

ANNO PRIMO & SECUNDO

GEORGII IV. REGIS.

CAP. CXVIII.

An Act for the more effectual Administration of the Office of a Justice of the Peace in and near the Metropolis; and for the more effectual Prevention of Depredations on the River *Thames* and its Vicinity, for One Year. [10th *July* 1821.]

WHEREAS Two Acts were made in the Fifty-fourth Year of His late Majesty's Reign, the one intituled *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;* and the other, intituled *An Act to revive and continue until the First Day of* June *One thousand eight hundred and twenty, and to amend several Acts for the more effectual Prevention of Depredations on the River* Thames *and its Vicinity;* both which Acts were by an Act of the last Session of Parliament continued in force until the End of the present Session of Parliament: And whereas it is expedient that the Provisions of the said Acts should be consolidated and amended; and that One of the Police Offices, established by the said first recited Act, should be removed to a more convenient Site: May it therefore please Your Majesty that it may be enacted; and be it

54 G. 3. c. 37.

54 G. 3. c. 187.

1 G. 4. c. 66.

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 Two Acts of the Fifty-fourth Year aforesaid shall be and the same are hereby continued in force until and upon the Fifth Day of *July* One thousand eight hundred and twenty-one, and be then repealed; and that the Provisions of this Act shall thenceforth commence and continue in force for the Term of One Year.

Commencement and Continuance of this Act.

II. And be it enacted, That the Police Office now established in the Parish of *Saint John* of *Wapping*, commonly called 'The *Thames* Police Office,' and the several Police Offices now established in the Parishes of *Saint Margaret Westminster*, *Saint James Westminster*, *Saint Andrew Holborn*, *Saint Leonard Shoreditch*, and *Saint Mary Whitechapel*, in the County of *Middlesex*, and in the Parish of *Saint Saviour*, in the County of *Surrey*, shall be continued; and that instead of the Police Office now established in the Parish of *Saint Paul Shadwell*, a new Police Office shall be established in the Parish of *Saint Mary-le-bone*, in the said County of *Middlesex*; and that the several Persons heretofore appointed, or who before the Commencement of this Act shall be appointed to execute the Duties of a Justice of the Peace at the Police Offices now established under the said recited Acts, shall continue to execute the same at the said Seven first-mentioned Offices, and at the said Police Office so to be established as last aforesaid, together with such other Justices of the Peace for the said Counties respectively as may think proper to attend thereat; and that it shall be lawful for His Majesty, His Heirs and Successors, upon every Vacancy by Death or otherwise, to appoint another fit Person, being a Justice of the Peace of the said Counties of *Middlesex* and *Surrey* respectively, to execute the Duties of a Justice of the Peace at the said several Police Offices, in lieu of the Person making such Vacancy.

The Public Offices now established, shall be continued, but instead of the Office at Shadwell a new Office shall be established in Mary-le-bone.

Justices to act.

His Majesty may appoint Justices to fill up Vacancies.

III. And be it further enacted, That One or more of the said Justices so appointed shall diligently attend at each of the said Police 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 directed by His Majesty's Principal Secretary of State for the Home Department; and that Two of the said Justices shall in like Manner attend together at each of the said Offices, from Twelve of the Clock at Noon until Three in the Afternoon: Provided always, that no such Attendance shall be given on *Sunday*, *Christmas Day*, *Good Friday*, or any Day appointed for a Public Fast or Thanksgiving, unless in Cases of urgent Necessity, or when it shall be directed by such Principal Secretary of State.

Time of Attendance.

IV. And be it further enacted, That the present Receiver for the Seven Police Offices established under the said first recited Act, shall become the Receiver for the said Eight Police Offices; and that it shall be lawful for His Majesty, His Heirs and Successors, 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 said Police Offices, to be the Receiver

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

of the said Eight Police Offices; and that the said Receiver for the Time being shall receive all Fees, Penalties, and Forfeitures, and other Sums of Money applicable to the Purposes of this Act, and shall keep an exact and particular Account of all such Monies as shall be received by him, and shall apply the same Quarterly in Discharge of the Salaries, Expences, and Charges attending the said Police Offices, and in carrying this Act into Execution, and shall make all such Contracts and Disbursements as shall be necessary for purchasing, hiring, fitting up, and furnishing proper and sufficient Houses and Buildings, wherein the said Eight 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 Houses and Buildings so to be hired or purchased, and the Fixtures and Furniture thereof, and of all other Necessaries to be held or purchased for the Purposes of this Act, the Property acquired therein shall be vested in the Receiver for the Time being, who shall and may 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 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 Eight Police 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. His Duty.

V. And be it further enacted, That the Justices appointed as aforesaid, or any Two of them, in their respective Offices, shall appoint, retain, and employ a sufficient Number of fit and able Men for the whole Eight Offices, 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; which Constables so sworn shall, within the Counties of *Middlesex*, *Surrey*, *Essex*, and *Kent*, have all such Powers, 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 respectively, for the apprehending Offenders, or otherwise conducting themselves in the Execution of their Offices; and such Justices may at any Time suspend or dismiss from his Employment any such Constable attached to their respective Offices, whom they shall think remiss or negligent in the Execution of his Duty, or otherwise unfit for the same; and when any such Constable shall be so dismissed, or cease to belong to any of the said Offices, 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. Justices to employ Constables, subject to the Approbation of the Secretary of State.

VI. And

Thames Police Surveyors to be appointed in like Manner.

VI. And be it further enacted, That the Justices appointed to the said *Thames* Police Office, or any Two of them, shall (subject to such Approbation as aforesaid), retain and employ any Number of fit and discreet Men, not exceeding Thirty, who, under the Name of *Thames* Police Surveyors, shall (being first duly sworn in Manner above mentioned) have, within the Counties aforesaid, the Powers, Authorities, Privileges and Advantages of a Constable as aforesaid, and shall direct and inspect the Conduct of the Constables attached to the *Thames* Police Office, and of all Persons to be employed in and about Ships and Vessels in the said River *Thames*, or in or on the several Creeks, Wharfs, Quays, and Landing Places thereto adjacent, and (subject to the Orders of the said last-mentioned Justices) shall have Power by virtue of their Offices to enter at all Times, as well by Night as by Day, into and upon every Ship, Hoy, Barge, Lighter, Boat, or other Vessel (not being then actually employed in His Majesty's Service), lying or being in the said River or Creeks, and into every Part of every such Vessel, for the Purpose of inspecting and upon Occasion directing the Conduct of any Constable who may be stationed on board of any Vessel, and of inspecting and observing the Conduct of all other Persons who shall be employed on board of any Vessel in or about the lading or unlading thereof, as the Case may be, and for the Purpose of taking all such Measures as may be necessary for providing against Fire and other Accidents, and preserving Peace and good Order on board of any such Vessel, and for the effectual Prevention in all Cases of any Felonies or Misdemeanors being committed, and for the effectual Detection of any Felonies or Misdemeanors which may have been committed, or which such Surveyor may have reasonable Cause to suspect to have been committed on board any such Vessel; and the Justices appointed to the said *Thames* Police Office may at any Time suspend or dismiss any such *Thames* Police Surveyor whom they shall find remiss or negligent in the Execution of his Duty, or otherwise unfit for the same; and when any such Surveyor shall be so dismissed, or cease to belong to the said Offices, all Powers and Authorities vested in him as such Surveyor under and by virtue of this Act, shall immediately cease and determine, to all Intents and Purposes whatever.

Justices to be allowed a Salary of 600l. per Annum.

VII. And be it further enacted, That it shall be lawful for His Majesty, His Heirs and Successors, to direct that such Sum shall be issued Quarterly out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to the said Receiver, as will be sufficient to pay the yearly Salary of Six hundred Pounds, clear of all Fees or Deductions to each of the Justices so appointed to attend at the said Police Offices, for their Time and Trouble, and such further Sums as may be necessary for the Expences of the Offices, and for the Payment of Clerks, Constables, Surveyors, and others therein employed; provided that the whole Charges attending the said Police Offices (the said Salaries being included) shall not exceed the Annual Sum of Thirty-five thousand Pounds, over and above the necessary Disbursements for purchasing, hiring, repairing, fitting up, and furnishing the Houses and Buildings wherein the said Offices shall be held; and that the said Receiver, out of the Monies so issued to him, shall and may pay to the Constables and Surveyors so appointed

Further Sums to be issued for Payment of Clerks, Constables, &c.

as aforesaid, for their Trouble and Attendance, such Sum as may from Time to Time appear reasonable to His Majesty's Principal 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 Police Office to which such Constables shall be respectively attached, and such further Sum for rewarding the extraordinary Diligence or Exertion of any of the said Constables or Surveyors, as shall be directed by the said Principal Secretary of State.

No Justice shall take Fees but at the Public Offices, on Penalty of 100l.

VIII. And be it further enacted, That no Justice of the Peace for the County of *Middlesex*, County of *Surrey*, City and Liberty of *Westminster*, or Liberty of the Tower of *London*, or his Clerk, or any Person on their Behalf, other than at the said Police Offices, shall directly or indirectly, upon any Pretence or under any Colour whatever, take or receive any Fee, Reward, Gratuity, 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 of the Peace or Clerk as aforesaid, within the Limits of the Weekly Bills of Mortality, or within the Parish 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, One Moiety thereof to the said Receiver, to be applied to the Purposes of this Act, and the other Moiety thereof, with full Costs of Suit, to the Person who shall sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint, or Information, wherein no Essoign, Privilege, Wager of Law, or more than One Imparlance, shall be allowed: Provided always, 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 Alehouses, or to any Fees taken at the Public Office in *Bow Street*, or to any Fees taken by any Vestry Clerk, 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 Justices of the Peace, by virtue of any Statute made and provided for the special Regulation or Government of such Parish.

Not to extend to Fees for licensing Alehouses, or to Fees taken at the Office in Bow Street.

Tables of Fees to be hung up.

IX. And be it further enacted, That in some conspicuous Part of each of the said Police Offices and also of the said Public Office in *Bow Street*, there shall be affixed a Table of the Fees which may legally be taken at such Offices respectively, under an Act passed in the Twenty-sixth Year of the Reign of King *George* the Second, intituled *An Act for the settling and ascertaining the Fees to be taken by Clerks to Justices of the Peace*; and under another Act passed in the Twenty-seventh Year of the Reign of King *George* the Second, intituled *An Act for making perpetual several Laws for Punishment of Persons destroying Turnpikes, Locks, or other Works erected by Authority of Parliament; and that all Acts made for erecting Courts of Conscience shall be deemed Public Acts; and to empower a certain Num-*

26 G. 2. c. 14.

27 G. 2. c. 16.

ber of the Trustees of the British Museum *to do certain Acts; and for confirming the Tables of Fees to be taken by the Clerks to the Justices of the Peace for the County of* Middlesex; *and for giving further Time for the Payment of Duties omitted to be paid for the Indentures or Contracts of Clerks and Apprentices; and for filing Affidavits in the Execution of Contracts of Clerks to Attornies and Solicitors; and for preventing Persons driving certain Carriages from riding upon such Carriages*; and that it shall be lawful for any Justice at such Offices respectively, to refuse to do any Act for which any Fee shall be demandable, unless such Fee shall be first paid; and that if any such Act shall be done, and the Fee due thereon shall not be paid, it shall be lawful for any Justice of the Peace to summon the Person from whom such Fee shall be due, and to make Order for Payment of the same, with the Costs of the Proceedings, and in default of Payment to levy the same, with the Costs of the Distress, by Warrant under his Hand and Seal.

Account of Fees taken at the Police Offices shall be delivered Quarterly to the Receiver, and the Amount of Fees paid to him.

X. And be it further enacted, That the Justices so appointed to attend at the said Police Offices, and their Clerks respectively, shall, in Books to be provided for that Purpose, keep a full, true, and particular Account of all 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 Offices, or any Process or Warrant issuing from the same; to which Books of Account the said Receiver shall at all Times have free Access; and the said Justices shall, once in every Quarter of a Year, deliver unto such Receiver such Account, verified upon Oath by such Justice or Justices, Clerk or Clerks, or 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*, and shall pay the Amount of all such Fees unto such Receiver, to be applied in Manner herein-before mentioned.

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

XI. And be it further enacted, That all such Penalties and Forfeitures, and Shares of Penalties and Forfeitures, as are by any Act now in force, or shall be by any future Act (unless it shall contain express Words to the contrary) 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 at either of the said Police Offices, shall be accounted for and paid into the Hands of the said Receiver, 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-before mentioned.

If Fees and Penalties are not accounted for, Receiver may sue for the same in

XII. 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 Police 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 of such Receiver in Manner aforesaid; or if any Person having resigned any 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, 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 the 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 Court, or other fit Person, at their Discretion, who may examine both Plaintiff and Defendant upon Oath (which Oath the said Referee 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 a Rule, 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 may order Judgment to be entered up by Confession, for such Sum as upon such Report shall appear to be due.

any Court of Record.

XIII. And be it further enacted, That in case of the Death of any such Receiver, 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, in every 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 to declare 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

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

unless the contrary shall be shown in Evidence by the Defendant or Defendants in such Action.

Receiver to render Accounts quarterly, or oftener if required.

XIV. And be it further enacted, That such Receiver shall every Three Months, and oftener if required, deliver to the Lord High Treasurer or the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, 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 some Justice or Baron of One 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 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.

Justices not to sit in Parliament.

No Justice, Receiver, Surveyor, or Constable to vote at certain Elections.

XV. And be it further enacted, That no Justice appointed as aforesaid shall, during his Continuance in such Appointment, be capable of being elected or of sitting as a Member of the House of Commons; and that no Justice, Receiver, Surveyor, or Constable appointed by virtue of this Act, shall, during the Time that he shall continue in his Office respectively, or within Six Months after he 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 dissuade any Elector from giving his Vote for the Choice of any Person to be a Member to serve in Parliament for the said Counties, City, or Borough; and every such Justice, Receiver, Surveyor, or Constable 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 committed: Provided nevertheless, that nothing in this Act shall extend to subject any such Justice, Receiver, Surveyor, or Constable, to any Penalty for any Act done by him at or concerning any of the said Elections, in the Discharge of his Duty in the said respective Capacities.

Acts directed to be done by a Justice where an Offence is

XVI. 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

nizable 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 Police Offices as may be situated next or near such Parish or Place.

committed, may be done by a Justice in the next Police Office.

XVII. And be it further enacted, That it shall 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 Police 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.

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

XVIII. And whereas it hath become a Practice of late to open Shops or Rooms for the Sale, or under the Pretence of selling, ready-made Coffee, Tea, and other Liquors, and to keep such Shops or Rooms open during the Whole or the greatest Part of the Night, thereby affording Shelter and Accommodation to Thieves, Prostitutes, and other disorderly Persons, and tending greatly to the Encouragement of Robberies, and to the Concealment of stolen Property; be it further enacted, That no Shop, Room, or Place for the Purpose aforesaid, within the City of *London* or the Liberties thereof, within the Limits of the Weekly Bills of Mortality, or within any of the Parishes herein-before mentioned, shall be kept open after the Hour of Eleven o'Clock at Night during any Part of the Year, nor opened before the Hour of Four o'Clock in the Morning between *Lady Day* and *Michaelmas*; or before Six o'Clock in the Morning between *Michaelmas* and *Lady Day*; and if any such Shop, Room, or Place shall be open within the Hours herein-before prohibited, or being shut up, if any Person shall during those Hours be found therein, except the Persons actually dwelling there, or having lawful Excuse for being there, then the Master, Mistress, Waiter, or other Person having the Care, Government, or Management of such Shop, Room, or Place, whether he or she be the real Owner or Keeper thereof or not, shall forfeit and pay any Sum not exceeding Ten Pounds, upon Conviction of any such Offence before any Justice of the Peace, by Confession or upon the Oath of One or more credible Witness or Witnesses; and if the Party so convicted shall not immediately pay the said Penalty, the Justice shall commit him or her to hard Labour in the House of Correction for any Space of Time not exceeding Three Months, unless the said Penalty shall be sooner paid; and the said Penalty, when paid, shall be distributed, One Moiety to the Informer, the other Moiety to the Chamberlain of the City of *London*, if the Offence be committed in the said City or the Liberties thereof; and if out of the said City and Liberties, then the other Moiety to the said Receiver for the Purposes of this Act: Provided always, that nothing herein contained shall apply to or affect any House duly licensed for the Sale of Wines and Spirituous Liquors; and that no such Conviction shall exempt the Owner, Keeper, or Manager of any such Shop, Room, or Place from any Penalty or penal Consequence whereto he or she may be liable for keeping a disorderly House.

For Regulation of Coffee Shops.

Penalty not exceeding 10l.

Application of Penalty.

Not to affect Houses for the Sale of Wines and Spirits.

Prohibiting the blowing of Horns on Sundays, &c.

XIX. And be it further enacted, That if any Person shall, within the City of *London* and Liberties thereof, or within the Limits and Parishes aforesaid, blow any Horn or use any other noisy Instrument for the Purpose of hawking, selling, or distributing any Article whatsoever, it shall be lawful for any Constable, Headborough, Patrole, Watchman, or other Person, to apprehend every Person so offending, and convey him before any Justice of the Peace, who shall proceed to examine upon Oath any Witnesses appearing to give Evidence touching such Offence; and if the Party accused shall be convicted of such Offence, then and in every such Case he shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, and not less than Ten Shillings, to be applied in such Manner as such Justice shall direct; and in case the Offender shall not upon Conviction forthwith pay the Penalty, such Justice is hereby required to commit such Offender to the House of Correction, there to be kept to hard Labour for any Time not exceeding Ten Days, unless the Penalty shall be sooner paid.

Penalty.

Form of Conviction.

XX. And be it further enacted, That every Conviction for the Offences aforesaid, shall be in the following Form of Words, or in some 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 [*or*, having been duly summoned has neglected to appear before me,] *C. D.* Esquire, One of His Majesty's Justices of the Peace in and for the County of [*or*, City, or Liberty, or Place, *as the Case may be*,] and is charged before me the said Justice with having [*here describe the Offence*], and it appearing to me the said Justice, upon the Confession of him the said *A. B.* [*or*, upon the Oath of a credible Witness, *as the Case may be*,] that the said *A. B.* is guilty of the said Offence; I do therefore adjudge the said *A. B.* to forfeit and pay the Sum of ; and in Default of Payment, to be imprisoned in the House of Correction at and there kept to hard Labour for the Term of , unless the said Penalty shall be sooner paid; and I do hereby direct, that the said Penalty shall, when paid, be applied to [*here direct the Mode.*] Given under my Hand and Seal the Day and Year first above written.'

Constables may apprehend suspected Persons.

XXI. And whereas ill-disposed and suspected Persons and reputed Thieves frequent the Parks, Fields, Streets, Highways, and Places adjacent, and divers Places of public Resort, and the Avenues leading thereto, within the City of *London* and the Liberties thereof, the Limits of the Weekly Bills of Mortality, and the said Parishes of *Saint Mary-le-bone*, *Paddington*, *Saint Pancras*, *Kensington*, and *Saint Luke* at *Chelsea*, and also the said River *Thames*, and the Docks and Creeks, Quays and Warehouses adjacent thereto, and the Streets, Highways and Avenues leading to the said River, Docks, Creeks, Quays, and Warehouses, with Intent to commit Felony on the Persons or Property of His Majesty's Subjects; 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 further enacted, That it shall be lawful for any Constable, Headborough, Patrole, Watchman, or other Person to apprehend every such suspected Person or reputed Thief, and convey him or her before any Justice of the Peace; and if it shall appear before the said Justice, upon the Oath of one or more credible Witness or Witnesses, that such Person is a Person of evil Fame and a reputed Thief, and such Person shall not be able to give a satisfactory Account of himself or herself, and of his or her 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 was in or on such Park, Field, Street, Highway, River, Dock, Creek, Quay, Warehouse, Avenue, or other Place 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.

XXII. And be it further enacted, That every such Conviction shall be in the following Form of Words, or in some other Form of Words to the like Effect: Form of Conviction.

'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, *et cetera*, *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 is also appearing to the Satisfaction of me the said 'Justice, that there is just Ground to believe that the said *A. B.* was 'in such as 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 First and Second Year of the Reign of King *George* the Fourth, '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

'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 '.] Given under my Hand and Seal, the Day and 'Year first above written.'

Conviction not to be quashed for Want of Form, or removeable by Certiorari. Appeal to Quarter Sessions, &c.

XXIII. And be it further enacted, That no Conviction under this Act, for any of the Offences aforesaid, shall 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; but that if any Person shall think himself aggrieved thereby, 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 City 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 any such Conviction of a reputed Thief shall be affirmed at such Sessions, the said Justices may adjudge the Offender to be a Rogue and Vagabond, and proceed against him or her 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 Offender 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 the said last recited Act; and the 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.

17 G. 2. c. 5.

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

XXIV. And whereas it is expedient that the Officers of the said Public Office in *Bow Street*, and the Horse and Foot Patrole acting under the Orders of the Chief Magistrate of that Office, shall be sworn in as Constables, and be empowered to act within the said several Counties of *Middlesex*, *Surrey*, *Essex*, and *Kent*, be it therefore further enacted, That it shall and may be lawful for the said Chief Magistrate to administer to such Persons respectively an Oath duly to execute the Office of Constable within the Counties 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 felonious and other unlawful Modes of obtaining the same, within any and every of the said several Counties, and for apprehending Offenders against the Peace, as well by Night as by Day; and 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.

For the Regulation of Parish Watchmen, &c.

XXV. And be it further enacted, for the Purpose of ensuring Competency and Fidelity in the Watchmen and Patroles employed by the Aldermen and Common Council of the City of *London*, and the Vestries and other Parochial and local Authorities, within the Limits of the Weekly Bills of Mortality, and the Parishes hereinbefore mentioned, when any Case of Incompetency, Negligence, Misconduct or Delinquency shall appear to any Two Justices of the Peace acting within the said City or Limits, and Parishes, against any such Watchman or Patrole, it shall be lawful for the said Two Justices, by Writing under their Hands and Seals, to declare the same, and to pronounce the Man so found incompetent or guilty of such Negligence, Misconduct or Delinquency, to be either suspended for a limited Time, or absolutely dismissed from his Office, as they shall think proper; and to give Notice of such Suspension or Dismissal to the Aldermen and Common Council of the Ward if in the City of *London*, or to the Vestry or other Authority by whom such Watchmen or Patrole was appointed; and every such Watchman or Patrole shall be incapable of being re-appointed either for the same or any other Ward, Parish, or Place while such Suspension or Dismissal shall remain in force; and if no Watchman or Patrole shall be appointed by the Aldermen and Common Council of the Ward, or by the Vestry or other proper Authority, at their next Meeting after such Notice shall be delivered to the Deputy of the Ward, or to the Clerk or Secretary of such Vestry or other proper Authority, or left at the House or Office where their Business is usually transacted, the said Justices shall appoint a Successor, who shall exercise and enjoy the said Duties and Powers, and receive the same Pay, Emolument, and Allowances as if regularly appointed.

Age of Watchmen, &c.

XXVI. And be it further enacted, That no Man shall hereafter be appointed within the Limits and Parishes aforesaid by any Authority whatsoever, to be a Watchman or Patrole, who shall be above the Age of Forty Years, unless he shall have been previously and up to the Time of such Appointment employed in the said Horse or Foot Patrole.

Allowance to superannuated Watchmen.

XXVII. And be it further enacted, That it shall be lawful for the Alderman and Common Council of the respective Wards in the City of *London* and Liberties thereof, to make such Allowance to superannuated Watchmen, Beadles, or Patroles, as they shall shink proper, to be paid out of the Watch Rate to be raised in such Wards respectively.

For enabling Constables at Watch-houses to take Bail at Night.

XXVIII. And be it further enacted, That for the better Administration of the Police within the Limits and Parishes aforesaid, it shall be lawful for the Constable or Headborough attending at any Watch-house within those Limits and Parishes, between the Hours of Eight in the Afternoon and Six in the Forenoon, to take Bail by Recognizance, without any Fee or Reward, from any Person who shall be brought

into his Custody within the said Hours, without the Warrant of a Justice, charged with any petty Misdemeanor, if such Constable shall deem it prudent to take such Bail for the Appearance of such Person before the Justices at the said Public Office in *Bow Street*, or at one of the said Police Offices to be specified in the Recognizance for Examination, at the Hour of Ten in the Forenoon next after such Recognizance shall be taken, unless that Hour shall fall on a *Sunday*, or on one of the Days of Absence allowed by this Act, and in that Case at the like Hour on the succeeding Day; and that every Recognizance so to be taken, shall be of equal Obligation on the Parties entering into the same, and liable to the same Proceedings for the estreating thereof, as if the same had been taken before One of His Majesty's Justices of the Peace; and the Constable or Headborough shall enter in a Book to be kept for that Purpose in every Watch-house, the Names, Residence, and Occupation of the Party and his Sureties entering into such Recognizance, together with the Condition thereof, and the Sums respectively acknowledged, and shall lay the same before such Justice as shall be present at the Time and Place when and where the Party is required to appear; and if the Party does not appear at the Time and Place required, or within One Hour after, the Justice shall cause a Record of the Recognizance to be drawn up, to be signed by the Constable or Headborough, and shall return the same to the next General or Quarter Sessions of the Peace, with a Certificate at the Back thereof, signed by such Justice, that the Party has not complied with the Obligation therein contained, and the Clerk of the Peace shall make the like Estreats and Schedules of every such Recognizance as of Recognizances forfeited in the Sessions of the Peace; and if the Party not appearing shall apply, by any Person on his Behalf, to postpone the Hearing of the Charge against him, and the Justice shall think fit to consent thereto, the Justice shall be at Liberty to enlarge the Recognizance to such further Time as he shall appoint; and when the Matter shall be heard and determined, either by the Dismissal of the Complaint, or by binding the Party over to answer the Matter thereof, at the Sessions or otherwise, the Recognizance for the Party's Appearance before the Justices shall be discharged without Fee or Reward.

In Default of Appearance Recognizance to be forfeited.

Time of Hearing may be postponed.

Penalty for damaging, &c. Boats belonging to Thames Police.

XXIX. And be it further enacted, That if any Person shall wilfully destroy or damage, or endeavour to destroy or damage, or be wilfully concerned in destroying or damaging, or endeavouring to destroy or damage, any Boat belonging to or hired or employed by or by the Authority of the Justices appointed to attend at the *Thames* Police Office, or any Part of the Sails, Oars, or other Tackle, Stores, Goods, or Furniture contained in or belonging to any such Boat, every Person so offending shall forfeit and pay for every Boat so destroyed or damaged, or attempted to be destroyed or damaged, or of which any of the Tackle or other Contents shall have been so destroyed or damaged, or attempted to be destroyed or damaged, any Sum not exceeding Thirty Pounds, or shall suffer Imprisonment for any Time not exceeding Three Months over and above any such Damages as may be recoverable by Action at Law against any such Offender.

XXX. And

Surveyors having just Cause to suspect Felony, may enter on Vessels and take up suspected Persons.

XXX. And be it further enacted, That it shall be lawful for every such *Thames* Police Surveyor (subject to the Orders of the said Justices appointed to attend the *Thames* Police Office), having just Cause to suspect that any Felony has been or is about to be committed in or on board of any Ship, Hoy, Barge, Lighter, Boat, or other Vessel, lying or being in the said River, Docks, or Creeks, to enter at all Times, as well by Night as by Day, into and upon every such Ship, Hoy, Barge, Lighter, Boat, or other Vessel, and therein to take all necessary Measures for the effectual Prevention or Detection of all Felonies which he has just Cause to suspect to have been or to be about to be committed in and upon the said River, Docks, or Creeks, and to apprehend and detain all Persons suspected of being concerned in such Felonies, and also all Property so suspected to be stolen, and the same to produce before some Justice, to be dealt with according to Law.

Unlawful Quantities of Gunpowder may be seized.

XXXI. And be it further enacted, That it shall be lawful for every such *Thames* Police Surveyor, at any Time between Sun-rising and Sun-setting, to enter any Ship or Vessel (except His Majesty's Ships) in the said River, Docks, and Creeks, and to search the same for unlawful Quantities of Gunpowder, and also to exercise the same Powers of seizing, removing to proper Places, and detaining all such unlawful Quantities of Gunpowder found on board any such Ship or Vessel, and the Barrels or other Packages in which such Gunpowder shall be, as are given to Persons searching for unlawful Quantities of Gunpowder under a Warrant of a Justice, by virtue of an Act passed in the Twelfth Year of His late Majesty's Reign, intituled *An Act to regulate the making, keeping, and carriage of Gunpowder within* Great Britain, *and to repeal the Laws heretofore made for any of those Purposes.* 12 G. 3. c. 61.

Where Boats are suspected to have any stolen Ropes, &c. on board, they may be detained,

and the Persons suspected of having conveyed the stolen Articles on board may be taken before a Justice, &c.

XXXII. And be it further enacted, That it shall be lawful for any *Thames* Police Constable or Surveyor, or any other Peace Officer within his Jurisdiction, to stop, search, and detain in some Place of Safety any Boat which there shall be Reason to suspect of having any Ropes, Cordage, Tackle, Apparel, Furniture, Stores, Materials, or any Part of any Cargo or Lading, stolen or unlawfully procured from or out of any Ship, Boat, Barge, Lighter, or Craft, in the said River, Docks, or Creeks, or from any Wharf, Quay, or Landing Place, adjacent to the said River, Docks, or Creeks; and also to apprehend and detain, or cause to be apprehended and detained, any Person who may be reasonably suspected of having or conveying any such Articles in such Boat; and such Person so apprehended shall be (as soon as conveniently may be) conveyed before some Justice of the Peace; and if such Person shall not produce the Party or Parties from whom he or she bought or received such Articles, or some credible Person, to depose upon Oath the Sale or Delivery thereof, or shall not give an Account to the Satisfaction of such Justice how he or she came by the same, then the Person so apprehended shall be deemed and adjudged guilty of a Misdemeanor, and shall suffer as herein-after mentioned; and such Boat, with her Tackle, Apparel, Furniture, and Loading, shall, upon such Conviction, be forfeited and disposed of as is herein-after directed.

Constables, &c. may seize all Ropes, &c. suspected to be stolen from out of Vessels in the River, and carry the Persons concerned therein before a Justice, &c.

XXXIII. And be it further enacted, That every *Thames* Police Constable and Surveyor, and every other Peace Officer within his Jurisdiction, shall and may apprehend and detain, or cause to be apprehended and detained, every Person who may reasonably be suspected of having or carrying any Ropes, Cordage, Tackle, Apparel, Furniture, Stores, Materials, or any Part of any Cargo or Lading, stolen or unlawfully procured from or out of any Ship, Boat, Barge, Lighter, or Craft in the said River, Docks, or Creeks, or from any Wharf, Quay, or Landing Place adjacent to the said River, Docks, or Creeks; and also shall and may seize all such Articles and detain them in some Place of Safety, and shall, as soon as conveniently may be, convey, or cause every Person so apprehended to be conveyed before some Justice of the Peace; and if such Person shall not produce the Party or Parties from whom he or she bought or received such Articles, or some credible Person to depose upon Oath the Sale or Delivery thereof, or shall not give an Account, to the Satisfaction of such Justice, how he or she came by the same, then the Person so apprehended shall be deemed and adjudged guilty of a Misdemeanour, and shall suffer as herein-after mentioned.

On Information that there is reasonable Cause for suspecting that any of the Cargo of any Vessel or any of His Majesty's Stores, &c. have been unlawfully obtained, and are concealed, how to proceed.

XXXIV. And be it further enacted, That if on Information given on Oath it shall appear to any Justice that there is reasonable Cause for suspecting that any Materials, Furniture, Stores, or any Part of the Cargo of any Ship or Vessel lying or being in the said River, Docks, or Creeks, or any Stores belonging to His Majesty, or consigned to any Person for His Majesty's Service, have been stolen or unlawfully obtained from or out of any such Ship or Boat, Barge, Lighter, or Craft, lying or being in the said River, Docks, or Creeks, or from any Wharf, Quay, or other Landing Place adjacent to the same, or from or in the Way to or from any Warehouse into or from which such Articles had been removing or removed to or from any such Wharf, Quay, or Landing Place, and that such Articles, after having been so stolen or unlawfully obtained, are concealed or otherwise lodged in any Dwelling House, Warehouse, Yard, Garden, or any other Place, it shall be lawful for such Justice, by special Warrant under his Hand and Seal, directed to any *Thames* Police Constable or Surveyor as aforesaid, or other Constable within his Jurisdiction, to cause every such Place to be searched at any Time of the Day, or by Night, if Power for that Purpose be especially given in and by such Warrant; and the said Justice, if it shall appear to him necessary, may moreover empower such Constable or Surveyor, with any such Assistance as to the said Justice may appear or by such Constable or Surveyor may be found necessary (such Constable or Surveyor having previously made known such his Authority), to use force for the effecting of such Entry, whether by breaking open Doors or otherwise; and if upon Search thereupon made any such suspected Article shall be found, then to convey the same forthwith to and before a Justice, or to guard the same on the Spot while the Offenders are taken before a Justice, or otherwise dispose thereof in some Place of Safety, subject to the Orders of a Justice in Manner above-mentioned; and moreover to apprehend and convey before the said Justice the Person or Persons in whose House, Lodging, or other Place, the same shall so have been found, as also every other Person found in such House,

Lodging, or Place, who shall appear to have been privy to the depositing of such Article in such Place, knowing or having reasonable Cause to suspect the same to have been stolen or otherwise unlawfully obtained; and if such Persons respectively shall not immediately, or within some reasonable Time to be assigned by the Justice, make it appear, to the Satisfaction of the Justice, by what lawful Means such Article or Articles came to be deposited or situated in such Place as aforesaid, without any Default on the Part of such Persons respectively, or that they respectively did not know that the same were, or by what Means the same were deposited or situated in such Place, then and in such Case the Person or Persons in whose House, Lodging, or other Place, any such suspected Article was found, and also every other Person so appearing to have been privy to the depositing thereof, knowing or having Cause to suspect the same to have been stolen or otherwise unlawfully obtained, shall be deemed and adjudged guilty of a Misdemeanor, and shall suffer as herein-after mentioned.

Party from whom Goods bought to be examined by the Justice.

XXXV. Provided always, and be it further enacted, That if any Person, on being so produced before any Justice to give an Account of any Articles seized and detained, in any of the Cases aforesaid, shall declare himself or herself to have bought, received, or otherwise obtained such Articles of some other Person, such Justice is hereby authorized and required to examine every such other Person, and also every other prior Purchaser or pretended Purchaser; and if upon the whole of the Evidence, it shall appear to the Satisfaction of such Justice, that the Party so suspected at the Time of his or her receiving such Articles into his or her Possession, did believe or had reasonable Cause to believe that the same were at any Time and by any Person unlawfully come by or obtained, it shall be lawful for such Justice to adjudge such Party to be guilty of Misdemeanor, and the Party so convicted shall thereupon suffer as herein-after mentioned.

If Goods are found to be unlawfully obtained, Party adjudged to be guilty of a Misdemeanor.

Penalty on Masters of Vessels between Westminster Bridge, and Blackwall, having on board Guns loaded with Ball, or discharging Guns before Sun-rising or after Sun-setting, and also for heating of Tar and other combustible Matter on board of Vessels.

XXXVI. And for the more effectual Prevention of Accidents by Fire and other Mischiefs upon the said River, be it further enacted, That if any Master or Commander or other Officer of any Ship or Vessel (except His Majesty's Ships) shall, while such Ship or Vessel shall lie or be in the said River between *Westminster Bridge* and *Blackwall*, keep any Gun on board such Ship or Vessel shotted or loaded with Ball, or cause or permit to be fired or discharged any Gun on board such Ship or Vessel, before Sun-rising or after Sun-setting, such Master, Commander, or other Officer shall for every such Gun so kept shotted or loaded, forfeit the Sum of Five Shillings; and for every Gun so fired or discharged, the Sum of Ten Shillings; and if any Master, Commander, or other Officer of any such Ship or Vessel, or any other Person on board of the same, or any Person on board of any Barge, Lighter, Boat, or other Craft or Vessel, shall, while such Ship, Barge, Lighter, Boat, Craft, or Vessel shall lie or be in the said River between *Westminster Bridge* and *Blackwall*, heat or melt, or cause or permit to be heated or melted by Fire, Logger-heat Shot, or any other Means, on board any Ship, Barge, Lighter, Boat, Craft, or Vessel whatever, any Pitch, Tar, Rosin, Grease, Tallow, Oil, or other combustible Matter, every Person so offending shall for

every such Offence forfeit any Sum not exceeding Five Pounds, and any One of the Justices appointed to attend at the *Thames* Police Office, or any other Justice within his Jurisdiction, is hereby authorized and required, upon any Information exhibited or Complaint made in that Behalf, within Ten Days next after any such Offence shall have been committed, to summon the Party accused, and also the Witnesses on either Side, or after Oath made of the Commission of any of the Facts above-mentioned by One or more credible Witness or Witnesses, to issue a Warrant to apprehend the Party accused, and upon the Party's Appearance or Contempt in not appearing (upon the Proof of Notice given) such Justice shall proceed to the Examination of the Witness or Witnesses on Oath, and upon due Proof thereof, either by the voluntary Confession of the Party, or by the Oath of One or more credible Witness or Witnesses, to give Judgment or Sentence; and in case the Party accused shall be convicted of such Offence, it shall and may be lawful for such Justice to commit such Offender to Prison, there to remain for any Time not exceeding the Space of Two Months, unless the Penalty shall be sooner paid; and if any Person shall find himself aggrieved by the Judgment of any such Justice, he may appeal to the next Court of General Quarter Sessions for the County or City where such Offence shall have been committed, on giving immediate Notice of such Appeal, and finding sufficient Security, to the Satisfaction of such Justice, for prosecuting such Appeal with Effect, and for abiding the Determination of the Court therein; and the said Court are hereby empowered to summon and examine Witnesses upon Oath, and finally to hear and determine the Matter, and in case the Judgment shall be affirmed, to award the Person appealing to pay such Costs occasioned by such Appeal as shall seem meet; and One Moiety of all Money recovered on account of every such Penalty, shall be distributed at the Discretion of the Justice making the Conviction, to such Person or Persons as he shall judge to have been instrumental in detecting and prosecuting the Offender.

Framing a false Bill of Parcels to escape Detection deemed a Misdemeanor.

XXXVII. And be it further enacted, That every Person who for the Purpose of protecting or preventing any Goods, Wares, Merchandize or other Articles whatsoever from being seized, on Suspicion of their being stolen or otherwise unlawfully obtained, or of preventing the same from being produced or made to serve as Evidence of or concerning any Felony or Misdemeanor, shall frame or cause to be framed, or be anywise concerned in framing or causing to be framed any Bill of Parcels containing any false Statement in regard to the Name or Abode of any alleged Vendor, the Quantity or Quality of any Goods, the Place from whence, or the Conveyance by which the same were furnished, the Price agreed upon or charged for the same, or any other Particular, knowing such Statement to be false, or who shall fraudulently produce such Bill of Parcels knowing the same to have been fraudulently framed, shall be adjudged guilty of a Misdemeanor, and shall suffer as herein-after mentioned, and may moreover, at the Discretion of any Justice in whose Jurisdiction such Offence shall be committed, be published and advertised as a Fabricator of false Bills

of Parcels, or as a convicted or reputed Receiver of Goods stolen or otherwise unlawfully obtained, as the Case may be.

Penalty for breaking, &c. Packages, with an Intent that the Contents may be spilled.

XXXVIII. And whereas, for the Purpose of increasing the Facility of Depredation, it hath been a common Practice among Persons concerned in the landing and warehousing of Merchandize from on board Ships and Vessels in the said River, wilfully to injure and promote the opening and breaking of Casks, Bags, and other Packages, and the spilling of their Contents; for Remedy thereof, be it further enacted, That if any Person employed in the loading and landing or warehousing of any Goods, or any other Person, shall wilfully or through culpable Negligence or Carelessness, cause or suffer or be concerned in causing or suffering to be broken, bruised, pierced, started, cut, torn, or otherwise injured, any Cask, Box, Chest, Bag, or other Package, containing or being designed and prepared for containing any Goods while on board of any Barge, Lighter, or other Craft lying or being in the said River, or any Dock, Creek, Quay, Wharf, or Landing Place adjacent to the same, or in or in the Way to or from any Warehouse to or from which such Package shall have been removed, shall be removing or about to be removed, with Intent that the Contents of such Package or any Part thereof may be spilled or dropped from such Package, every Person so offending shall for every such Offence be deemed and adjudged guilty of a Misdemeanor, and shall suffer as herein-after mentioned.

Wilfully letting fall Articles into the Thames, or into a Boat, &c. with fraudulent Intention, how to be punished.

XXXIX. And be it further enacted, That if for the Purpose of preventing the Seizure or Discovery of any Materials, Furniture, Stores, or Merchandize belonging to or having been Part of the Cargo of any Ship or Vessel lying in the said River, or the Docks or Creeks adjacent thereto, or of any other Articles unlawfully obtained from any such Ship or Vessel, any such or any other Article shall be wilfully let fall or thrown into the River, or in any other Manner directly or purposely conveyed away or endeavoured to be conveyed away from any Ship, Boat, Barge, Lighter, Craft, Wharf, Quay, or other Landing Place, every Person being Party, Privy, or Accessary to such letting fall, throwing, or Conveyance, or to any previous Instructions or premeditated Design, so to let fall, throw, or convey away any such Article with any such Purpose as aforesaid, shall be deemed and adjudged guilty of a Misdemeanor; and if any Article whatever of apparent Value shall be wilfully let fall, thrown, conveyed away, or endeavoured to be conveyed away from any Ship, Boat, Barge, Lighter, or Craft, into any other Boat, Barge, Lighter, or Craft, or from any Wharf, Quay, or other Landing Place, without the Order, Assent, or Privity of the Owner, or of the Person having the lawful Charge of such Article, it shall be lawful for any such *Thames* Police Constable or Surveyor, or for any Constable of the City of *London*, within the Jurisdiction of the said City, to seize, apprehend, and secure any such Boat, Barge, Lighter, or other Craft in which such Article shall be so let fall, thrown, or conveyed away, and every Person therein, or who by reason of his or her Nearness to the Place where such Offence shall be committed, shall be reasonably suspected by such Constable or Surveyor of being Party, Privy, or Accessary thereto, and forthwith to convey every such Person so apprehended before

before One of the said Justices appointed to attend at the *Thames* Police Office, or some other Justice in whose Jurisdiction such Offence shall be committed; and if upon Examination it shall not be made appear to the Satisfaction of the Justice before whom the Offender shall be carried, that such letting fall, throwing, or conveying away, or endeavour to convey away, proceeded either from mere Accident or from some lawful Cause, and not from any such fraudulent or evasive Design as aforesaid, every Person so appearing to be Party, Privy or Accessary as aforesaid, shall be deemed and adjudged guilty of a Misdemeanor, and shall suffer as herein-after mentioned.

For Offences declared Misdemeanors, and for which no Penalty is appointed, Offenders shall forfeit not exceeding 5*l.*, or be imprisoned.

XL. And be it further enacted, That for every Offence herein-before declared to be a Misdemeanor, or for which no special Penalty is herein-before appointed, the Offender shall, at the Discretion of the Justice before whom the Conviction shall take place, either forfeit and pay any Sum not exceeding Five Pounds, or suffer Imprisonment for any Time not exceeding Two Months in any Gaol or House of Correction within the Jurisdiction of such Justice; and in case of the Adjudication of a pecuniary Penalty, and Non-payment thereof, it shall be lawful for such Justice to commit the Offender to any Gaol or House of Correction for the like Term, unless such Penalty shall be sooner paid; and one Moiety of every such pecuniary Penalty shall be paid to such Receiver as aforesaid for the Purposes of this Act, and the other Moiety thereof, under the Direction of the Justice by whom the same shall have been adjudged, shall either be paid and applied to the Use of the Informer alone, or be distributed between such Persons as shall have contributed to the Conviction of the Offender, in such Shares and Proportions as such Justice shall think fit.

Offences how to be tried.

XLI. And be it further enacted, That in every Case in which Complaint shall be made, or Information given of any Offence by this Act declared to be a Misdemeanor, or for which any pecuniary Penalty is herein-before appointed, with or without Imprisonment in addition thereto or in lieu thereof, the Matter of such Complaint or Information, if the Offence shall have been committed or the Offender apprehended within the Jurisdiction of the City of *London*, may be heard and determined by the Lord Mayor, Recorder, or One of the Aldermen of the said City, and not elsewhere; but if the Offence shall have been committed or the Offender apprehended out of the said Jurisdiction, such Complaint or Information may be heard and determined, either by One of the Justices appointed to the *Thames* Police Office as aforesaid, or by any other Justice within whose Jurisdiction the Offence shall have been committed or the Offender apprehended; and every Conviction thereupon had, shall be certified, filed, and entered in such Manner as is directed in and by an Act of the Second Year of His late Majesty's Reign, intituled *An Act to prevent the committing of Thefts and Frauds by Persons navigating Bum-boats and other Boats upon the River* Thames, with respect to Convictions under that Act, and may also be drawn up in such Form and Manner, *mutatis mutandis*, as is appointed in and by the said Act; and neither such Conviction, nor any Proceeding previous thereto, shall be removed by Certiorari or otherwise into any Court of Record, but such

2 G. 3. c. 28.

Conviction shall be final and conclusive to all Intents and Purposes whatsoever.

Misdemeanors under recited Act 2 G. 3. c. 28. to be punished at the Discretion of the Justice.

XLII. And whereas the Punishments for Misdemeanors provided in and by the said Act of the Second Year of His late Majesty's Reign have been found insufficient for the preventing of such Offences; be it enacted, That every Person who shall be guilty of any of the Offences respectively made and declared to be Misdemeanors in and by the said Act, may be punished at the Discretion of the Justice or Justices by or before whom the Offender shall be convicted, either with the Punishment appointed in and by the said Act, or by such other Punishment as is hereby appointed for and in Cases of Offences declared to be Misdemeanors in and by this present Act.

Forfeited Boats, instead of being burnt, may be restored or sold.

XLIII. And be it further enacted, That in all Cases in which it is directed by the said last recited Act, that any Boat with her Tackle and Appurtenances, which shall be forfeited, shall be burnt and destroyed, it shall be lawful for any Justice before whom any Person shall have been convicted of any Offence, whereby any Boat is or should be adjudged to be forfeited under that Act, and also for any Justice by whom any Boat shall be adjudged to be forfeited under this Act, either to direct such Boat, with her Tackle and Appurtenances, to be burnt and destroyed, or to be restored to the Owners thereof, or to be publicly sold, and the Produce of such Sale to be applied in like Manner as all other Cases of Forfeitures under this Act.

Disputes about Wages for Labour done on the River, &c. (except by Trinity Ballastmen) to be settled by Justices, provided the Sum in question does not exceed 5*l*.

XLIV. And whereas Disputes frequently arise between Bargemen, Lightermen, Watermen, Ballastmen, Coal Whippers, Coal Porters, Sailors, Lumpers, Riggers, Shipwrights, Caulkers, and other Labourers who work for Hire in or upon the said River, and the Docks, Creeks, Wharfs, Quays, and Places adjacent, respecting Wages or Money due to them for Work, and the Owners, Masters or Commanders of Vessels and their Agents, and the Owners, Wharfingers, or Occupiers of such Wharfs or Quays, and their Agents and other Persons employing such Labourers; be it further enacted, That all Differences, Complaints, and Disputes which shall happen and arise between any Bargemen, Lightermen, Watermen, Ballastmen (except Trinity Ballastmen), Coal Whippers, Coal Porters, Sailors, Lumpers, Riggers, Shipwrights, Caulkers, or other Labourers who work for Hire in or upon the said River, or the Docks, Creeks, Wharfs, Quays, or Places adjacent, and the Owners, Masters, or Commanders of Vessels or their Agents on the said River, or the Docks or Creeks thereunto adjoining, or the Owners, Wharfingers, or Occupiers of such Wharfs or Quays, or their Agents or other Employers, respecting Wages or Money due to such Labourers for Work, whether the same Persons be employed for any certain Time or in any other Manner, shall be heard and determined by the Justices appointed to the *Thames* Police Office, or any One of them, or any other Justice within his Jurisdiction; and every such Justice is hereby empowered to summon before him any such Master or Commander of any Vessel, or any such Owner thereof, or his Agent, or the Owner, Wharfinger, or Occupier of any Wharf or Quay, or their respective Agents, or any other Employer; and if any such Master, Commander, Owner, Whar-

Wharfinger, Occupier, Agent, or Employer, shall refuse or neglect to attend such Summons, then every such Justice is hereby empowered to issue his Warrant to bring such Person summoned before him, to answer such Complaint, and to examine upon Oath any such Bargeman, Lighterman, Waterman, Ballastman (other than any Trinity Ballastman), Coal Whipper, Coal Porter, Sailor, Lumper, Rigger, Shipwright, Caulker, or other Labourer, or any other Witness or Witnesses, touching any such Complaint or Dispute, and to make such Order for Payment of so much Wages to such Bargeman, Lighterman, Waterman, Ballastman (other than any Trinity Ballastman), Coal Whipper, Coal Porter, Sailor, Lumper, Rigger, Shipwright, Caulker or other Labourer, as to such Justice shall seem just and reasonable; provided that the Sum ordered do not exceed Five Pounds, besides all reasonable Costs attending the Prosecution of the Complaint, which Costs the Justice is empowered to order; and in case of Refusal to pay, or Non-payment of any Sum so ordered by the Space of Twenty-four Hours next after such Determination, such Justice may issue forth his Warrant to levy the same by Distress and Sale of the Goods and Chattels of the Person ordered to pay the same, together with the Charges of such Distress and Sale; and if no sufficient Distress shall be found, such Justice shall commit the Person ordered to make such Payment to Prison, for any Time not exceeding One Month, unless the Sum so ordered shall be sooner paid; and every such Order shall be final and conclusive to all Intents and Purposes, and shall not be removable by Certiorari or otherwise into any Court whatsoever.

Jurisdiction for determining Disputes about Wages for Labour done on the Thames, &c.

XLV. Provided always, and be it further enacted, That nothing herein contained shall extend to authorize or empower any Justice, except the Lord Mayor, Aldermen, and Recorder of the City of *London* for the Time being, or some or one of them, to hear and determine any such Differences, Complaints, or Disputes as shall or may arise for or in respect of any Employment or Work done within the said City of *London*, or the Suburbs and Liberties thereof, or on board of any Ship, Hoy, Barge, Lighter, Boat, or other Vessel, lying or being on the North Side of the River, between the Tower of *London* and the Western Extremity of the Temple adjoining *Essex Street*, in the County of *Middlesex*.

Not to affect the Rights of the City of London.

XLVI. Provided always, and be it further enacted, That nothing in this Act shall extend to deprive the Lord Mayor and Commonalty and Citizens of the City of *London*, of any Right, Privilege or Jurisdiction heretofore lawfully claimed, exercised, or enjoyed within the Town and Borough of *Southwark* or the Liberties thereof, or to prevent the said Lord Mayor for the Time being, or such of the Aldermen of the said City as have borne the Office of Mayoralty, or 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 to deprive the Lord Mayor and Commonalty and Citizens of the said City, of any Right, Privilege, Immunity, or Jurisdiction, which they have heretofore lawfully claimed, exercised, or enjoyed upon

upon the said River, or the Lord Mayor of the said City for the Time being as Conservator of the said River; nor to prevent the said Lord Mayor and the said Aldermen and Recorder of the said City, from acting as Justices of the Peace upon the said River, or taking Cognizance of Offenders committed upon or within the Limits of the same, in such Manner as they might or would have done in case this Act had not been made.

Nor the Dean or High Steward of Westminster.

XLVII. Provided also, and be it further enacted, That nothing in this Act shall extend to deprive the Dean and Chapter of the Collegiate Church of *Saint Peter Westminster*, or the High Steward or High Bailiff of the City and Liberty of *Westminster* for the Time being, or their respective 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.

Not to affect the Rights of the Trinity Brethren, &c.

XLVIII. Provided also, and be it further enacted, That nothing in this Act contained shall extend to prejudice or derogate from any of the Rights, Privileges, or Authorities of the Master, Warden, and Assistants of the Guild, Fraternity, or Brotherhood of the most glorious and undivided Trinity, and of *Saint Clement*, in the Parish of *Deptford Strond*, in the County of *Kent*.

Public Act.

XLIX. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a Public Act; and shall be judicially taken Notice of as such, by all Judges, Justices, and other Persons whomsoever, without the same being specially pleaded.

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