ANNO SEPTIMO & OCTAVO

VICTORIÆ REGINÆ.

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C A P. LII.

An Act to extend the Powers of the Act for the Appointment and Payment of Parish Constables.

[29th *July* 1844.]

WHEREAS an Act was passed in the Sixth Year of the Reign of Her Majesty, intituled *An Act for the Appointment and Payment of Parish Constables*, whereby Provision was made for the Appointment of Parochial Constables by the Justices of the Peace of every County in *England*: And whereas it is expedient that the like Authority should be given to the Justices of the Peace of Liberties within Counties: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That after the passing of this Act all the Provisions of the said Act shall be extended and apply to every Liberty in *England* having a separate Commission of the Peace, and not being an incorporated Borough, and to the Justices of such Liberty, as if such Liberty were a County of itself, and as if the said Act were herein re-enacted.

5 & 6 Vict. c. 109.

Recited Act to extend to all Liberties having a Commission.

II. And be it enacted, That the Constables appointed and sworn to act in any such Liberty before the passing of this Act, whether

Confirming previous Appointments.

by

by the Justices of the Liberty acting under colour of the Powers of the said Act, or at any Court Leet or Torn within such Liberty, shall be deemed to have been well and lawfully appointed; and those Persons who shall hold the Office of Constable in any such Liberty at the Time of the passing of this Act shall continue to hold their several Offices, and to execute the Duties thereof, until Constables shall be chosen in their Stead under the Provisions of this Act.

Horses, &c. in Service of Superintendent Constables exempted from Toll.

III. And be it enacted, That no Toll shall be demanded or taken on any Turnpike Road or Bridge for any Horse, or Police Van, Carriage, or Cart, passing along such Road or Bridge, in the Service of a Superintendent Constable appointed under the Provisions of the said Act, provided that the Superintendent Constable in charge of such Horse, Van, Carriage, or Cart shall produce a Certificate of his Appointment, signed by the Clerk of the Peace of the County for which he shall have been so appointed, or shall have his Dress according to the Regulations of the said County, at the Time of claiming the Exemption; and every Person who shall fraudulently claim or take the Benefit of the Exemption from Toll herein contained not being lawfully entitled thereunto shall for every such Offence be liable to a Penalty not exceeding Five Pounds; and in all such Cases the Proof of Exemption shall be upon the Person claiming the same.

Exempting such Parts of Parishes as lie within Boroughs exempted by 5 & 6 Vict. c. 109.

IV. And whereas by the said Act it is provided, that nothing therein contained shall apply to certain Boroughs and Places therein specified: And whereas Doubts have been entertained as to the Powers of the Justices to appoint Constables for any Parish of which Part shall be within and Part without such exempted Borough or Place; be it declared and enacted, That with respect to any such Parish the Exemptions provided by the said Act shall be deemed only to exempt the Men residing within that Part of the Parish which is within such exempted Borough or Place from serving as Constables under the said Act, or being included in any List to be made out under the said Act, and to disqualify the Inhabitants of such Part from voting in any Division of the Vestry under the said Act.

Act may be amended this Session.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

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