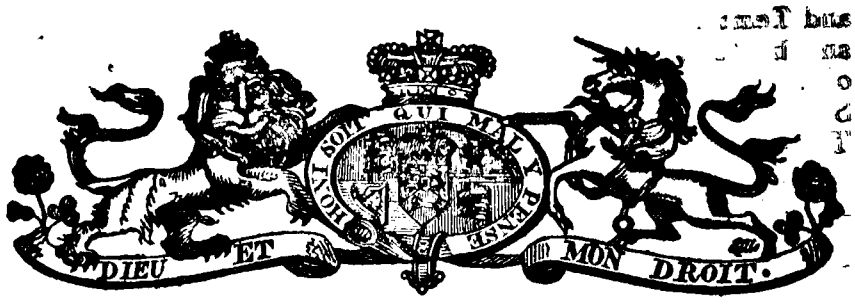


ANNO PRIMO

GEORGII IV. REGIS.

CAP. XXXVII.

An Act to increase the Power of Magistrates in the Appointment of Special Constables.

[8th *July* 1820.]

WHEREAS Doubts have arisen whether any Person or Persons can be compelled to act as Special Constables, except in any actual Tumult, Riot, or Felony: And whereas it is expedient that Justices of the Peace should have the Power of compelling certain Persons to act as Special Constables, not only in case of actual Tumult, Riot, or Felony, but also on the reasonable Apprehension thereof, for the Prevention of the same: Be it enacted and declared 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 from and after the passing of this Act, in all Cases where it shall be made to appear to any Two or more Justices of the Peace, acting for any County, City, Division, Riding, or Place, by the Information on Oath of Five respectable Householders of such County, City, Division, Riding, or Place, that any Tumult, Riot, or Felony has taken place, or is likely to take place, and may reasonably be apprehended, such Justices may and are hereby authorized to call upon, nominate, and appoint, by Precept in Writing under their Hands, any Householders or other Persons (not legally exempt from serving the Office of Constable) residing within their respective Divisions, or the Neighbourhood thereof, to act as Special Constables,

Cases in which Magistrates are empowered to appoint Special Constables;

for such Time and in such Manner as to the said Justices shall seem fit and necessary for the Preservation of the Public Peace, and for the Prevention or Suppression of any Tumult, Riot, or Felony; and the said Justices are hereby empowered to administer to such Person so appointed the usual Oaths administered by Law to all Special Constables.

who are compelled to act, under the same Penalties for Refusal as Constables.

II. And be it further enacted, That in case any Person (not legally exempted as aforesaid) so called upon, nominated, and appointed by such Justices as aforesaid, shall neglect or refuse to take upon *themselves* the Office, and to act as such Special Constable, such Person so neglecting or refusing shall be liable to such and the same Fines, Penalties, and Punishments, as Persons refusing to take upon themselves the Office of Constable are now by Law subject to.

Justices at Sessions to give Allowance to said Special Constables.

III. And be it further enacted, That it shall and may be lawful for the Justices of the Peace, assembled at the General or Quarter Sessions holden for any County, City, Division, Riding, or Place, where Special Constables shall have been called out as aforesaid, to order and direct such reasonable Allowances for Trouble and Expences, to be made to any Person or Persons so called out by Authority of this Act, as to the said Justices shall seem fit, which Allowance the said Justices may order the Treasurer of such County, City, Division, Riding, or Place, to pay to such Persons as the said Justices shall direct; and such Treasurer shall, and he is hereby authorized and required, forthwith to pay the Sum or Sums of Money so ordered and directed to be paid, to the Person empowered to receive the same, and such Treasurer shall be allowed the same in his Accounts.

Court may allow Costs.

IV. And be it further enacted, That the Court before which any Indictments may be tried under the Provisions of this Act shall have the Power to award reasonable Costs of Trial to such Persons as may prefer the said Indictments, and may order the Treasurer of such County, City, Division, Riding, or Place, wherein such Indictment shall be tried, to pay the Sum or Sums of Money so ordered, to such Persons as the said Court shall direct; and such Treasurer shall and he is hereby authorized and required forthwith to pay the Sum or Sums of Money, so ordered and directed to be paid, to the Persons empowered to receive the same; and such Treasurer shall be allowed the same in his Accounts.

Public Act.

V. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

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