
CONSTABLE LEGISLATION

Constable Legislation 1705 - 2009

2009 Act 49 PL 494 Constable re-codification Gov. Rendell, October 9, 2009. (added 44 Pa. C. S. 7101 – 7178)

Act 49-2009 Section 4 (4) (ii) Except as set forth in sub-paragraph (iii), any difference in language between 44 Pa. C. S. Ch 71 (Constables) ...and the statutory provisions repealed in section 4 (2) of this act is intended only to conform to the style of the Pennsylvania Consolidated Statutes and is not intended to change or affect the legislative intent, judicial construction or administration and implementation of the statutory provisions repealed in section 4 (2) of this act.

2006 Act 59 PL 277 Constable Fee Bill, Gov. Rendell, June 29, 2006. (amended 42 Pa. C. S. 2950 (Fees))

2004 Act 233 PL 1778 Constable Fees – permits the CETB to use surplus funds from the restricted account to reimburse constable for costs associated with required continuing education. Gov. Rendell, December 1, 2004.

now 44 Pa. C. S. 7149 (Restricted account)

1998 Act 61 PL 446 Repeal of fees to constables regarding order of relief of a pauper. Gov. Ridge, May 15, 1998.

1994 Act 44 PL 265 Constable Fee Bill Gov. Casey, June 15, 1994. (added 42 Pa. C. S. 2941 – 2950, formerly 13 P. S. 61-61.9))

1992 Act 102 PL 689 Constable Fee Bill, mandates training by PCCD, CETB Gov. Casey, July 9, 1992.

PA Supreme Court ruled Act 147-1990 unconstitutional (In re Act 147 of 1990, A. 2d 985, 501 Pa. 460, 1991)

1990 Act 147 PL 574 Constable Fee Bill, mandates training by AOPC, MJEB Gov. Casey, November 29, 1990

1987 Act 46 PL 243 Constable Fee Bill Gov. Casey, July 9, 1987.

1974 Act 237 PL 710 Constable Fee Bill Gov. Shapp, October 10, 1974

1974 Act 78 PL 275 Constable Fee Bill Gov. Shapp, May 9, 1974.

1972 Act 344 PL 1641 Constable Fee Bill Gov. Shapp, December 28, 1972.

see also Opinions of the Attorney General – Official Opinion # 21, March 14, 1973.

1965 Act 341 PL 714 Constable Fee Bill Gov. Scranton, November 10, 1965.

1961 Act 632 PL 1486 Constable Fee Bill Gov. Lawrence, September 19, 1961.

1951 Act 179 PL 931 Constable Fee Bill Gov. Fine, June 28, 1951.

1947 Act 331 PL 773 Constable Fee Bill Gov. Duff, June 21, 1947.

1919 Act 145 PL 274 Constable Fee Bill Gov. Sproul, May 23, 1919.

1917 Act 401 PL 1158 Constable Fee Bill Gov. Brumbaugh, July 20, 1917.

1899 Act 1 PL 3 Constable Fee Bill Gov. Stone, February 17, 1899.

1893 Act 71 PL 117 Constable Fee Bill Gov. Pattison, May 23, 1893.

1879 Act 54 PL 56 Constable Fee Bill Gov. Hoyt, May 19, 1879.

1878 Act 56 PL 40 Constable Fee Bill Gov. Hartranft, May 3, 1878.

1876 Act 126 PL 154 Constable Fee Bill Gov. Hartranft, May 8, 1876.



1996 Act 151 PL Dog Law definition of 'police officer' – ...the term includes constables and dog, game, fish and forest wardens. (changed from 'state constabulary') Gov. Ridge, Dec 11, 1996.

1980 Act 177 PL 1074 to destroy and to prevent the spread of the weed known as Canada thistles, the weed known as chicory or succory or blue daisy, the weed known as Johnson grass, or the weed known as marihuanna ... Section 3. ...whenever it shall come to the knowledge of either the supervisor or constable of the existence of any such weeds thereon, it shall be his duty to notify the owner or agents of

said land in writing, giving 10 days' notice, to cut or destroy the same... Gov. Thornburgh, October 16, 1980.

current statute 3 P. S. 243 (repealed as to 3 P. S. 241 and 242 by Act 74 PL 228 April 7, 1982)
1978 Act 170 PL 883 Public Official and Employee Ethics Law, established State Ethics Commission.
Section 10. Constables Gov. Shapp, October 4, 1978.
Repealed Act 49-2009, Section 4 (2) (xxxvi)
now 44 Pa. C. S. 7131 (b) (Public office)
Opinion of the Commission 00-008 September 21, 2000.
92-008 December 10, 1992.
80-018 March 12, 1980.



1976 Act 121 PL 475 An act clarifying the powers of certain law enforcement officers. Peace officers; powers and duties. Constables, county detectives, sheriffs, deputy sheriffs, waterway patrolmen, and game protectors shall perform all those duties authorized or imposed on them by statute. Gov. Shapp, June 29, 1976. (law by motion to override the Governor's Veto)
Repealed Act 49-2009, section 4 (2) (xxxv) (as to constables only).
now 44 Pa. C. S. 7151 (General imposition of duties and grant of powers), formerly 13 P. S. 40 (transferred from 16 P. S. 1216)

1970 Act 2 PL 2 The office of constable in the City of Philadelphia is hereby abolished and the terms of office of all incumbents are hereby terminated. The duties heretofore performed by constables under the act of April 6, 1951 (PL 69), known as "The Landlord and Tenant Act of 1951," shall be performed by the landlord and tenant officers of the Municipal Court of Philadelphia. Gov. Shafer, February 10, 1970. In response to the Constitution of 1968, Article V (The Judiciary),
Section 6 and 7 (which eliminates justices of the peace in Philadelphia)
Repealed Act 49-2009, Section 4 (2) (xxxiv)
now 44 Pa. C. S. 7103. (Cities of the first class), formerly 13 P. S. 15.
1965 Act 581 PL 1656 Borough Code Section 1126 Office of Police and Constable not incompatible. Gov. Scranton, February 1, 1966. Repealed Act 49-2009.

1959 Act 309 PL 814 That the qualified electors of the several townships and boroughs, in the county of Cameron, shall at their elections for township officers, in addition to the officers now elected, elect one person, to be called constable and collector, who shall have all the powers and authority, and be subject to all the duties and penalties, which the regular constable of said townships and boroughs now, or may hereafter, have, or be liable to, and shall, in addition thereto, act as collector for their respective townships and boroughs, and shall be compelled to receive...all the state, county and township or borough taxes, whether laid for road, school, or any other purpose... Gov. Lawrence, September 8, 1959.



1959 Act 32 PL 58 Vehicle Code 'Peace Officer' – A sheriff, deputy sheriff, constable, member of the PSP, state highway patrolman, or other police officer, vested with authority of arrest, and such officers and soldiers... Section 1204. Arrests on View or With Warrant – Peace officers, when in uniform and displaying a badge or other sign of authority, may arrest, upon view, any person violating any provisions of this act, where the offense is designated a felony or misdemeanor, or in cases causing or contributing to an accident resulting in injury or death to any person... Gov. Lawrence, April 29, 1959.

1956 Act 500 PL 1510 Disease Prevention and Control Law Section 19. (b) Any person afflicted with communicable tuberculosis, quarantined or caused to be quarantined under the provisions of this act in a state institution, who leaves without the consent of the medical director of the institution may be apprehended and returned thereto by any sheriff, constable or police officer or any health officer, at the expense of the county. Gov. Leader, April 23, 1956.
current statute 35 P. S. 521.19 Penalties, prosecutions and disposition of fines

1955 Act 441 PL 1382 It shall not be lawful for any constable to hold or exercise the office of justice of the peace or alderman. Gov. Leader, April 3, 1955.

Repealed Act 49-2009, Section 4 (2) (xxxii)
now 44 Pa. C. S. 7131 (Public office)

1953 Act 230 PL 723 Second Class County Code Section 2180 Transportation license for vehicles (transporting garbage)- ...license shall be exhibited to any county or municipal police officer, county road caretaker, constable, deputy constable, or other peace officer, upon his request. Gov. Leader, July 28, 1953.



1951 Act 558 PL 1996 Vehicle Code – ‘Peace officer’ – A sheriff, deputy sheriff, constable, member of the PSP, state highway patrolman, or other police officer vested with authority of arrest. Gov. Fine, January 14, 1952.

1951 Act 164 PL 662 prohibits a police officer of a third class city from holding the office of constable. ...policemen shall have authority to serve and execute ...all criminal process ... for violations of city ordinances... and shall charge the same fees and costs as pertain by law to the constables of the city for similar services...paid into the city treasury. Gov. Fine, June 28, 1951.
current statute 53 P. S. 37001 (Third Class City Code)(...qualifications of policeman).
current statute 53 P. S. 37005 (Third Class City Code) (Powers of Policemen to Arrest)
current statute 53 P. S. 37006 (Third Class City Code)(Service of process; fees; payment into treasury)
current statute 53 P. S. 37008 (Third Class City Code) (Extra Compensation prohibited)

1951 Act PL 533 under the Mental Health Act ... section 611 (b) leaves of absence may be terminated by the superintendent who may, if necessary, authorize the apprehension and return of the patient by any sheriff, constable, or police officer, who shall apprehend and return the patient. Gov. Fine, June 12, 1951.

see also Opinions of the Attorney General – Official Opinion # 649, June 18, 1954.

current statute 50 P. S. 4425 (Escapes).

1951 Philadelphia Home Rule Charter PL 2227 April 17, 1951

Article V Chapter 2 (Police Department) Section 5-201 Powers of Policemen

The members of the Philadelphia Police shall have all the powers conferred by statute and ordinance upon members of the police force of cities of the first class and upon constables of the Commonwealth of Pennsylvania.

1951 Act 14 PL 57 Fireworks Act Section 5. The Pennsylvania State Police, or any sheriff, police officer or constable shall seize, take, remove or cause to be removed at the expense of the owner all stocks of fireworks or combustibles offered or exposed for sale, stored or held in violation of this act. Gov. Fine, March 22, 1951.

Repealed 2004 Act 204 PL 1598 Gov. Rendell, November 30, 2004. (Section 7.1; as to enforcement by constables)

current statute 35 P. S. 1278 (PSP, any sheriff or police officer...shall confiscate fireworks in violation of this act)

1951 Act 1 PL 3 requirements for constables to be placed on primary election ballot. Gov. Fine, March 6, 1951.



1949 Act 568 PL 1903 Pa Code of Military Justice Section 5201 Apprehension- (b) ...any peace officer authorized by law, may apprehend persons subject to this part upon reasonable belief that an offense has been committed... Section 5202 Apprehension of person absent without leave – Any civil officer having authority to apprehend offenders under the laws of the United States or of a state...may summarily apprehend any person subject to this part absent without leave... Section 5204 Restraint of person charged with offenses- (b) The convening authority of any court-martial shall have the power to issue warrants of apprehension directed to the sheriff or any constable or peace officer within the proper county to apprehend persons... Gov. Duff, May 27, 1949.

as amended: Act 192 PL 1506 Gov. Corbett, October 24, 2012; Act 91 PL 185 Gov. Shapp, August 1, 1975; Act 272 PL 561 Gov. Shafer, November 24, 1967.

current statute 51 Pa. C. S. 5201 (a) (e), 5202, 5204

1949 Act 569 PL 1955 First Class Township Code Section 1401. Appointment. ... No policeman shall at the same time hold any public office other than constable and health officer. Section 1403. Powers of Policemen- Policemen shall be ex-officio constables of the township and may, without warrant and on view, arrest and commit for hearing any and all persons guilty of a breach of the peace, vagrancy, riotous, or disorderly conduct or drunkenness, or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens, or violating any of the ordinances of the township for the violation of which a fine or penalty is imposed Section 1404. Service of Process; Fees. Policemen shall have authority to serve and execute all criminal process for the violation of the township ordinances, which may be issued by any justice of the peace of the township, and shall charge the same fees and costs as pertain by law to constables for similar services, but such fees and costs shall be paid shall be paid to the township treasurer for the use of the township... Gov. Duff, May 27, 1949.

revision of Act 331 PL 1206, Gov. Pinchot, June 24, 1931.

current statute 53 P.S. 56401 (First Class Twp Code) (Appointment, compensation & training of policemen)

current statute 53 P.S. 56403 (First Class Twp Code) (Powers)

current statute 53 P.S. 56404 (First Class Twp Code) (Service of process; fees)

current statute 53 P.S. 56408 (First Class Twp Code) (Not to Receive Fees)

1947 Act PL 1481 a police officer in a second class township is ex-officio constable of the township but is prohibited from accepting any other fees in connection with the duties of office except public awards and legal mileage allowed to constables for traveling expenses. Gov. Duff, July 10, 1947.

1945 Act 240 PL 584 The terms of constables... shall be for six years. Whenever a constable shall be appointed by the court...shall serve for the unexpired term. (formerly 13 P. S. 14). Gov. Martin, May 16, 1945.

1945 Act 10 PL 17 Section 1207. The constable...shall be present at the polling place... at each primary and election during the continuance thereof, and while the votes are being counted, for the purpose of preserving the peace...for performing such services shall receive not less than \$ 5.00, nor more than \$ 10.00... Gov. Martin, March 2, 1945.



1943 Act PL 821 Second Class County Code Section 3104 Duties and powers- The fire marshal... shall also have power to call upon any constable, policeman, or citizen of any city, ward, borough or township in the county to aid and assist him... Section 3105 Arrest and commitment or bail- ...fire marshal... shall have the same power to issue a warrant, directed to any constable of any ward, borough or township of the county, for the arrest... Section 3107 Disobedience of Orders; Refusal to execute warrant; Hindering or obstructing marshal- Any constable, policeman, watchman or citizen who shall refuse or neglect to obey the orders or directions of the fire marshal... Gov. Martin, June 3,

1943. Amended Act 230 PL 723 Gov. Leader, July 28, 1953.

current statute 16 P. S. 6104 **Attendance at fires; duties and powers; aid and assistance; investigations**

1943 Act 280 PL 637 The terms of constables hereafter elected in cities of the second, second class A and third class, boroughs and townships, shall be for six years. Whenever a constable shall be appointed by the court as provided by existing laws, the constable so appointed shall serve for the unexpired term. Gov. Martin, May 26, 1943.

Repealed Act 49-2009, Section 4 (2) (xxxi).

now 44 Pa. C. S. 7111. (Term of office), formerly 13 P. S. 14.

1943 Act 143 PL 306 Penal Code Section 314. Obstructing officer in the execution of process – Whoever knowingly, willfully and forcibly obstructs, resists or opposes any officer or other person duly authorized, in serving or executing any such legal process or order, or in making a lawful arrest without warrant, or assaults or beats any officer or person duly authorized, in serving or executing any such legal process or order or for and because of having served or executed the same; or in making a lawful arrest without warrant; or rescues another in legal custody; or whoever being required by any officer, neglects or

refuses to assist him in the execution of his office in any criminal case, or in the preservation of the peace, or in apprehending and securing any person for a breach of the peace, is guilty of a misdemeanor, and on conviction, shall be sentenced to imprisonment not exceeding one year or to pay a fine not exceeding \$ 500, or both. Gov. Martin, May 21, 1943.

1943 Act 58 PL 111 Vehicle Code Section 1211 – Limitation of authority for Pa State Policemen – Such employees of the Commonwealth as are designated PSP are hereby declared peace officers, and are hereby given police power and authority throughout the Commonwealth to arrest on view, on Sunday or any other day, when in uniform, without writ, rule, order, or process, any person violating any provisions of this act, in addition to any other power or authority conferred by law. Gov. Martin, April 28, 1943.



1943 Act 48 PL 74 Vehicle Code – ‘Peace Officer’ – A sheriff, deputy sheriff, constable, member of PSP, state highway patrolman, or other police officer, vested with authority of arrest. Gov. Martin, April 26, 1943.

1939 Act 375 PL 872 Penal Code

Section 311. Officer voluntarily permitting convict to escape - Any sheriff, coroner, keeper of any jail, constable or other officer, having lawful custody of any offender, convicted or accused of crime, who voluntarily permits or suffers such offender to escape and go at large, is guilty of a felony, and on conviction shall be sentenced to pay a fine not exceeding \$ 2,000, or to undergo imprisonment not exceeding five years, or both, and be dismissed from office.

Section 313. Escape of prisoner through failure to execute process – An sheriff, coroner, or keeper of a jail, constable or other officer, who willfully, and without reasonable cause, refuses or omits to execute any lawful process directed to him, requiring the apprehension or confinement of any person charged with, or convicted of an offense, by which such person shall escape, is guilty of a misdemeanor, and on conviction shall be sentenced to imprisonment not exceeding two years, or to pay a fine not exceeding \$ 1,000, or both.

Section 640. Pollution of drinking water - Whoever willfully enters upon enclosed land on which is erected any dam, reservoir, pond, or other artificial means for storing water used by the public for drinking purposes, and pollutes or attempts to pollute such water, is guilty of a misdemeanor, and on conviction thereof, shall be sentenced to pay a fine not exceeding \$ 500, or be imprisoned not exceeding 1 year, or both. Any duly constituted watchman of any water company, or any constable or policeman, is hereby empowered, upon his own view of any such trespass, to make arrests and bring before any magistrate any offender found violating this section.

Section 833. Refusal to pay over money collected on execution – Whoever, being a constable, receives money by virtue of an execution or other process, and neglects or refuses, upon application to him made by the party interested, to pay the amount thereof to the party entitled to receive the same, or to his agent or legal representative, is guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine not exceeding \$ 100, and shall stand committed until the money so withheld shall be paid, together with the interest, fine and costs, and moreover shall, for seven years thereafter, be incapable of holding the office of constable, or the appointment of deputy constable.



Section 933. Cutting or injuring trees in forest reserves – Any constable, police officer, game protector, fish warden, or forest officer is hereby authorized to arrest without warrant any person so found cutting down, injuring, destroying, or removing such trees or shrubs. Said arrest may be made on any day, including Sunday.



Section 948. Power to make arrests in cruelty to animal cases – Any policeman or constable, or any agent of any society...shall, upon his own view of any offense against sections 942-947 (cruelty to animals), of this act, make an arrest, and bring before a magistrate the offender found violating such

provisions, and any policeman or constable, or any agent of any society, as aforesaid, shall also make arrests of such offenders on warrants duly issued according to law, when such offense is not committed in view of said officer, constable or agent. Gov. James, June 24, 1939.



1937 Act 447 PL 2329 Vehicle Code – ‘Peace Officer’ – A sheriff, deputy sheriff, constable, member of PSP, state highway patrolman, or other police officer, vested with authority of arrest. Gov. Earle, June 29, 1937.

1937 Act 320 PL 1333 (The Election Code) Section 412.2 (g), 1207, 1822. be present at the polling places...preserve the peace... serve at all elections. Gov. Earle, June 3, 1937.

repeated in subsequent legislative updates of the Election Code: Act PL 166 Gov. James, May 17, 1939; Act PL 17 Gov. Martin, March 2, 1945; Act PL 617 Gov. Duff, April 20, 1949; Act 29 PL 83 Gov. Shafer, June 19, 1969; Act 122 PL 366 Gov. Shapp, June 19, 1974; Act 124 PL 523 Gov. Shapp, July 1, 1976; Act 108 PL 374 Gov. Thornburgh, May 5, 1982; Act 48 PL 482 Gov. Ridge, Oct 31, 1997; Act 3 PL 18 Gov. Schweiker, Jan 31, 2002; Act 150 PL 1246 Gov. Schweiker, December 9, 2002; Act 45 PL 178 Gov. Rendell, May 11, 2006.

Repealed Act 49-2009, Section 4 (2) (xxviii), (xxix), (xxx)

now 44 Pa. C. S. 7152. (Elections); 7163 (Election services); 7175 (Criminal penalty)

1935 Act 219 PL 621 in serving subpoenas issued by the district attorney, returning unserved subpoenas, mileage fees, and approval of the county controller for payment of service. Gov. Earle, July 9, 1935. (13 P. S. 74-75).

1933 Act 3 PL 5 The returns required by law to be made by constables to the court of quarter sessions (now common pleas) may in the discretion of the court be abolished or be made at such times and relating to such subjects as the court may require. No constable shall hereafter be entitled to any fees or mileage for making such returns, except such as are required by the court. Gov. Pinchot, February 28, 1933.

Repealed Act 49-2009, Section 4 (2) (xxvii)

now 44 Pa. C. S. 7162 (Returns), formerly 13 P. S. 73.

1931 Act 331 PL 1206 First Class Twp Code Gov. Pinchot, June 24, 1931. – see now 1949 Act 569 PL 1955, May 27, 1949.



1931 Act 263 PL 751 Vehicle Code – Section 1203. peace officers, which includes all constables and police, may stop violators of the Vehicle Code on view, only when in uniform and displaying a badge or other sign of authority. Gov. Pinchot, June 22, 1931.

1931 Act 156 PL 492 an act relating to trespassing livestock. constables duties...fees of the constable...\$ 1.00 for each animal impounded, \$ 2.00 for each animal sold, provided, however, that in no case shall the fees of the constable for impounding and selling amount to more than \$ 4.00... Gov. Pinchot, June 10, 1931.

repealed Act 49-2009, Section 4 (2) (xxvi)

now 44 Pa. C. S. 7159 (Trespassing livestock) and 7159.1 (Sale of trespassing livestock)

1929 Act 483 PL 1581 Section 14. added... malfeasance or misfeasance in office committed by him, including any act or acts of oppression of any suitor or suitors, or witness or witnesses...habits of intemperance or neglect of duty... as additional grounds for removal of any constable from office by the courts of quarter sessions and to appoint a suitable person to fill the vacancy... Gov. Fisher, May 7, 1929.

now 44 Pa. C. S. 7172 (Incompetence), formerly 13 P. S. 31.

1929 Act 459 PL 1535 Section 355. Upon the petition of 25 taxpayers of any township, or of two or more adjacent townships, to the court of quarter sessions, representing that the safety of the citizens and the security of property requires the appointment of one or more deputy constables to act as policemen ...Such appointments may be made by the court for one township, or the same deputy

constables may be appointed to act for two or more adjacent townships. Section 356. Such deputy constables shall possess and exercise all the powers of policemen of cities of the first class, in the several townships for which they are appointed. Keepers of jails...shall receive all persons arrested by such policemen for any offense against the laws of this Commonwealth... Gov. Fisher, May 2, 1929.



1929 Act 404 PL 1005 Vehicle Code 'Peace Officer' Section 703. Arrest on View or With Warrant Gov. Fisher, May 1, 1929.



1929 Act 403 PL 905 Vehicle Code 'Peace Officer' – A sheriff, deputy sheriff, constable, member of PSP, state highway patrolman, or other police officer, vested with authority of arrest. Section 1203. Arrest on View or With Warrant. Gov. Fisher, May 1, 1929.

1929 Act 189 PL 471 Section 358. The deputy constables (appointed to act as policemen in townships and in townships which are adjacent) shall be paid such compensation out of the township funds, and such provisions therefrom made for the purchase of their uniforms, equipment, and means of conveyance and maintenance of the same, as may be approved by the court of quarter sessions. They may be discharged whenever the court appointing them is satisfied that their services are no longer required. Gov. Fisher, April 10, 1929.

1929 Act 32 PL 32 upon a vacancy (failure to elect, failure to qualify, incompetency, death, resignation, removal, or any other cause) in the office of constable, the court of quarter sessions, upon petition of not less than ten voters, to appoint a suitable person ...shall serve as constable thereof for the unexpired term so vacant. Gov. Fisher, March 20, 1929.
Repealed Act 49-2009, Section 4 (2) (xxv),
now 44 Pa. C. S. 7121 (Constables), formerly 13 P. S. 11.



1927 Act 461 PL 968 Section 8. Any state police officer, county detective of the county or constable of the township, wherein a public dance hall, ballroom or academy is situated, shall have the power to cause the place, hall or room where any public dance or ball is given to be vacated, whenever any provision of any law or ordinance with regard to public dances and public balls is being violated, or whenever any indecent act shall be committed, or when any disorder of a gross or vulgar character shall take place therein. Gov. Fisher, May 11, 1927.
current statute 53 P. S. 54258




1927 Act 452 PL 886 Vehicle Code Section 1206. Arrest on View – Police officers, sheriffs, deputy sheriffs and constables of the cities, boroughs, incorporated towns, townships, and counties of the Commonwealth, members of PSP, and designated officers of the department, may arrest, when in uniform and displaying a badge or other sign of authority, upon view, any person violating any of the provisions of this act; and such officers shall forthwith make and file with ... Gov. Fisher, May 11, 1927.

1927 Act 336 PL Borough Code Section 1031-1034 High Constable ...shall have the power and authority of constables of the several townships in the county... shall give ten days notice of the biennial elections of the borough, by posting six advertisements in the most public places within the same... if a high constable is also employed as a police officer he shall accept no fee other than his salary as a policeman, except public rewards and the legal mileage allowed to constables for traveling expenses. Gov. Fisher, May 4, 1927.


1927 Act 291 PL 450 The superintendent of the Pennsylvania State Police may appoint and remove the chief of the fire department...or, where no such fire department exists, the burgess or constable of any borough or town, or constable or the president or chairman of the board of supervisors of any townships, as assistants to the department... assistants shall inquire into the origin, cause, and other circumstances of every fire by which any property or life has been destroyed, damaged, or endangered... Gov. Fisher, April 27, 1927.
see also Opinions of the Attorney General – Official Opinion # 36, December 2, 1957.
amended PL 2403 June 29, 1937; PL 123 Apr 28, 1943

current statute 35 P. S. 1181 Commissioner of state police to appoint assistants (no mention of constables)

 **1927 Act 275 PL 421 Section 26.** The operator of any motor vehicle shall stop upon request or signal of any constable, police officer, or member of the State Police Force...No such constable, police officer, or member of the State Police Force, or other person shall request or signal the operator of a motor vehicle to stop, for the purpose of selling tickets for charitable or other purposes, or for any form of solicitation whatever. Gov. Fisher, April 27, 1927.

1927 Act 240 PL 374 ...in cities of the third class...Section 6. ...No policeman of any such city shall, after his appointment and qualification, hold at the same time the office of constable. Gov. Fisher, April 23, 1927.


1925 Act 113 PL 155 Constables shall receive the same fees for serving writs in juvenile cases as they receive for similar services in criminal cases. Gov. Pinchot, April 6, 1925.
Repealed Act 49-2009, Section 4 (2) (xxiv)
now 44 Pa. C. S. 7161.1 (c) (Specific fees), formerly 13 P. S. 67.

 **1923 Act PL 718 Section 26** ... Any constable or police officer or member of the State Police Force or designated officer of the State Highway Department, who shall be in uniform or shall exhibit his badge or other sign of authority, shall have the right to stop any motor vehicle, upon request or signal, for the purpose of inspecting the said motor vehicle as to its equipment or operation, or manufacture's number or motor number or weight, and securing such other information as may be necessary. Gov. Pinchot, June 14, 1923. see also Opinions of the Attorney General – May 23, 1925.

1923 Act 348 PL 903 Section 14. The proper court of the county wherein the land is actually situated shall appoint the necessary deputy constables to act with the election boards, and fill vacancies in the election boards. Gov. Pinchot, June 28, 1923.
Repealed Act 49-2009. Section 4 (2) (xxiii)

1923 Act 216 PL 340 Section 11. Constables...shall be allowed and be paid out of the county treasury \$ 2.00 for each polling place, for advertising ward, township, district, and borough elections, but not more than \$ 15.00 for this purpose for any one election; and \$ 0.06 per mile for each mile necessarily traveled in the performance of said duties. Constables shall be allowed and paid...\$ 0.20 for delivering to each township officer a certificate of his election... Gov. Pinchot, May 23, 1923.

1923 Act 58 PL 83 ...constable and supervisors of townships duties regarding notifying owners of land where Canada thistle are growing. Added duty to notify owners if the weed commonly known as chicory or succory or blue daisy and marihuana are growing. Gov. Pinchot, April 23, 1923.
prior statute 1885 Act 11 PL 9 April 24, 1885
current statute 3 P. S. 243 Supervisors to destroy on public roads; notice to owners of unseated lands

 **1919 Act 283 PL 678 Vehicle Code Section 31.** Constables and Police Officers – Constables and police officers of the State, and of the cities, boroughs, incorporated towns, townships, and counties of this Commonwealth, may arrest, upon view, any person or persons violating any provisions of this act, and such officers shall forthwith make and file with the mayor, burgess, magistrate, alderman, or justice of the peace, before whom such person arrested is taken, an affidavit setting forth in detail the offenses complained of, and at once furnish a copy thereof to the person arrested. Gov. Sproul, June 30, 1919.

1919 Act 260 PL 535 regarding civil actions in the county court of Allegheny County... Section 7. (e) Service of the writs of summons and replevin...and execution of warrants of arrest, or other processes in desertion and nonsupport cases, shall be made in the same manner as is now provided by law...and may be made by the sheriff of the county, by a constable of the county, or by such persons as may be appointed by the court for that purpose, as shall be determined by the court. Gov. Sproul, June 20, 1919.

1919 Act 225 PL 451 ...from one hour after sunset until one hour before sunrise...vehicles required to have at least one white headlight...no vehicle shall pass a street passenger car that has stopped for the purpose of taking on or discharging passengers... Section 5. Constables and police officers of the cities, boroughs, incorporated towns, townships and counties and members of the State Police Force may arrest upon view and without warrant, any person violating any provisions of this act. Gov. Sproul, June 12, 1919.

1919 Act 171 PL 357 constables required to make returns to the court of quarter sessions (now common pleas) in counties of the 6th, 7th, & 8th class. when complaints are made to the court of quarter sessions ... the court may summon the constable... and direct him to investigate such violations or conditions and make a report of his investigation. No compensation for making a return shall be paid to any constable unless the constable actually appeared in court, and presented his return containing information required by the court...Whenever any complaint is made to the court of quarter sessions of violations of law or of conditions which under the law the constable of the district is required to report to the court, the court may summon the constable of the district to appear before it, and direct him to investigate such violations and conditions, and make a report of his investigations. Gov. Sproul, May 31, 1919.

Repealed Act 49-2009, Section 4 (2) (xxii).

now 44 Pa. C. S. 7157 (Returns and appearance), formerly 13 P. S. 43, formerly 13 P. S. 44.

now 44 Pa. C. S. 7166 (Returns to court), formerly 13 P. S. 72.

1919 Act 145 PL 274 Constable Fees in elections For attending general, special, township, ward, or borough elections, five dollars,...Provided, That where any such election be held in any township, ward, or borough in which there are more than one election districts or precincts, and a deputy constable is appointed to attend an election held at such districts or precincts, said deputy constable shall each receive the sum of five dollars. Gov. Sproul, May 23, 1919.

1917 Act 401 PL 1158 Constable Fees Gov. Brumbaugh, July 20, 1917.
Repealed Act 44-1994

1917 Act 354 PL 1071 ...the fees of constables...for such monthly visits (to places where liquors are sold or kept) made by a constable shall be \$ 0.25 for each place visited in his jurisdiction, and \$ 0.06 for each and every mile actually traveled in making such visits...shall be verified by oath by the constable and filed with the commissioners of the respective counties. Gov. Brumbaugh, July 18, 1917.

1917 Act 317 PL 818 **Section 3** ...under the term 'police officer' is included the chief of police or his agents of any city, the high constable of any borough, or the constable of any borough not having a high constable, the constable of any incorporated town or township, game, fish and forest wardens. ... **Section 18** it shall be the duty of every police officer to seize and detain any dog or dogs...found running at large and unaccompanied by its owner or keeper... Gov. Brumbaugh, July 11, 1917.

see also Opinions of the Attorney General – Opinion # 6, February 19, 1918.

current statute 3 P.S. 459-102 'Dog Law' Definitions.

'Police Officer' ...the term includes constables and dog, game, fish and forest wardens.

Act 225-1982 (December 7, 1982) definition of 'police officer' used the term ' State constabulary'

1915 Act 192 PL 312 General Borough Act Chapter VII Article III High Constable **Section 1**...shall take and subscribe an oath...shall give such bond with surety as is required by the borough. **Section 2.** shall have the power and authority of constables of the several townships in the county. **Section 3.** shall give 10 days notice of the biennial elections of the borough by posting 6 advertisements in the most public places within the same. **Section 4.** It shall be unlawful for any high constable who is at the same time employed as a policeman in the borough, or any other part of the Commonwealth to charge or accept any compensation, in addition to the salary paid him as a policeman, for any services rendered, either as a policeman or as high constable, except public rewards and the legal mileage allowed to constables for traveling expenses. **Section 5.** any violations ... to pay a fine not exceeding \$ 50 and costs...

Chapter VII Article VI Appointed Officers (f) Police Section 17. The borough police shall receive a stated salary to be fixed by ordinance; and it shall be unlawful for any borough policemen to charge or accept any fee or other compensation, in addition to his salary, for any service performed pertaining to his duties or office, except public rewards and legal mileage allowed for traveling expenses. Section 18. any violations... to pay a fine not exceeding \$ 50 and costs...Section 19. Borough policemen, residing in the borough, may at the same time hold and exercise the office of constable in the borough or any ward thereof, and may demand and receive all costs, fees and emoluments pertaining to such office. Section 20. Borough policemen may perform all the duties of high constable but shall receive no compensation therefor.


Gov. Brumbaugh, May 14, 1915.

1915 Act 43 PL 76 Section 1 ... It shall be the duty of the sheriff, coroner, constable, police, or other official making the arrest, ...to issue, without costs to the applicant, a certificate stating the name...the charge upon which he, she or they have been arrested...the amount of bail demanded...fail, omit, neglect, or refuse to issue a certificate...fine of not more than \$ 500... Gov. Brumbaugh, April 9, 1915. see also Opinions of the Attorney General - October 1, 1915.

1913 Act 342 PL 534 That on and after the passage of this act, the sole power to appoint a deputy constable, or constables, in any ward, borough, or township, shall be vested in the constable of said ward, borough, or township, subject to approval of the court of quarter sessions as provided by law; and that no person shall be appointed as a deputy constable unless he shall be, at the time of his appointment, a bona fide resident of the ward, borough, or township for which he shall have been appointed, and shall continue to be a bona fide resident for the time during which such appointment is made. Gov. Tener, June 19, 1913.

Repealed Act 49-2009, Section 4 (2) (xxi)

now 44 Pa. C. S. 7122. (Deputy constables), formerly 13 P. S. 21

 **1913 Act 308 PL 462** That any policeman or constable...is hereby authorized to destroy, or cause to be destroyed, any animal or animals in his charge, ...such animal or animals appears to be injured, disabled, diseased past recovery, or unfit for any useful purpose. Gov. Tener, June 7, 1913.

current statute 3 P. S. 325 (Authority to destroy), 3 P. S. 326 (Inquiry as to condition of animal).

1913 Act 170 PL 246 it shall be unlawful for any person...being in possession of goods and chattels belonging to another, either as storage or warehouseman, pawnbroker, second hand dealer, or junk dealer to conceal from any constable or sheriff entrusted with the execution of any writ...Gov. Tener, May 20, 1913.

1913 Act 140 PL 203 The fees of constables of townships, boroughs, and cities of the 3rd class, for such monthly visits made by a constable, shall be 25 cents for each place visited in his jurisdiction and six cents per mile for each and every mile actually traveled in making such visits...(for visiting places where liquor was sold) Gov. Tener, May 14, 1913 (formerly 13 P. S. 68-69).

1911 Act 299 PL 727 An act authorizing the election in first class townships of an additional constable to serve for a term of four years. Gov. Tener, June 9, 1911.

Repealed Act 49-2009, Section 4 (2) (xx).

now 44 Pa. C. S. 7114 (a) (2). (Townships), formerly 13 P. S. 3.

1909 Act 287 PL 514 Repeals Act ? March 31, 1895 (making constables ex-officio fire wardens) Gov. Stuart, May 11, 1909.

1909 Act 187 PL 290 Repeals Act 7 PL 9 March 30, 1897 (making constables ex-officio fire wardens) Gov. Stuart, April 29, 1909.

1909 Act 104 PL 151 fixing specific constable fees: for attendance on court and making returns thereto, \$ 2.50 per diem. for serving notice of their election upon township or borough officers, for each service, 15 cents. Gov. Stuart, April 23, 1909.

Repealed Act 49-2009, Section 4 (2) (xix).
now 44 Pa. C. S. 7161.1 (Specific fees), formerly 13 P. S. 64.

1909 Act 92 PL 141 That sheriffs, constables, members of the state constabulary, or other persons authorized by the laws of this Commonwealth to make arrests, hereafter shall have the use, for a period not to exceed 48 hours, of borough and township lockups and city or county prisons, for the detention of prisoners until they can be disposed of according to law.. Gov. Stuart, April 23, 1909.
see also Opinions of the Attorney General – Official Opinion # 121, 1958.
current statute 61 Pa. C. S. 1154 (Law enforcement use of county correctional institutions).

1907 Act 314 PL 465 ...no constable of any city of the first class shall appoint any person as a deputy who is not a bona fide resident and duly qualified elector of the ward of the city in and for which constable was elected. That upon the removal of said deputy from said ward, or ceasing to be a qualified elector of said ward, in and for which said constable was elected, upon the petition of five duly qualified electors thereof, setting forth said facts, and upon thereof, the court of quarter sessions may revoke the appointment of said deputy. Gov. Stuart, June 8, 1907.

1907 Act 298 PL 438 ...For services performed by a constable in delivering a child under the age of 16 years to the juvenile court, 75 cents together with 3 cents for each mile actually traveled and necessary... Gov. Stuart, June 7, 1907.

1905 Act 227 PL 361 creating the department of the state police section 5. ...authorized and empowered to make arrests, without warrant, for all violations of the law which they may witness, and to serve and execute warrants issued by the proper local authorities. They are also authorized and empowered to act as forest, fire, game and fish wardens; and, in general, to have the powers and prerogatives conferred by law upon members of the police force of cities of the first class, or upon constables of this Commonwealth... Gov. Pennypacker, May 2, 1905.

1905 Act 214 PL 309 ... it shall be lawful for any policemen residing in any borough, who shall be duly elected or appointed to the office of constable in said borough, or any ward thereof, to hold and exercise said office, and to demand and receive all costs, fees and emoluments pertaining thereto, as allowed by law.. Gov. Pennypacker, April 25, 1905.

Repealed Act 49-2009, Section 4 (2) (xviii)
now 44 Pa. C. S. 7132 (Police officers), formerly 13 P. S. 10.

1903 Act 202 PL 268 Whereas, it is of the utmost importance to the rights of the people of this Commonwealth that the public highways of cities, boroughs, counties and townships of this Commonwealth should be as free as practicable from the reckless use of dangerous motor vehicles...Section 9. Every person so licensed shall carry with him, when using or operating such motor vehicle upon the public highways, and when so requested by any constable or police officer of the Commonwealth shall produce the same and the certificate of registration for inspection. Section 10. It shall be the duty of the constables and police officers of the cities, boroughs, and townships of this Commonwealth to arrest, upon view and without a warrant, any person violating any provisions of this act... Gov. Pennypacker, April 23, 1903.

1903 Act 44 PL 37 ...That the Commissions of the Valley Forge park...shall also have power to deputize persons as special constables to maintain order within said park, protect the property from destruction, and make arrests for riots or illegal trespasses.. Gov. Pennypacker, March 19, 1903.

1903 Act 29 PL 24 ... persons employed as officers by the Commissioner of Forestry... be vested with the same powers as are by existing laws conferred upon constables and other peace officers: to arrest on view, without first procuring a warrant therefor, persons detected by them in the act of trespassing upon any forest or timber land within this Commonwealth, under such circumstances as to warrant the reasonable suspicion that such persons have committed, are committing, or are about to commit, some offense against any of the laws now enacted or hereafter to be enacted for the protection of forest and timber lands... Gov. Pennypacker, March 11, 1903.



1903 Act 26 PL 22 That whenever a vacancy may occur in the office of high constable... or in the office of constable in any borough, ward of any borough, or township in said Commonwealth, by incompetency, death, resignation, removal, or for any other cause, it shall be the duty of the court of quarter sessions to appoint a suitable person who ... shall serve as the high constable or the constable thereof, as the case may require, for the unexpired term, so vacant. Gov. Pennypacker, March 11, 1903.

Repealed 1915 PL 312 May 14, 1915.

1901 Act 327 PL 643 Renovated butter law. Section 11. It shall be the duty of every constable in any city, borough, ward or township of this Commonwealth, having knowledge of any violations of this act, or whenever requested so to do by the Dairy and Food Commissioner, his agent, or attorney, or by any citizen of this Commonwealth, to make report to the court of quarter sessions of the proper county, as part of his quarterly report and return to said court... Gov. Stone, July 10, 1901

Repealed 1978 Act 53 PL 202 April 28, 1978.

Repealed 1994 Act 70 PL 421 July 7, 1994.

1901 Act 208 PL 327 Oleomargarine law. Section 10. It shall be the duty of every constable in any city, borough, ward or township of this Commonwealth, having knowledge of any violation of this act, or whenever requested so to do by the Dairy and Food Commissioner, his agent, or attorney, or by any citizen of this Commonwealth, to make report to the court of quarter sessions of the proper county, as part of his quarterly report and return to said court... Gov. Stone, May 29, 1901.

1901 Act 98 PL 131 ...the fees to be charged and received by constables for executing an order of relief of a pauper or paupers shall be seventy-five cents; and for each mile...six cents... Gov. Stone, May 2, 1901.

Repealed Act 61-1998, Gov. Ridge, May 15, 1998.

1899 Act 118 PL 184 dealing with a mercantile license tax on vendors... Section 10. ... it shall be the duty of the constable of his respective ward, district or township to compare the list (of vendors, dealers, and businesses) and report to the county or city treasurer all omissions found, and for such service the constable shall receive a fee or 50 cents for each and every omission so reported. Gov. Stone, May 2, 1899.

1899 Act 14 PL 17 That the constables of the various wards, boroughs and townships shall be ex-officio fire, game, and fish wardens. Section 2. It shall be the duty of said fire, game and fish wardens to enforce all statutes of this State now in force, or that may hereafter be enacted, for the protection of forests and timber lands from fire, and for the protection and propagation of game, game birds, game mammals, song and insectivorous birds, and fish, and said constables or wardens shall have authority to arrest without warrant any persons caught by them violating any of the aforesaid laws...Such arrests may also be made on Sunday...Section 3. Said constables or wardens shall have power without warrant to search and examine any boat, conveyance, vehicle, fish box, fish basket, game bag or game coat...shall at any time seize and take possession of any and all birds, animals or fish... Section 4. Any constable or warden, upon arrest and prosecution of any offender to conviction... shall, in addition to the fees to which he may be entitled under existing laws, be paid for his services the sum of ten dollars... Section 5. Each of said constables or wardens shall, for the purposes of this act, have concurrent jurisdiction throughout his own proper county... Gov. Stone, March 22, 1899.

see also Opinions of the Attorney General – 1919-1920

see also Opinions of the Attorney General – Opinion # 6, June 8, 1915.

1899 Act 1 PL 3 constable fee bill Gov. Stone, February 17, 1899. (formerly 13 P. S. 70-71)


1897 Act 209 PL 266 Section 2 and 3. ...it shall not be lawful for any high, ward, township or other constable, who is at the same time employed as a policemen in any city, borough or other part of this Commonwealth to charge or accept any fee or other compensation, in addition to the salary paid to him as a policeman, for any service rendered or performed by him pertaining to his office and duties, either as

a policeman or as such high, ward or other constable, except public rewards and the legal mileage allowed to constables for traveling expenses. Gov. Hastings, July 14, 1897.
Repealed Act 49-2009, Section 4 (2) (xvi) and (xvii) as to constables
now 44 Pa. C. S. 7132 (a) (Police officers)


1897 Act 115 PL 139 The suits against sureties in constables bond shall not be sustained, unless the same be instituted within five years after the date of such bond or obligation. Gov. Hastings, June 10, 1897.

Repealed Act 53 PL 202, April 28, 1978. formerly 13 P. S. 81.

now 42 Pa. C. S. 5525 (statute of limitations: 4 years on an action upon an official bond of a public official, officer or employee)

 **1897 Act 101 PL 121** That the policeman and constables of the several boroughs of this Commonwealth, in addition to the powers confirmed upon them, shall and may, without warrant and upon view, arrest and commit for hearing any and all persons guilty of a breach of the peace, vagrancy, riotous or disorderly conduct or drunkenness, or may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens, or violating any ordinances of said borough, for the violation of which a fine or penalty is imposed. ... When any person is arrested on view, a complaint, on oath or affirmation, shall be immediately made.... Gov. Hastings, June 4, 1897.
Repealed Act 49-2009, Section 4 (2) (xv).

now Act 44 Pa. C. S. 7158. (Arrest in boroughs), formerly 13 P. S. 45, formerly 13 P. S. 46.

 **1897 Act 25 PL 29** To authorize constables and other peace officers, without first procuring a warrant, to arrest persons reasonably suspected by them of offending against the laws protecting timber lands. That if any person or persons shall be detected by any constable or other peace officer, in the act of trespassing upon any forest or timber land within this Commonwealth, under any circumstances as to warrant the reasonable suspicion that such person or persons have committed, are committing, or are about to commit, some offense or offenses against any law enacted or hereafter to be enacted for the protection of forest and timber land, such constable or other peace officer shall have authority at once, without first procuring a warrant therefor, to arrest on view such person or persons, with like effect as though such warrant had first been procured. Gov. Hastings, April 29, 1897.

Repealed Act 49-2009, Section 4 (2) (xiv)

now 44 Pa.C.S. 7155. (Arrest of offenders against forest laws)

1897 Act 7 PL 9 Making constables of townships ex-officio fire wardens for the extinction of forest fires...The constables of the various townships of the Commonwealth shall be ex-officio fire wardens, whose duty it shall be, when fire is discovered in the forests within their respective townships, immediately to take such measures as are necessary for its extinction...the said fire wardens to receive fifteen cents per hour...one half out of the treasury of the respective county and the remaining half of said expense shall be paid by the State Treasurer...such fire warden or constable deemed guilty of willfully or negligently making a false report, or neglect of duty, and the court shall suspend him from office and direct the district attorney to indict and try him, and if found guilty, he shall be fined in a sum not exceeding fifty dollars, and undergo an imprisonment not exceeding three months, both or either, at the discretion of the court... Gov. Hastings, March 30, 1897.

see also Opinions of the Attorney General – May 17, 1900.

amended Act 65 PL 89 Gov. Pennypacker, March 31, 1905.

1895 Act 2 PL 375 one constable to be elected in each ward or district of a borough or township. Gov. Hastings, June 26, 1895. formerly 13 P. S. 2.

1895 Act 248 PL 333 That it shall be lawful..., with the approval of the court of quarter sessions of the proper county, to employ a night watchman or night watchmen for the purpose of protecting their premises and property in the night time, and all persons so appointed, with the approval aforesaid, as night watchman shall have, exercise and enjoy all rights, powers and privileges now vested by law in constables or police officers duly elected or appointed in said cities or boroughs... Gov. Hastings, June 26, 1895.

1893 Act 318 PL 419 Section 28 It shall be the duty of the police officers, constables and deputy constables now required by law to be present at the polls to remain within the voting room, but outside the guard-rail, while the votes are being counted, and to preserve order therein. No person except the said peace officers, when necessary for the preservation of the peace, or persons acting by their authority for the same end, shall enter the space within the guard-rail... Gov. Pattison, June 10, 1893

1893 Act 71 PL 117 constable fees ... for arresting a vagrant, disorderly person, or other offender against the laws (without process), and bringing before a justice, seventy-five cents... Gov. Pattison, May 23, 1893.

1889 Act 175 PL 156 That upon the petition of not less than 25 taxpayers of any township...to the court of quarter sessions representing that the safety of the citizens and the security of property makes, in their opinion, necessary, the appointment of one or more deputy constables, to act as policeman...shall severally possess and exercise all powers of policemen of cities...such deputy constables shall, when on duty, severally wear a shield or badge with the words "township police" and the name of the township which appointed inscribed thereon. That said deputy constable shall be paid such compensation as may be approved by the court of quarter sessions, and may be discharge whenever the court appointing them shall be satisfied that their services are no longer needed. Gov. Beaver, May 9, 1889.

1889 Act 79 PL 83 That the qualified voters of each ward in cities of the second and third class shall...elect a properly qualified person for constable in each of said wards, who shall serve for three years. Whenever a constable shall be appointed by the court, as provided by existing laws, the constable so appointed shall serve for the unexpired term. Gov. Beaver, May 4, 1889.
Repealed Act 49-2009, Section 4 (2) (xiii).

now 44 Pa. C. S. 7112 (Cities of the second and third classes), formerly 13 P. S. 1.

1889 Act 5 PL 6 That the qualified voters of every borough and township, and when a borough is divided into wards, of every ward shall...vote for and elect a properly qualified person for constable, in each of said districts, who shall serve for three years. Gov. Beaver, February 14, 1889.
Repealed Act 49-2008, Section 4 (2) (xii). Repealed as to high constables PL 312, May 14, 1915
now 44 Pa. C. S. 7113 (a) and 7114 (a), formerly 13 P. S. 2.

1889 Act 1 PL 3 That whenever any new ward is erected in any city of the first class...the ward is entitled to, according to the list of taxable inhabitants, such a number of constables as directed by law... Gov. Beaver, February 12, 1889.
Repealed Act 49-2009, Section 4 (2) (xi)

1885 Act 11 PL 9 To provide for the destruction and prevent the spread of Canada thistle – ... to inform by written notice any constable or supervisor of the township or district, of the existence of where Canada thistles may be growing,... give notice to cut and destroy such thistles or weeds...the officer serving such notice shall likewise be entitled to a fee of fifty cents, together with six cents mileage for each mile, circular, necessarily traveled...whenever it shall come to the knowledge of either the supervisor or constable of the existence of any Canada thistle or weeds thereon, it shall be his duty to notify the owners...if any such constable or supervisor shall neglect or refuse to perform his duties as prescribed by this act, he shall be liable to a fine of ten dollars... Gov. Pattison, April 24, 1885.

1883 Act 13 PL 14 ...any agricultural or horticultural society of this state...is hereby authorized to appoint...policeman, as shall be necessary for their exhibitions, whose duty it shall be to preserve order within and around the grounds...said policeman shall have the same power the time said exhibition shall continue, that a constable may have by law, in serving criminal process and making arrests, and in addition, may arrest any person for the commission of any offense, mentioned in section two. Gov. Pattison, April 26, 1883.

current statute 3 P. S. 1. (Policemen to protect; powers)

1879 Act 196 PL 164 constable fees in civil actions (contracts, trespass, trover, conversation wherein the sum demanded does not exceed \$ 300) on all sales made final, be as follows: for all sales amounting to less than \$ 50, three percent; for all sales amounting to less than \$ 100, two percent; for all sales above \$ 100, one percent. Gov. Hoyt, July 7, 1879

1879 Act 117 PL 125 in matters dealing with cruelty to children and employment of children... Section 6. ...such justice or magistrate shall forthwith issue a warrant to a constable or other authorized officer, to enter such place or house and investigate the same; and such person may arrest or cause to be arrested all offenders, and bring them before any justice, magistrate or court of record for a hearing of the case; and it shall be the duty of all constables and policemen to aid in bring all such offender before said authorities for a hearing. Section 8. ...humane society may offer similarly qualified persons to the court of common pleas of the county, whereupon such court or any judge thereof shall, if they be fit persons, commission such person to act as constables, with power to arrest all offenders against this act or any provisions thereof...all persons thus qualified under this section, shall be deemed to be constables and authorized persons within the meaning of section 6 of this act; and the keepers of jails or lock ups, or station houses, in any of said counties, are required to receive all persons arrested by such policemen or constable. Gov. Hoyt, June 11, 1879.

1879 Act 54 PL 56 ...the fees received by constables for every act in or about the arrest or commitment of vagrants, shall be twenty-five cents for each vagrant so arrested and committed, and mileage as is now allowed by law for the same service. Gov. Hoyt, May 19, 1879.

1878 Act 159 PL 125 regarding persons traveling in or upon railroad engines or cars who ride without paying the fare, or of committing larceny, violence or destruction of property, or threatening, intimidating or assaulting travelers or other persons... Section 2. Any constable or police officer, having knowledge or being notified of any violation of this act, shall forthwith arrest such offender and take him before any magistrate, alderman or justice of the peace or...issue a warrant or a capias for the arrest of any such offender... Gov. Hartranft, May 24, 1878.

amended Act 128 PL 135, Gov. Hoyt, June 11, 1879. (unchanged as to constable duties)
current statute 18 Pa.C.S. 6161

1878 Act 109 PL 85 Section 4. It shall be the duty of the constable of each township to make return to the court of quarter sessions of the proper county of defects in turnpike or plank roads, in the same manner and to the same extent that they now make returns in defects in public roads... Gov. Hartranft, May 22, 1878.

1878 Act 56 PL 40 To define and suppress vagrancy. ...the fee for a constable or policeman making an arrest under this act is the sum of fifty cents each, and mileage as now provided by law when such arrest is made more than one mile from the prison or place where such vagrant shall be committed, and no mileage shall be allowed to any officer making an arrest within one mile of the prison...any willful refusal to make such arrest on the part of any constable or police officer, shall subject him to a penalty of five dollars... Gov. Hartranft, May 3, 1878.

1877 Act 8 PL 12 Section 2. It shall be the duty of the constable of the proper ward, district, borough or township to give at least twenty days notice, by advertisement ... of the expiration of the term of the commission of any alderman or justice of the peace that may expire... and also of any vacancy that may happen by death, resignation or otherwise. Gov. Hartranft, March 22, 1877.

see also Opinion of the Attorney General – 1907-1908

1876 Act 148 PL 179 No person hereafter elected shall be capable of holding the office of school director, constable, path-master or commissioner of roads, and that of township or borough auditor. Gov. Hartranft, May 18, 1876.

current statute 24 P. S. 3-322 (Eligibility, incompatible offices)

1876 Act 126 PL 154 To define and suppress vagrancy. Section 2. If any person shall be found offending in any township or place against this act it shall and may be lawful for any constable or police

officer of such township or place, and he is hereby enjoined and required, on notice thereof given him by any inhabitants thereof, or without such notice on his own view, to apprehend and convey or cause to be conveyed such person to a justice of the peace or other committing magistrate... Section 7. That for each arrest, hearing or commitment made under this act there shall be paid out of the county treasury...the same fees and mileage as now provided by law for like services in other cases of arrest, hearing, and commitment...any willful refusal to make such arrest on the part of the constable or police officer shall subject him to a penalty of ten dollars... Gov. Hartranft, May 8, 1876.

1876 Act 67 PL 99 Section 1. That any police officer or constable, upon view of the breach of any ordinance of any city of the first class, is authorized to forthwith arrest the person or persons so offending, without any process, and to take such person or persons forthwith before any police magistrate or alderman of said city...

Gov. Hartranft, May 3, 1876.

Repealed Act 49-2009, Section 4 (2) (x) (as to constables).

current statute 53 P. S. 13349 (Summary proceedings for violation of ordinances)

1876 Act 58 PL 39 That an act to consolidate the offices of assessor and constable in the township of Brecknock, in the county of Lancaster, and Easttown and South Coventry townships, Chester County...is hereby repealed so far as the said act relates to Brecknock township, in the county of Lancaster. Gov. Hartranft, 1876.

1872 Act 881 PL 920 burgesses, justices of the peace and constables in the county of Dauphin, shall be entitled to the same fees now allowed to alderman and constables in the city of Harrisburg. Gov. Geary, April 4, 1872.

1872 Act 725 PL 772 That the fees to be charged by constables of the city of Philadelphia, to be charged for the following services shall be: For watchmen, to be charged to the defendant on execution or distress for rent, per day three dollars. For collection of rent by distress or otherwise, to be charged to the landlord, apart from the commissions allowed by law, shall be five percent, on the amount actually collected. For levying goods, and selling the same on execution, for each dollar five cents. For each adjournment of sale, under execution or distress for rent, one dollar and costs for advertising said adjourned sale. Gov. Geary, April 3, 1872.

1866 Act 164 PL 190 ...as far as relates to the making of returns, at each term of the court, in the county of Chester; but constables are hereby required to make return, to the proper court of said county (Chester), in all cases of such violation or disturbance, when known to them, or when required to do so by any person, or persons, having knowledge of such illegal sales (of spirituous or intoxicating liquors), or of such disturbance, at any election, aforesaid. Constables elect, who appear at the next court of quarter sessions of said (Chester) county, after their election, to accept or refuse, the office, shall receive the same pay and mileage as is allowed for making the return aforesaid. Gov. Curtin, March 12, 1866.

1866 Act 154 PL 182 Section 1. That it shall be the duty of the constables of the several cities, boroughs, wards and townships, in the counties of Erie, Luzerne, Susquehanna, Pike and Crawford, to make diligent search for all persons, who shall, either directly, or indirectly, be engaged in the sale, and traffic, of liquors, wines, or other strong drinks, and make quarterly returns, thereof, under oath, to the courts of quarter sessions of the proper counties; and it shall be the duty of the courts to make diligent inquiries, of the constables, of the manner and fidelity with which they have attended to, and discharged, the requirements, hereby enjoined, upon them; and should the courts be satisfied of the unfaithfulness of any constable, in this respect, they are hereby authorized, and empowered, to suspend, or remove, him from office, and appoint another one in his place.

Section 2. It shall be the duty of the constables, and of the several police constables, officers, or detectives, appointed by the proper authorities, in the counties aforesaid (Erie, Crawford, Luzerne, Susquehanna and Pike), and they are hereby authorized, and required, to arrest any professional thief, pick-pocket, or burglar, who may be found at any steam-boat landing, railroad depot, church, banking institution, broker's office, place of public amusement, auction room, or common thoroughfare, in the city of Erie, Cory, Meadville, or Titusville, and carry them, forthwith...

Section 3. That the conductors, on the several railroads, while passing through either of the counties, aforesaid, shall have power to arrest anyone who may be found stealing, or picking the pockets of passengers, or others, or committing any breach of the peace, on the cars, and detain him, or her, til reaching any one of the places, Erie, Cory, Meadville, or Titusville, and then deliver him, or her, to a constable, or other police authority.... Gov. Curtin, March 12, 1866.

1864 Act 782 PL 886 That the high constable of the borough of Dauphin, in the county of Dauphin, is hereby empowered and required to perform all the duties enjoined upon constables, and shall receive the same fees for such services as are now, by law, allowed to constables. Gov. Curtin, May 7, 1864.

1864 Act 60 PL 60 relative to the term of time for which constables are elected in the city of Philadelphia...in lieu of the term of years for which constables of the various wards, boroughs and townships of the said city are now elected, they shall hereafter be elected for the term of five years, from and after the expiration of the various terms, to which they have been elected. Gov. Curtin, March 18, 1864.

1862 Act 64 PL 56 for collecting taxes in Greene Co for the relief of families of the volunteers of the commonwealth (civil war soldiers) Section 3. That before the court of quarter sessions of said county (Greene) shall appoint or qualify constables, they shall be required to give bond in the name of the commonwealth, in such sum and with such sureties as shall be approved by the said court, conditional for the payment to the proper county treasurer of the full amount of relief tax contained in any warrant and schedule which shall be delivered to them, after deducting exonerations, within four months from and after delivery of any such warrant or schedule aforesaid. Gov. Curtin, February 27, 1862.

1858 Act 221 PL 185 That the qualified voters of the city of Philadelphia shall elect, in each ward, as many constables as they have alderman... and whenever they shall increase the number of alderman, the number of constables shall also be increased: Provided that this act shall not apply to the 21st, 22nd, 23rd, and 24th wards of said city. Gov. Packer, March 30, 1858.

1857 Act 197 PL 170 That hereafter it shall be lawful for the sheriff, deputy sheriff or constable of any county or township, to administer the oath or affirmation required to be administered to appraisers under the act to which this is a supplement.

Gov. Pollock, April 8, 1857.

1855 Act 509 PL 479 Section 4.- When & how the baggage of boarders may be sold - ...proprietor of hotels, inns, or boarding houses may make application to any alderman or justice of the peace of the proper city, borough, or county, who is hereby authorized to issue his warrant to any constable within said city, borough, or county, and cause him to expose said goods and baggage to public sale, after giving at least ten days notice by written or printed notices, put up in three or more public places in the ward of said city or borough, or in the township where said inn, hotel, or boarding house is located... Gov. Pollock, May 7, 1855.

1855 Act 281 PL 264 Section 15, 16, 17... constables in Philadelphia... illegal for the receiver of taxes to place any warrant against delinquent taxpayers into the hands of any constable, until such constable shall have given security by bond and warrant... in the sum of five thousand dollars... nor have in the hands of any constable at any one time, warrants for a greater amount of taxes than the amount of such bond...required to make reports and payment of all his collections on such warrants, at least once in every week... Gov. Pollock, April 21, 1855.

Repealed Act 49-2009, Section 4 (2) (viii) and (ix)

1850 Act 342 PL 549 Section 19. That in all suits which may hereafter be instituted in any court of this commonwealth, in which the sheriff of any county may be a party, when there is no coroner in commission to serve process, it shall be lawful for any constable in the county where the process has been issued, to serve the same, and perform the duties in relation, thereto which coroners are authorized to do under the laws of this commonwealth Gov. Johnston, April 22, 1850.

Repealed Act 49-2009, Section 4 (2) (vii).

now 44 Pa. C. S. 7153. (Service of process), formerly 13 P. S. 41.

1850 Act 312 PL 452 Section 9. That nothing in the 26th section of an act establishing a fee bill, passed on March 28, 1814, shall be deemed or taken to impose upon any sheriff, deputy sheriff or constable any penalty for taking the fee for service, or copy of any writ of summons, or other original process, at the time of receiving such process to be served.

Gov. Johnston, April 11, 1850.

1841 Act 144 PL 413 Section 8. ...within the county of Philadelphia, in consequence of any mob or riot ..and it shall be the duty of the said sheriff, alderman, constable, or justice of the peace, upon the receipt of said notice, or upon knowledge of such attack or intended riot, or disturbance, to take all legal means to protect such property so attacked, or threatened to be attacked, ... if the sheriff, alderman, constable, or justice of the peace, shall neglect or refuse to perform his duties in the premises, he or they, so neglecting or refusing, shall be liable for the damages done to such property, to be recovered by an action on the case in the court of common pleas of the proper county, and shall be deemed guilty of a misdemeanor in office, and on conviction thereof by the proper court, his commission shall be void, Gov. Porter, May 31, 1841.

1841 Act 141 PL 400 Section 14. That the courts of quarter sessions of each county shall have full power, on petition of any surety of any constable, setting forth the complaint, and verified by affidavit, to inquire into official conduct of such constable, and in all cases where said court shall be satisfied that from habits of intemperance or neglect of duty, any constable is unfit or incompetent to discharge his official duties, it shall be lawful for said courts, respectively, to decree the removal of such constable from office, unless such constable gives such additional surety as the court may direct, and to appoint a suitable person to fill the vacancy who shall have a freehold estate with at least one thousand dollars beyond encumbrance, or give security, as in other cases of constables, to continue in office until the next succeeding election for constable... said court shall decree the removal of such constable from office, and fill the vacancy in the same manner as is provided herein for cases of constables incompetent to act, from habits of intemperance. Gov. Porter, May 27, 1841.

Repealed Act 49-2009, Section 4 (2) (vi).

now 44 Pa. C. S. 7172 (Incompetence), formerly 13 P.S. 31

1841 Act 258 PL 1 Section 12. ...judgment against a constable for the amount of an execution together with costs, on which judgment there shall be no stay of execution, shall not be construed to deprive the constable of the right to appeal to the court of common pleas...as in the case of other defendants. Gov. Porter, October 13, 1840.

Repealed Act 49-2009, Section 4 (2) (v)

1839 Act 149 PL 377 Section 2 ...required the proper constable to immediately transmit by mail to the Governor the returns of elections of alderman and justices of the peace, and a duplicate return, shall be handed by such constable, to the prothonotary of the proper county ...to issue commissions to such persons as appeared to be duly elected. Gov. Porter, June 21, 1839.

Repealed Act , April 13, 1859 (as to duties of constables).

see also Opinions of the Attorney General – April 21, 1898.

see also Opinions of the Attorney General – April 17, 1884.

1834 Act 247 PL 537 An act relating to counties and townships, and county and township officers... Sections 107-114:

107- it shall be the duty of every person elected as constable of a township to accept or decline the office on the first day of the next court of quarter sessions, and if failing to do so be fined \$ 40. (13 P. S. 5)

108. Constable of a township to possess a freehold estate, clear of all encumbrances, of at least \$ 1,000 or be required to post a bond of constable of not less than \$ 500 or more than \$ 3,000, as the court shall direct. (13 P. S. 6)

109. If (a vacancy occurs in the office of constable of a township), the court shall appoint some other respectable person...to serve as constable until the next annual election and until a successor be duly appointed. (13 P. S. 12)

110. If a duly elected or appointed constable, with a freehold estate of proper value, shall refuse or neglect to serve as constable or shall not procure a deputy to undertake the duties thereof, shall be fined \$ 40. (13 P. S. 7)

111. No person shall be liable (for the \$ 40 fine) if they served, personally or by deputy, as constable of the same township within the past 15 years, or have paid the \$ 40 fine thereof. (13 P. S. 8)

112. the bond to be given by constables shall be in the sum not less than \$ 500 nor more than \$ 3,000

and shall be taken by the clerk of court in the name of the Commonwealth, with conditions for the just and faithful discharge of the duties of the constable, and shall be held in trust for the use and benefit of all persons who may sustain injury from the constable in his official capacity by reason of neglect of duty.... (13 P. S. 9)

113. no deputy shall be appointed by any constable, either by general or partial deputation, without approbation of the court of quarter sessions.. (13 P. S. 22)

114. in the event of death, inability or refusal to act of his deputy, the constable of any township may, with the approbation of the court of quarter sessions, appoint another deputy, with full authority to act as such until the next regular session of such court, and for the acts of such deputy, the constable and his sureties shall be liable...the constable shall file a written copy of such deputation with the clerk of courts. (13 P. S. 23)

116. nothing in this act contained shall be so construed as to repeal any special provision heretofore made by law, for any city, borough, district or township in this commonwealth. (13 P. S. 13) Gov. Wolf, April 15, 1834.

Repealed Act 49-2009, Section 4 (2) (iv)

now 44 Pa. C. S. 7114 (b) (c). (Townships), formerly 13 P. S. 6, formerly 13 P. S. 9.

now 44 Pa. C. S. 7121 (Constables), formerly 13 P. S. 12.

now 44 Pa. C. S. 7122 (Deputy constables), formerly 13 P. S. 22, formerly 13 P. S. 23.

now 44 Pa. C. S. 7178 (Failure to serve in a township), formerly 13 P. S. 5, formerly 13 P. S. 7, formerly 13 P. S. 8.

1834 Act 52 PL 72 That the town council of the borough of Carlisle shall have power ... to appoint one of the constables of the said borough, or any other suitable citizen of the same, high constable of said borough... and such high constable so appointed shall perform all the duties, and be subject to all the penalties and provisions which are now by law proscribed and established for the regulation of the high constable in the said borough. Gov. Wolf, March 17, 1834.

1829 Act 216 PL 369 section 3 ...where any constable has been or shall be entrusted with the execution of any process, for the collection of money, and by neglect of duty has failed or shall fail to collect the same, by means whereof the bail or security for such constable has been or shall be compelled to pay the amount of any judgement or judgements, such payment shall vest in in the person or persons paying as aforesaid, the equitable interest in such judgement... Gov. Shulze, April 24, 1829.

Repealed Act 49-2009, Section 4 (2) (iii)

now 44 Pa. C. S. 7177 (Failure to execute process), formerly 13 P. S. 88.

1820 Chapter CVIII PL 156 constables were required to give receipts to defendants for money received by them in all civil actions, penalty for not providing receipt. Constables were required to execute process against other constables. Proceedings to be followed for the neglect to pay overplus to the defendant. Gov. Findlay, March 28, 1820.

Repealed Act PL 872 section 1201, June 24, 1939. formerly 13 P. S. 42, formerly 13 P. S. 83, formerly 13 P. S. 85.

1815 Act PL 48 Gov. Snyder, April 12, 1815.

1814 Chapter IX PL 28 an act allowing compensation to constables for attending the several courts within this commonwealth... no constable shall be obliged to serve more than one week at any one time...for one dollar for each and every day he or they shall have respectively attended. Gov. Snyder, January 21, 1814.

Repealed 1992 – Act 108 PL 717, November 24, 1992, formerly 13 P. S. 51.

1810 Act 132 PL 208 Section 12 and 19. concerns constable levies and sales, liabilities of surety of constable who may absconds or becomes insolvent. Court may issue a writ of scire facias and proceed against the security. Gov. Snyder, March 20, 1810.

Repealed Act 49-2009, Section 4 (2) (ii).

now 44 Pa. C. S. 7156 (Executions), formerly 13 P. S.

now 44 Pa. C. S. 7174 (Action against security), formerly 13 P. S. 82, formerly 13 P. S. 87.

1799 Sm. L. 3/ 2012 the acting constable shall within six days after the election for constable, give notice in writing to the person elected to be constable, and if failing to do so, be fined \$ 16. If any person elected constable and so notified shall refuse or neglect to appear on the first day of next court of quarter sessions to decline or accept said office, be fined \$ 16. Gov. Mifflin, March 1, 1799.

Repealed Act 49-2009, Section 4 (2) (i).

now 44 Pa. C. S. 7171 (Election notice in certain areas), formerly 13 P. S. 4.

1785 2 Sm Law 275 Habeas Corpus duty of constable to execute any writ of habeas corpus ...fined 100 pounds and incapable of holding office Feb 18, 1785

1777 Organization of the PA Militia

required compulsory enrollment by constables of all able bodied white males between the ages of 18 and 53 to repel invaders... Act of the Assembly, President Wharton, March 17, 1777.

1771 1 Sm Law 350 Chapter 636 (DCXXXVI) an act dealing with the nightly watch in the city of Philadelphia, enlightening lamps (street lights), appointing Wardens... II. that the Mayor, Recorder, four Aldermen together with the wardens, shall make orders and regulations, for the better government of the said constables and watchmen...III. that all orders, regulations, ...shall be written or printed and shall be delivered to all and every of the constables of the said city...as shall relate to the conduct and government of the watchmen so to be hired... IV. ..the night watch... from 9 PM to 6 AM (in winter) and from 10 PM to 4 AM (in summer): And the constables shall, in their several turns and courses of watching, use their best endeavors to prevent fires, murders, burglaries, robberies, and other outrages and disorders, within the said city; and to that end shall, and they are hereby empowered and required to arrest and apprehend all night-walkers, malefactors and suspected persons, who shall be found wandering, and misbehaving themselves, and shall take the person or persons who shall be so apprehended, as soon conveniently as they may, before one or more of the Justices of the Peace...shall report on any misbehavior or neglect of duty of the watchmen to the Wardens...And the said constable, for every night's watching as aforesaid...shall be paid at the rate of three shillings per night. Lt. Governor John Penn,

1771 1 Sm Law 313 Chapter 620 (DCXX) duty to seize and confiscate all oysters and rockfish offered for sale between May 10 – September 1 in any year ...and the Clerk of the market, or any Overseer of the poor or constable in the city of Philadelphia, or any Overseer of the poor or constable of the borough, district or township respectively, in which any fish or oysters shall be offered to sale contrary to this act, shall, and are hereby required immediately to seize the same, for the use of the poor of such city, borough, district or township... Lt. Governor John Penn, March 9, 1771.

17?? 1 Sm Law 228 Chapter ?? prohibiting to hunt, chase or follow any deer, buck, doe, fawn or other wild beast, wild fowl, or game whatsoever or shall set traps for beaver, or other beasts, without the limits of the lands purchased of the Indians by the Proprietaries of this province II. That the constable of each respective township, in every county of this province, having any knowledge of any offenses against this act, shall, and he is hereby required, under the penalty of five pounds, to present, on oath or affirmation, every such offense to someone Justice of the Peace of their respective counties, or before the justices of the General Quarter Sessions of the Peace for the same county, together with the name or names of such offenders, that they may be tried, agreeable to the directions of this act. Lt. Governor

1705 1 Sm Law 25 Chapter 119 (CXIX) IV. That no person or persons, upon the first day of the week (Sunday), shall serve or execute, or cause to be served or executed, any writ, precept, warrant, order, judgement or decree, except in cases of treason, felony, or breach of the peace... V. That all persons who are found drinking and tippling in ale-houses, taverns, or other public house or place, on the first day of the week, commonly called Sunday, or any part thereof, shall, for every offense, forfeit and pay one shilling and sixpence, to any constable that shall demand the same, to the use of the poor: And all constables are hereby empowered, and by virtue of their office required, to search public houses and places suspected to entertain such tipplers, and them, when found, quietly to disperse; but in case of refusal, to bring the persons so refusing before the next Justice of the Peace, who may commit such offenders to the stocks... Lt. Governor John Evans, 1705