



ANNO NONO

VICTORIÆ REGINÆ,

No. 2.

*Sec. No. 1532
386 p. 77 p. 926
Gov.*



*By His Excellency SIR JOHN EARDLEY EARDLEY-WILMOT,
Baronet, Lieutenant-Governor of the Island of Van Diemen's
Land and its Dependencies, with the Advice of the Legislative
Council.*

*AN ACT to enable the Commandants of Norfolk Island
and Port Arthur to appoint Constables.*

WHEREAS it is expedient for the better preservation of the peace and the order and discipline of the penal settlements of Norfolk Island and Port Arthur that power should be given to the Commandants of those settlements respectively to appoint Constables subject to the approbation of the Lieutenant-Governor of Van Diemen's Land—**BE IT THEREFORE ENACTED** by His Excellency SIR JOHN EARDLEY EARDLEY-WILMOT Baronet Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies by and with the advice of the Legislative Council that the Commandant of Norfolk Island for the time being shall have power and authority to appoint at Norfolk Island (subject to the approval of the Lieutenant-Governor) from time to time such and so many fit and able men as occasion may require to act as Constables at Norfolk Island and within Van Diemen's Land and its Dependencies and that the Commandant of Port Arthur shall also have power and authority to appoint at Port Arthur (subject also to the approval of the Lieutenant-Governor) from time to time such and so many fit and able men as occasion may require to act as Constables within this Island and its Dependencies which Constables so to be

Commandants of Norfolk Island and Port Arthur may appoint Constables subject to Lieutenant-Governor's approval.

appointed by the said Commandants respectively shall be sworn by the said Commandants respectively appointing them to act as Constables for preserving the peace and preventing robberies and other felonies and apprehending offenders against the peace and such Constables so sworn shall within Norfolk Island and within Van Diemen's Land and its Dependencies have all such powers authorities privileges and advantages as any Constable duly appointed now has or hereafter may have by virtue of any law now in force or hereafter to be in force in Van Diemen's Land and shall obey all such lawful commands as they shall receive for the apprehending offenders or otherwise conducting themselves in the execution of their office and the said Commandants respectively may at any time suspend or dismiss from his employment any such Constable whom he may think negligent in the execution of his duty or otherwise unfit for the same and when any such Constable shall be so suspended or dismissed all powers vested in him as a Constable shall immediately cease and determine—PROVIDED ALWAYS that until the approval or disapproval of the Lieutenant-Governor be made known to such Commandants respectively such persons so to be appointed and sworn by the said Commandants respectively shall and lawfully may act as Constables and have and enjoy all powers authorities and privileges now or hereafter appertaining to the office of Constable in Van Diemen's Land and its Dependencies.

Provision until approval or disapproval made known.

Punishment of such Constables for misconduct.

II. AND BE IT ENACTED that if any such Constable so appointed and sworn as hereinbefore mentioned shall be guilty of any disobedience of orders neglect of duty or of any misconduct as such Constable and shall be convicted thereof before two Justices of the Peace he shall forfeit and pay any sum not exceeding Ten Pounds and every such offence shall be inquired of heard and determined in a summary way and every penalty by this Act imposed shall be levied in the manner provided by the Act of this Island intituled *An Act to regulate Summary Proceedings before Justices of the Peace* and all such penalties shall go and be applied in aid of the funds for the support of the Police of this Island.

994 h^os

E. EARDLEY-WILMOT.

Passed the Legislative Council, this twenty-fifth day of August, one thousand eight hundred and forty-five,

ADAM TURNBULL, *Clerk of the Council.*