed Receivers, and recover from Executors.

VIII. Provided alſo, and be it further enacted, That in caſe of the Death of any Receiver continued or appointed by virtue of this Act, or of any Perſon having reſigned or been removed from ſuch Office, or of any of the other Perſons whom the ſaid Receiver for the Time being is authorized to ſue as aforeſaid, then and in ſuch Caſe the Receiver for the Time being may in his own proper Name only, or by his Name and Deſcription of Office, ſue for and recover ſuch Sum of Money as ſhall have been remaining in the Hands of ſuch deceaſed Receiver or other Perſon, applicable to the Purpoſes of this Act, or the Executors or Adminiſtrators of ſuch Perſon deceaſed; in which Action it ſhall be ſufficient for the Plaintiff in Subſtance to ſtate that the Deceaſed was indebted to the Plaintiff for Money had and received for the Purpoſes of this Act, or that the Deceaſed died poſſeſſed of Money had and received for the Purpoſes of this Act, whereby an Action accrued to the Plaintiff to demand and have the ſame of ſuch Executors or Adminiſtrators; and the like Action ſhall and may be brought againſt any Executors or Adminiſtrators of Executors or Adminiſtrators; in all which Actions, the Defendant or Defendants may plead in like Manner and avail themſelves of the like Matters in their Defence, as in any Action founded upon ſimple Contracts of the original Teſtator or Inteſtate; and in all Actions to be brought by ſuch Receiver by virtue of this Act, proof of the Plaintiff's acting in the Execution of ſuch Office ſhall be ſufficient Evidence of his holding the ſame, unleſs the contrary can be ſhown in Evidence by the Defendant or Defendants in ſuch Action.

IX. And

His Majeſty in Council may order Salaries to the Juſtices.

IX. And be it further enacted, That it ſhall and may be lawful for His Majeſty, His Heirs and Succeſſors, by and with the Advice of His or their Privy Council, to direct the Salaries herein-after mentioned, to be paid to the Juſtices ſo appointed to attend each of the ſaid Seven Public Offices, for their Time and Trouble, and ſuch further Sums for the Expences of the ſaid Offices, and for the Payment of Clerks, Peace Officers, and others therein employed, in ſuch Manner as to His Majeſty, His Heirs and Succeſſors, by and with the Advice of His or their Privy Council, ſhall ſeem meet: Provided always, that the yearly Salary paid to each of the Juſtices ſhall be Six hundred Pounds, clear of all Taxes and Deductions whatever: Provided alſo, that the whole Charges attending the ſaid Offices (the ſaid Salaries being included) ſhall not exceed the annual Sum of Twenty-four thouſand Pounds over and above the neceſſary Diſburſements for hiring and repairing the Houſes or Buildings wherein the ſaid Seven Public Offices ſhall be held.

Receiver to be continued in Office, and in caſe of Death, His Majeſty may appoint another.

His Duty.

X. And be it further enacted, That the Receiver appointed by virtue of the Act herein-before recited and repealed, may be continued in his ſaid Office, it ſhall and may be lawful for His Majeſty, His Heirs and Succeſſors, by and with the Advice of His or their Privy Council, upon any Vacancy in the ſaid Office of Receiver by Death or otherwiſe, to appoint any other proper Perſon, not being One of the Juſtices appointed to act at either of the Offices aforeſaid, to be the Receiver of the ſaid Seven Public Offices; which ſaid Receiver, or the Receiver now appointed under and by virtue of the herein-before recited Act, ſhall keep an exact and particular Account of all ſuch Monies as ſhall be received by him by virtue of any Proviſions of this Act, and ſhall apply the ſame Quarterly in Diſcharge of the Salaries, Expences and Charges attending the ſaid Public Offices, and the carrying this Act into Execution, and ſhall make all ſuch Contracts and Diſburſements as ſhall be neceſſary for the hiring, fitting up and furniſhing proper and ſufficient Houſes or Buildings, wherein the ſaid Seven Public Offices ſhall be held, in ſuch Manner as His Majeſty, His Heirs and Succeſſors, by and with the Advice and Conſent of His or their Privy Council, ſhall think proper to direct and appoint; of which ſaid Premiſes ſo to be hired, and the Fixtures and Furniture thereof, and of all other Neceſſaries to be purchaſed for the Purpoſes of this Act, the Property or Intereſt ſo acquired therein ſhall be veſted in the Receiver for the Time being, who ſhall and may in like Manner ſell, aſſign and diſpoſe of the ſame or any Part thereof, under the like Directions and Appointment as Occaſion ſhall require; and ſuch Receiver ſhall forthwith after his Appointment prepare proper Plans and Eſtimates of all ſuch Contracts and Diſburſements as ſhall be neceſſary for the Purpoſes aforeſaid, and ſhall deliver the ſame to His Majeſty's Principal Secretary of State for the Home Department; and ſuch Receiver ſhall further do and execute all ſuch other lawful Matters and Things towards the Eſtabliſhment of the ſaid Seven Public Offices, and towards the carrying this Act into Execution, as His Majeſty, His Heirs and Succeſſors, by and with the Advice of His or their Privy Council, ſhall from Time to Time think proper to direct.

Receiver to render Accounts.

XI. Provided always, and be it further enacted, That ſuch Receiver ſhall every Six Months, and oftener if required, deliver to the Lord High Treaſurer or the Lords Commiſſioners of His Majeſty's Treaſury

for the Time being, a full and particular Account of all Monies by him received and paid as aforeſaid, with Vouchers for the ſame; which Account ſhall be verified upon Oath before any Juſtice or Baron of any of His Majeſty's Courts of Record at *Weſtminſter*; and ſuch Receiver, for his Care and Pains in the Execution of ſuch Office, ſhall and may retain to his own Uſe, out of the Monies ſo received by him as aforeſaid, ſuch Sum, not exceeding Four hundred Pounds, as His Majeſty, His Heirs and Succeſſors, by and with the Advice of His or their Privy Council, ſhall direct and appoint: Provided always, that if it ſhall appear that the Monies herein-before directed to be applied by the ſaid Receiver, in Diſcharge of the Salaries, Expences, and Charges attending the ſaid Seven Public Offices, and the carrying this Act into Execution as aforeſaid, ſhall not be ſufficient to defray the ſame, the Deficiency ſhall be made up and ſupplied out of the Conſolidated Fund; and if at the End of any Year there ſhall be any Surplus in the Hands of ſuch Receiver, he ſhall pay the Amount of ſuch Surplus into the Receipt of His Majeſty's Exchequer, and the ſame ſhall be carried to and made Part of the ſaid Conſolidated Fund.

Allowance to the Receiver.

Providing for Deficiencies.

His Majeſty in Council may alter the Situation of the Offices.

XII. Provided alſo, and be it further enacted, That it ſhall and may be lawful for His Majeſty, His Heirs and Succeſſors, by and with the Advice of His or their Privy Council, to make ſuch Alterations in the Places where any of the ſaid Seven Public Offices ſhall be ſituated; or to make ſuch Alterations in the Hours of Attendance therein, and to make all ſuch other Regulations to be obſerved in conducting the ſame, as He or they from Time to Time ſhall think proper.

Acts directed to be done by a Juſtice near the Place where an Offence is committed, may be done by a Juſtice acting in the next Public Office.

XIII. And be it further enacted, That where by any Law now in being or hereafter to be made, any Act is directed or authorized to be done by any Juſtice or Juſtices of the Peace reſiding in or near or next the Pariſh or Place where any Offence, or other Matter cognizable before them ſhall be committed or ſhall ariſe, the ſame Juriſdiction ſhall and may be exerciſed by a Juſtice or Juſtices acting in ſuch of the ſaid Seven Public Offices as may be ſituated next or near ſuch Pariſh or Place.

Juſtices appointed incapable of ſitting in Parliament.

XIV. Provided always, and be it enacted and declared, That no Juſtices of the Peace appointed as aforeſaid ſhall, during the Continuance in ſuch Appointment, be capable of being elected or of ſitting as Members of the Houſe of Commons.

Not to vote at any Election.

XV. And be it further enacted, That no Juſtice, Receiver or Conſtable, nominated and appointed as aforeſaid by virtue of this Act, ſhall, during the Time he or they ſhall continue in their reſpective Offices, or within Six Months after he or they ſhall have quitted the ſame, be capable of giving his Vote for the Election of a Member to ſerve in Parliament for the Counties of *Middleſex* or *Surrey*, or for the City and Liberty of *Weſtminſter*, or the Borough of *Southwark* reſpectively; nor ſhall, by Word, Meſſage, Writing, or in any other Manner, endeavour to perſuade any Elector to give, or to diſſuade any Elector from giving his Vote for his Choice of any Perſon to be a Member to ſerve in Parliament for the ſaid Counties, or for the ſaid City and Liberty of *Weſtminſter* or Borough of *Southwark*; and every ſuch Juſtice, Receiver, or Conſtable as aforeſaid, offending therein, ſhall forfeit the Sum of One hundred Pounds, one Moiety thereof to the Informer, and the other Moiety thereof to the Uſe of

the Poor of the Pariſh or Place where ſuch Offence ſhall be committed; to be recovered by any Perſon that ſhall ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, in which no Eſſoign, Protection, Privilege, Wager of Law, or more than one Imparlance ſhall be allowed; ſuch Action to be brought within the Space of One Year after ſuch Offence ſo committed: Provided nevertheleſs, that nothing in this Act ſhall extend or be conſtrued to extend to ſubject any ſuch Juſtice, Receiver or Conſtable as aforeſaid, to any Penalty or Penalties for any Act or Acts done by him or them, at or concerning any of the ſaid Elections, in the Diſcharge of his or their Duty or Duties in their ſaid reſpective Capacities.

Juſtices to employ Conſtables.

XVI. And be it further enacted, That the Juſtices appointed as aforeſaid ſhall in their reſpective Offices retain and employ a ſufficient Number of fit and able Men, ſubject to the Approbation of His Majeſty's Secretary of State for the Home Department, whom they are hereby authorized and empowered to ſwear in to act as Conſtables, for preſerving the Peace and preventing Robberies and other Felonies, and apprehending Offenders againſt the Peace within the ſaid Counties of *Middleſex* and *Surrey* reſpectively, as well by Night as by Day; which ſaid Conſtables, ſo appointed and ſworn as aforeſaid, ſhall have all ſuch Powers and Authorities, Privileges and Advantages, as any Conſtable duly appointed now has or hereafter may have by virtue of any Law or Statute now made or hereafter to be made; and ſhall obey all ſuch lawful Commands as they ſhall from Time to Time receive from the ſaid Juſtices, for the apprehending Offenders, or otherwiſe conducting themſelves in the Execution of their ſaid Office or Employment; and ſuch Juſtices, or any Two of them, ſhall and may at any Time diſmiſs from his ſaid Employment every ſuch Conſtable belonging to their reſpective Offices, whom they ſhall think remiſs or negligent in the Execution of his Duty, or otherwiſe unfit for the ſame, and appoint, ſubject to ſuch Approbation as aforeſaid, others in their Stead: Provided always, that no greater Number than Twelve ſhall at one and the ſame Time be ſo retained as aforeſaid, at any one of the ſaid Public Offices: Provided alſo, that if any Perſon ſo appointed a Conſtable as aforeſaid ſhall be diſmiſſed from his ſaid Employment as aforeſaid, all Powers and Authorities veſted in him as a Conſtable under and by virtue of this Act, ſhall immediately ceaſe and determine, to all Intents and Purpoſes whatever.

Receivers to pay Conſtables.

XVII. And be it further enacted, That the ſaid Receiver, out of the Monies herein-before directed to be applied in Diſcharge of the Salaries, Expences and Charges attending the ſaid Public Offices, ſhall and may pay to the Conſtables ſo appointed as aforeſaid, for their Trouble and Attendance as aforeſaid, ſuch Sum as may from Time to Time appear reaſonable to His Majeſty's Secretary of State for the Home Department, and any extraordinary Expences they ſhall appear to have been neceſſarily put to in apprehending Offenders, and executing the Orders of the Juſtices acting under and by virtue of this Act; ſuch extraordinary Expences being firſt examined and approved of by the Juſtices attending the Office in which ſuch Conſtables ſhall have been reſpectively appointed.

Conſtables may apprehend ſuſpected Perſons.

XVIII. And whereas divers ill-diſpoſed and ſuſpected Perſons and reputed Thieves frequent Places of Public Reſort, the Avenues leading thereto, and the

the Streets and Highways, and Places adjacent, with Intent to commit Felony on the Perſons and Property of His Majeſty's Subjects there being; and although their evil Purpoſes are ſufficiently manifeſt, the Power of His Majeſty's Juſtices of the Peace, to demand of them Sureties for their good Behaviour, hath not been of ſufficient Effect to prevent them from carrying their evil Purpoſes into Execution; be it enacted, That from and after the paſſing of this Act, it ſhall and may be lawful for any Conſtable, Headborough, Patrole, Watchman or other Perſon to apprehend every ſuch ſuſpected Perſon or reputed Thief, and convey him or them before any Juſtice of the Peace; and if it ſhall appear before the ſaid Juſtice upon the Oath of One or more creditable Witneſs or Witneſſes, that ſuch Perſon or Perſons ſo brought before him, by ſuch Conſtable, Headborough, Patrole, or Watchman, or by any other Perſon whatever, as well within the ſaid Counties of *Middleſex* and *Surrey*, or elſewhere, is or are a Perſon or Perſons of evil Fame and a reputed Thief or Thieves, and ſuch Perſon or Perſons ſhall not be able to give a ſatisfactory Account of himſelf or themſelves, and of his or their Way of living, and it ſhall alſo appear to the Satisfaction of the ſaid Juſtice that there is juſt Ground to believe that ſuch Perſon or Perſons was or were in ſuch Public Place of Reſort, Avenue, Street, Highway, or Place adjacent as aforeſaid, with ſuch Intent as aforeſaid, every ſuch Perſon ſhall be deemed a Rogue and Vagabond, within the Intent and Meaning of the Statute made in the Seventeenth Year of His late Majeſty King *George* the Second, intituled *An Act to amend and make more effectual the Laws relating to Rogues, Vagabonds, and other idle and diſorderly Perſons, and to Houſes of Correction.*

17 G. 2. c. 5.

Form of Conviction.

XIX. And be it further enacted, That every ſuch Conviction ſhall be in the following Form of Words, as the Caſe may happen, or in any other Form of Words to the like Effect:

'BE it remembered, That on the Day of in the Year of our Lord *A. B.* is brought before me *C. D.* Eſquire, one of His Majeſty's Juſtices of the Peace in and for the County of [*or*, City, Liberty, or Place, *as the Caſe may be*], and charged before me the ſaid Juſtice with being a Rogue and Vagabond; he the ſaid *A. B.* having been apprehended on the Day of in a certain called in the Pariſh of in the ſaid County [*or*, City, *etcetera, as the Caſe may be*]; and it appearing to me the ſaid Juſtice, on the Oath of a credible Witneſs, that the ſaid *A. B.* is a Perſon of evil Fame and a reputed Thief, and the ſaid *A. B.* on his Examination before me not being able to give a ſatisfactory Account of himſelf, or of his Way of living, and it alſo appearing to the Satisfaction of me the ſaid Juſtice, that there is juſt Ground to believe the ſaid *A. B.* was in ſuch aforeſaid, with Intent to commit Felony on the Perſon or Property of His Majeſty's Subjects there being; I do therefore, in purſuance of an Act paſſed in the Fifty-fourth Year of the Reign of King *George* the Third, intituled [*here inſert the Title of this Act*] convict him the ſaid *A. B.* of the ſaid Offence, and adjudge him to be a Rogue and Vagabond, within the Intent and Meaning of the Statute made in the Seventeenth Year of the Reign of His late Majeſty King *George* the Second, intituled *An Act to amend and make more effectual the*

'*Laws relating to Rogues, Vagabonds, and other idle and diſorderly Perſons, and to Houſes of Correction*; and that he for his ſaid Offence be committed to the Houſe of Correction for the ſaid County, until the next General or Quarter [*as the Caſe may be*] Seſſions of the Peace to be holden for the ſaid County, City, or Place, [*as the Caſe may be*] then and there to be further dealt with according to Law. [*If the Party be committed for a leſs Time than until the Seſſions, then ſay*, there to remain for the Space of].'

And that ſuch Conviction ſhall be good and effectual in Law to all Intents and Purpoſes, and ſhall not be quaſhed or ſet aſide, or adjudged void or inſufficient, for Want of any other Form of Words whatever; nor ſhall the ſame be removed by Certiorari into His Majeſty's Court of King's Bench.

Appeal to Quarter Seſſions, &c.

XX. Provided always, and be it further enacted, That if any Perſon ſhall think himſelf aggrieved by the Judgment of ſuch Juſtice as aforeſaid, ſuch Perſon may appeal to the Juſtices of the Peace at the next General or Quarter Seſſions of the Peace to be held for the County or Place wherein the Cauſe of Complaint ſhall have ariſen, ſuch Perſon at the Time of his Conviction entering into a Recognizance with Two ſufficient Sureties conditioned perſonally to appear at the ſaid Seſſions to try ſuch Appeal, and to abide the further Judgment of the Juſtices at ſuch Seſſions aſſembled; and in caſe ſuch Conviction ſhall be affirmed at ſuch Seſſions, the ſaid Juſtices may adjudge ſuch Perſon to be a Rogue and Vagabond, and proceed againſt ſuch Perſon in the ſame Manner as they might have done if ſuch Rogue and Vagabond had been committed to the Houſe of Correction until ſuch General or Quarter Seſſions; and in caſe ſuch Perſon ſhall not appear purſuant to the ſaid Recognizance, the Perſon ſo convicted by ſuch Juſtice ſhall be deemed an incorrigible Rogue within the Intent and Meaning of an Act made and paſſed in the Seventeenth Year of His late Majeſty's Reign, intituled *An Act to amend and make more effectual the Laws relating to Rogues, Vagabonds, and other idle and diſorderly Perſons, and to Houſes of Correction*; and the ſaid Juſtices at ſuch Seſſions, or any Two of them, ſhall iſſue their Warrant to apprehend and commit the Perſon ſo deemed an incorrigible Rogue to ſome Houſe of Correction or Common Gaol within their Juriſdiction, there to remain until the next General or Quarter Seſſions for the ſaid County, [Liberty, *or* City, *as the Caſe may be*,] then and there to be further dealt with according to Law: Provided always, that no Perſon convicted under this Act ſhall be deemed ſubject or liable to Puniſhment by whipping. 17 G. 2. c. 5.

Act not to deprive the Lord Mayor, &c. of London of Juriſdiction in Southwark:

XXI. Provided alſo, and be it further enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend to deprive the Mayor and Commonalty and Citizens of the City of *London*, of any Rights, Privileges, or Juriſdictions, which they have heretofore lawfully claimed, exerciſed, or enjoyed, within the Town and Borough of *Southwark* and the Liberties thereof; or to prevent the Mayor of the City of *London* for the Time being, and ſuch of the Aldermen of the ſaid City who have borne the Office of Mayoralty, and the Recorder of the ſaid City for the Time being, from acting as Juſtices of the Peace within the ſaid Town and Borough of *Southwark*, and the Liberties thereof, in ſuch and the like Manner as they could or might have done in caſe this Act had not been made.

Nor the Dean or High Steward of Westminster.

XXII. Provided always, and be it enacted, That nothing in this Act shall extend or be construed to extend to deprive the Dean of the Collegiate Church of *Saint Peter Westminster* for the Time being, or the High Steward of the City and Liberty of *Westminster* for the Time being, or his lawful Deputy, of any Rights, Privileges, or Jurisdictions which they have heretofore lawfully claimed, exercised, or enjoyed within the said City and Liberty, in such and the like Manner as they could or might have done in case this Act had not been made.

Officers and Patroles of Bow Street Office to act as Constables.

XXIII. And whereas it is expedient that the Officers and Patrole belonging to the said Public Office in *Bow Street*, should be sworn in as Constables, and be empowered to act within the Limits of the several Counties of *Middlesex*, *Surrey*, *Essex*, and *Kent*, the City and Liberty of *Westminster*, and the Liberty of the *Tower of London*; be it therefore further enacted, That it shall and may be lawful for any Two Justices belonging to the said Public Office in *Bow Street* (the Chief Magistrate of such Office for the Time being being one) being Justices of the said several Counties, City, and Liberties, to administer to such Persons respectively an Oath duly to execute the Office of Constable within the Limits aforesaid; and each of such Persons being sworn shall have Power to act as a Constable for the Preservation of the Peace, and for the Security of Property against Felonies and other unlawful Modes of obtaining the same, within any and every of the said several Counties, City and Liberties, and for apprehending Offenders against the Peace, as well by Night as by Day; and within the Limits aforesaid, every such Constable shall have all such Powers and Authorities, Privileges and Advantages, as any Constable duly appointed now has or hereafter may have within his Constablewick: Provided always, that when any such Constable shall be dismissed from his said Employment, or cease to belong to the said Public Office in *Bow Street*, all Powers and Authorities, Allowances, Emoluments, Privileges, and Advantages, vested in the Person so dismissed or ceasing to belong to the said Office, shall immediately cease and determine.

Continuance of Act.

XXIV. And be it further enacted, That this Act shall continue in force until the First Day of *June* One thousand eight hundred and twenty, and from thence until the Expiration of Six Weeks from the Commencement of the then next Session of Parliament.

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