



## **Metropolitan Police Act 1839**

### **1839 CHAPTER 47**

#### **An Act for further improving the Police in and near the Metropolis. [17th August 1839]**

WHEREAS an Act was passed in the Tenth Year of the Reign of King George the Fourth, intituled An Act for improving the Police in and near the Metropolis, for the Purpose of establishing a new and more efficient System of Police in the Room of the inadequate local Establishments of nightly Watch and nightly Police, within the Limits in the said Act specified, therein called "The Metropolitan police District:" And whereas the System of Police established under the said Act hath been found very efficient, and may be yet further improved : Be it therefore 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 so much of an Act passed in the Twenty-ninth Year of the Reign of King George the Second, intituled An Act for appointing a sufficient Number of Constables for the Service of the City and Liberty of Westminster, and to compel proper Persons to take upon them the Office of Jurymen, to prevent Nuisances and other Offences within the said City and Liberty, or of any other Act, as requires or authorizes the Appointment of any Constables or High Constable at any Court Leet, shall be repealed from the passing of this Act.

#### **II Parts of Parishes may be added to the Police District.**

And whereas by the said Act of the Tenth Year of the Reign of King George the Fourth Her Majesty is empowered, by the Advice of Her Privy Council, to order that any Parishes, Townships, Precincts, and Places, whether Parochial or Extra-parochial, in the Counties of Middlesex, Surrey, Hertford, Essex, and Kent, of which any Part shall be situated within Twelve Miles of Charing Cross in the City of Westminster, shall be added to and form Part of the Metropolitan Police District : And whereas the Boundary of the District so formed is very irregular ; be it enacted, That it shall be lawful for Her Majesty, by the Advice of Her Privy Council, to order that any Place which is Part of the Central Criminal Court District, except the City of London and Liberties thereof, and such Places as are or may be included in any Act already passed or to be passed in this Session of Parliament, intituled An Act for regulating the Police in the City of London, and also that any Part of any Parish, Township, Precinct, or Place which is not more than Fifteen Miles distant from Charing Cross in a

straight Line may be added to and form Part of the Metropolitan Police District, although the whole of such Parish, Township, Place, or Precinct may not be added thereunto; and all the Provisions of this Act, and of the said Act as amended by this Act, shall extend and apply to the Parishes, Townships, Precincts, or Places, or the Parts thereof, so respectively added ; and in case no separate Rate shall be levied for the Relief of the Poor in any Place or Part so added, the Police Rate shall be assessed and levied therein in like Manner as in Extra-parochial Places within the Metropolitan Police District in which no Rate is levied for the Relief of the Poor.

### **III Parishes added to the District to be within 3 & 4 W.4 c.89.**

And be it enacted, That in every Case in which after the passing of this Act any Parish, Township, Precinct, or Place, or any Part thereof, shall become Part of the Metropolitan Police District, it shall be lawful for the Lord High Treasurer or Three or more Commissioners of Her Majesty's Treasury, by Warrant under their Hands and Seals, to direct the Issue, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, of an additional yearly Sum not greater in each Case than the Amount of Two-pence in the Pound upon the additional Rental assessed to the Metropolitan Police by reason of such Addition, free of all Rates, Taxes, and Impositions, to be paid and applied in aid of the Charge of maintaining the Police of the Metropolis, upon the same Conditions, with respect to the District so added to the Metropolitan Police District, as the Issue of a Sum not exceeding Sixty thousand Pounds out of the said Consolidated Fund is authorized, with respect to the Parishes and Places already within the Metropolitan Police District, by an Act passed in the Fourth Year of the Reign of His late Majesty, intituled An Act to authorize the Issue of a Sum of Money out of the Consolidated Fund towards the Support of the Metropolitan Police ; and every Parish, Township, Precinct, or Place, or any Part thereof, within the Counties last aforesaid, which at any Time shall be Part of the Metropolitan Police District, shall be within all the Provisions of the last-recited Act as amended by this Act.

### **IV Repeal of 6 & 7 W.4 c.50 with a certain Limitation.**

And be it enacted, That an Act passed in the Seventh Year of the Reign of His late Majesty, intituled An Act to authorize the placing of the Horse Patrol now acting under the Authority of the Chief Magistrate of the Public Office in Bow Street under the Authority of the Justices appointed for the Metropolitan Police District, is hereby repealed; but notwithstanding the Repeal of the said Act it shall be lawful for Her Majesty to appoint the Justices appointed and to be appointed under the said Act of the Tenth Year of the Reign of King George the Fourth to be Justices of the Peace for the Counties of Berkshire and Buckinghamshire, although they may not be qualified by Estate; and the said Justices shall be empowered to act as Justices in the last-mentioned Counties as fully as in any other Part of the Metropolitan Police District, and not further or otherwise, and shall be styled " The Commissioners of Police of the Metropolis."

#### **V Metropolitan Police Constables to act on the River Thames, &c.**

And be it enacted, That the Constables belonging to the Metropolitan Police Force shall have all the Powers and Privileges of a Constable in the Counties of Berkshire and Buckinghamshire, and upon the River Thames within or adjoining to the several Counties of Middlesex, Surrey, Berkshire, Essex, and Kent, and within or adjoining to the City of London and the Liberties thereof and in and on the Several Creeks, Inlets, and Waters Docks, Wharfs, Quays, and Landing Places, thereto adjacent, and shall act therein and thereupon, as fully as in any Part of the Metropolitan Police District.

#### **VI Sum required to defray Charges of Thames Police, Horse Patrol, &c.**

And be it enacted, That it shall be lawful for the Lord High Treasurer or Three or more Commissioners of Her Majesty's Treasury, by Warrant under their Hands and Seals, to direct the Issue out of the Consolidated Fund of Great Britain and Ireland to the Receiver of the Metropolitan Police District of a yearly Sum, not greater than Twenty thousand Pounds, free of all Rates, Taxes, and Impositions, for defraying the increased Charge of the Establishment of the Metropolitan Police Force by reason of that Force being required to perform the Duties heretofore performed by the Horse Patrol and by the Surveyors and Constables of the Thames Police, and also the Issue of such further Sum as shall be needed for the Payment of the Superannuation Allowances of such Surveyors and Constables as have been superannuated under the Provisions of an Act passed in the Third Year of the Reign of King George the Fourth, or any subsequent Act for the more effectual Administration of the Office of a Justice of the Peace in and near the Metropolis, or who may hereafter become entitled to Superannuation Allowances under the Provisions of any such Act.

#### **VII Constables may be sworn to act for the Palaces.**

And be it enacted, That it shall be lawful for the said Commissioners to administer to any Constable belonging to the Metropolitan Police Force an Oath to execute the Office of Constable within the Royal Palaces of Her Majesty and Ten Miles thereof; and every Constable who shall be so sworn shall have the Powers and Privileges of a Constable within the said Royal Palaces and Ten Miles thereof.

#### **VIII Additional Constables may be appointed at the Cost of Individuals.**

And be it enacted, That it shall be lawful for the said Commissioners of Police, if they shall think fit, on the Application of any Person or Persons showing the Necessity thereof, to appoint and swear any additional Number of Constables to keep the Peace at any Place within the Metropolitan Police District, at the Charge of the Person or Persons by whom the Application shall be made, but subject to the Orders of the said Commissioners, and for such Time as they shall think fit; and every such Constable shall have all the Powers, Privileges, and Duties of other Constables belonging to the Metropolitan Police Force : Provided always, that it shall be lawful for the Person or Persons on whose Application such Appointment shall

have been made, upon giving One Calendar Month's Notice in Writing to the Commissioners, to require that the Constables so appointed shall be discontinued, and thereupon the Commissioners shall discontinue such additional Constables; and all Monies received on account of any such additional Constables shall be paid to the Receiver of the Metropolitan Police, and shall be accounted for by him in like Manner as other Monies receivable by him.

#### **IX A Statement of the Number of Persons belonging to the Police Force to be annually laid before Parliament.**

And be it enacted, That, in addition to the Returns relating to the Metropolitan Police which by former Acts are required to be laid annually before Parliament, there shall also be laid annually before both Houses of Parliament, together with such Returns, a Statement of the total Number of Persons belonging to the Metropolitan Police Force on the First Day of January of the Year in which each Return is laid before Parliament, distinguishing the Number of Persons in each Class or Rank of such Force, with the Salaries and Allowances enjoyed by each Class.

#### **X Exemption from Turnpike Tolls.**

And be it enacted, That no Toll shall be demanded or taken on any Turnpike Road or Bridge for any Horse or Police Van passing along such Road or Bridge in the Service of the Metropolitan Police, provided that the Rider of such Horse or Driver of such Van shall have his Dress and Accoutrements according to the Regulations of the Police Force 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 more than Five Pounds; and in all such Cases the Proof of Exemption shall be upon the Person claiming the same.

#### **XI Police Constables to attend the Magistrates.**

And be it enacted, That the said Commissioners of Police shall take care that a sufficient Number of Constables belonging to the Metropolitan Police Force shall be in attendance upon every Magistrate sitting at any Police Court within the Limits of the Metropolitan Police District, and at every other Criminal Court holden within the said District, for the Purpose of executing such Summonses and Warrants as may be directed to them.

#### **XII Summonses and Warrants in Criminal Proceedings to be executed by them.**

And be it enacted. That after the passing of this Act all Summonses and Warrants to be issued in any Criminal Proceeding within the Metropolitan Police District, or by any Magistrate within the said District, shall be served and executed by a Constable of the Metropolitan Police Force, and by none other.

### **XIII How Warrants issued to Police Constables may be executed.**

And be it enacted, That when any Warrant shall be directed or delivered to any of the said Constables, unless it be necessary for the due Execution thereof that such Warrant be executed without Delay, the Constable shall deliver the same to the Superintendent or other his superior Officer belonging to the Metropolitan Police Force, who shall appoint, by Indorsement thereon, One or more Constables to execute the same; and every Constable whose Name shall be so indorsed shall have the same Powers, Privileges, and Protections for and in the Execution of such Warrant as if the same had been originally directed to him or them by Name.

### **XIV Penalty on Constables for Neglect of Duty.**

And be it enacted, That every Constable who shall be guilty of any Neglect or Violation of Duty in his Office of Constable shall be liable to a Penalty not more than Ten Pounds, the Amount of which Penalty may be deducted from any Salary then due to such Offender, or, in the Discretion of the Magistrate, may be imprisoned, with or without hard Labour, for any Time not more than One Calendar Month.

### **XV Constables not to resign without Leave or Notice.**

And be it enacted, That no Constable belonging to the Metropolitan Police Force shall be at liberty to resign his Office, or to withdraw himself from the Duties thereof, unless expressly allowed so to do, in Writing, by the Superintendent under whom he may be placed, or unless he shall give to such Superintendent One Calendar Month's Notice of his Intention ; and every Constable who shall so resign or withdraw himself without such Leave or Notice shall be liable to forfeit all Arrears of Pay then due to him or to a Penalty not more than Five Pounds.

### **XVI Constables dismissed to deliver up Accoutrements**

And be it enacted, That every Constable belonging to the Metropolitan Police Force who shall be dismissed from or shall cease to hold and exercise his Office, and who shall not forthwith deliver over all the Clothing, Accoutrements, Appointments, and other Necessaries which may have been supplied to him for the Execution of his Duty, to the Superintendent, or to such Person and at such Time and Place as shall be directed by the said Superintendent, shall be liable to Imprisonment, with or without hard Labour, for any Time not exceeding One Calendar Month ; and it shall be lawful for any Justice of the Peace to issue his Warrant to search for and seize to the Use of Her Majesty all the Clothing, Accoutrements, Appointments, and other Necessaries which shall not be so delivered over, wherever the same may be found.

**XVII Penalty for unlawful Possession of Accoutrements, or for assuming the Dress of Constables.**

And be it enacted, That every Person, not being a Constable of the Metropolitan Police Force, who shall have in his Possession any Article being Part of the Clothing, Accoutrements, or Appointments supplied to any such Constable, and who shall not be able satisfactorily to account for his Possession thereof, or who shall put on the Dress or take the Name, Designation, or Character of any Person appointed as such Constable, for the Purpose of thereby obtaining Admission into any House or other Place, or of doing or procuring to be done any Act which such Person would not be entitled to do or procure to be done of his own Authority, or for any other unlawful Purpose, shall, in addition to any other Punishment to which he may be liable for such Offence, be liable to a Penalty not more than Ten Pounds.

**XVIII Penalty for Assaults on Metropolitan Police.**

And be it enacted, That every Person who shall assault or resist any Person belonging to the Metropolitan Police Force in the Execution of his Duty, or who shall aid or incite any Person so to assault or resist, shall for every such Offence be liable to a Penalty not more than Five Pounds, or, in the Discretion of the Magistrate before whom he shall be convicted, may be imprisoned for any Time not more than One Calendar Month.

**XIX Employment in the Police not to prevent receiving Half Pay.**

And be it enacted, That no Office or Employment in the Metropolitan Police Force shall prevent the Holder thereof from receiving any Half Pay to which, if he did not hold such Office or Employment, he might be or become entitled.

**XX Increased Salary to the Commissioners of Police.**

And be it enacted, That, instead of the Salary heretofore payable to the said Commissioners of Police, it shall be lawful for Her Majesty to direct that a Salary not exceeding the Rate of Twelve hundred Pounds by the Year shall be paid quarterly to each of the said Commissioners out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

**XXI Commissioners, Surgeon, Receiver, and Clerks to be within 4 & 5 W.4 c.24.**

And be it declared and enacted, That the said Commissioners of Police, and also the Surgeon, Receiver, and Clerks employed in the Metropolitan Police Office, are within the Provisions of an Act passed in the Fifth Year of the Reign of His late Majesty, intituled An Act to alter, amend, and consolidate the Laws for regulating the Pensions, Compensations, and Allowances to be made to Persons in respect of their having held Civil Offices in His

Majesty's Service ; and that the Clerks and Officers who were appointed to the said Office in the Year One thousand eight hundred and twenty-nine shall be deemed to have been employed therein before the Fourth Day of August in that Year.

### **XXII Superannuation Fund to be provided for Constables.**

And be it enacted, That there shall be deducted from the Pay of every Constable belonging to the Metropolitan Police Force a Sum after such yearly Rate as the Secretary of State shall direct, not being a greater Rate than Two Pounds Ten Shillings in a Hundred Pounds, which Sum so deducted, and also the Monies accruing from Stoppages from any of the said Constables during Sickness, and Fines imposed on any of the said Constables for Misconduct, and from any Portion of the Fines imposed by any Magistrate upon drunken Persons, or for Assaults upon Police Constables, as shall be directed to be paid to the Receiver for the Benefit of this Fund, and all Monies arising from the Sale of worn or cast Clothing supplied for the Use of the Police, shall from Time to Time be invested in Government Stock by and in the Name of the Receiver, and the Interest and Dividends thereof, or so much of the same as shall not be required for the Purposes herein-after mentioned, shall be likewise invested in such Stock, and accumulate so as to form a Fund to be called " The Police Superannuation Fund," and shall be applied from Time to Time for Payment of such Superannuation or retiring Allowances or Gratuities as may be ordered by the Secretary of State at any Time to any of the said Constables as herein-after provided.

### **XXIII Rates of Allowance from the said Fund.**

And be it enacted, That it shall be lawful for the Secretary of State to order that any Of the said Constables maybe superannuated, and receive thereupon out of the Police; Superannuation Fund a yearly Allowance, subject to, the following Conditions, and not exceeding the following Proportions; that is to say, if he shall have served with Diligence and Fidelity for Fifteen Years, and less than Twenty Years, an annual Sum not more than Half his Pay; if for Twenty Years or upwards an annual Sum not more than Two Thirds of his Pay ; provided, that if he shall be under Sixty Years of Age it shall not be lawful to grant any such Allowance, unless upon the Certificate of the said Commissioners of Police that he is incapable, from Infirmary of Mind or Body, to discharge the Duties of his (Office; provided also, that if any Constable shall be disabled by any Wound or Injury received in the .actual Execution of the Duty of his Office, it shall be lawful to grant to him any Allowance not more than the whole of his Pay ; but nothing herein contained shall be construed to entitle any Constable absolutely to any Superannuation Allowance, or to prevent him from being dismissed without Superannuation Allowance.

### **XXIV Repeal of 2 G.3 c.28.**

And whereas it is expedient to amend and simplify the Laws now in force relating to Depredations committed on the River Thames, and in the Docks and Creeks adjacent thereto ; be it enacted, That from the passing of this Act an Act passed in the Second Year of the

Reign of King George the. Third, intituled An Act to prevent the committing of Thefts and Frauds by Persons navigating Bum-boats and other Boats upon the River Thames, shall be repealed.

**XXV Certain Boats subject to Provisions of 7 & 8 G.4 c.lxxv.**

And be it enacted, That from the First Day of August in the Year One thousand eight hundred and thiffy-nine every Person who shall use, work, or navigate any Boat whatsoever Upon the River Thames for the Purpose of selling, disposing of, or exposing for Sale to and amongst the Seamen or other Persons employed in and about any of the Ships or Vessels upon the said River any Liquors, Slops, or other Articles whatsoever, between London Bridge and Limehouse Hole, shall be deemed to keep such Boat for Gain, and shall be within all the Provisions of an Act passed in the Eighth Year of the Reign of His Majesty King George the Fourth, intituled An Act for the better Regulation of the Watermen and Lightermen on the River Thames between Yantlet Creek and Windsor, concerning Persons who keep, within the Limits of the said, Act, any Boat to be let out for Hire or Gain.

**XXVI Persons receiving Ship Stores from Seamen, &c.**

And be it enacted, That every Person who within the Metropolitan Police District shall knowingly take in exchange from any Seaman or other Person, not being the Owner or Master of any Vessel, any thing belonging to any Vessel lying In the River Thames or in any of the Docks or Creeks adjacent thereto, or any Part of the Cargo of any such Vessel, or any Stores or Articles in charge of the Owner or Master of any such Vessel, shall be deemed guilty of a Misdemeanor.

**XXVII Cutting Ropes, Cables, &c.**

And be it enacted, That every Person who shall unlawfully cut, damage, or destroy any of the Ropes, Cables, Cordage, Tackle, Headfasts, or other the Furniture of or belonging to any Ship, Boat, or Vessel lying in the River Thames or in any of the Docks or Creeks adjacent thereto, with Intent to steal or otherwise unlawfully obtain the same or any Part thereof, shall be deemed guilty of a Misdemeanor.

**XXVIII Wilfully letting fall Articles into the Thames or into a Boat, &c. with fraudulent Intention.**

And be it enacted, That it shall be lawful for any Constable to take into Custody every Person who, for the Purpose of preventing the Seizure or Discovery of any Materials, Furniture, Stores, or Merchandize belonging to or having been Part of the Cargo of any Ship, Boat, or Vessel lying in the River Thames or the Docks or Creeks adjacent thereto, or of any other Articles unlawfully obtained from any such Ship or Vessel, shall wilfully let fall or throw into

the River, or in any other Manner convey away from any Ship, Boat, or Vessel, Wharf, Quay, or Landing Place, any such Article, or who shall be accessory to any such Offence, and also to seize and detain any Boat in which such Person shall be found or out of which any Article shall be so let fall, thrown, or conveyed away ; and every such Person shall be deemed guilty of a Misdemeanor.

#### **XXIX Framing a false Bill of Parcels to escape Detection.**

And be it enacted, That every Person who, for the Purpose of protecting or preventing any thing whatsoever from being seized within the Metropolitan Police District on Suspicion of its being stolen or otherwise unlawfully obtained, or of preventing the same from being produced or made to serve as Evidence concerning any Felony or Misdemeanor committed or supposed to be committed within the Metropolitan Police District, shall frame or cause to be framed any Bill of Parcels containing any false Statement in regard to the Name or Abode of any alleged Vendor, the Quantity or Quality of any such Thing, the Place whence or the Conveyance by which the same was furnished, the Price agreed upon or charged for the same, or any other Particular, knowing such Statement to be false, or who shall fraudulently produce such Bill of Parcels knowing the same to have been fraudulently framed, shall be deemed guilty of a Misdemeanor.

#### **XXX Possessing Instruments for unlawfully procuring and carrying away Wine, &c.**

And be it enacted, That every Person who shall be found within the Metropolitan Police District in or upon any Canal, Dock, Warehouse, Wharf, Quay, or Bank, or on board any Ship or Vessel, having in his or her Possession any Tube or other Instrument for the Purpose of unlawfully obtaining any Wine, Spirits, or other Liquors, or having in his or her Possession any Skin, Bladder, or other Material or Utensil for the Purpose of unlawfully secreting or carrying away any such Wine, Spirits, or other Liquors, and any Person who shall attempt unlawfully to obtain any such Wine, Spirits, or other Liquors, shall be deemed guilty of a Misdemeanor.

#### **XXXI Piercing Casks, opening Packages, &c.**

And be it enacted, That every Person who shall, within the Metropolitan Police District, bore, pierce, break, cut open, or otherwise injure any Cask, Box, or Package containing Wine, Spirits, or other Liquors, on board any Ship, Boat, or Vessel, or in or upon any Warehouse, Wharf, Quay, or Bank, with Intent feloniously to steal or otherwise unlawfully obtain any Part of the Contents thereof, or who shall unlawfully drink or wilfully Spill or allow to run to waste any Part of the Contents thereof, shall be deemed guilty of a Misdemeanor.

### **XXXII Breaking Packages with Intent to spill Contents.**

And be it enacted, That every Person who shall, within the Metropolitan Police District, wilfully cause to be broken, pierced, started, cut, torn, or otherwise injured, any Cask, Chest, Bag, or other Package containing or prepared for containing any Goods while on board of any Barge, Lighter, or other Craft lying in the said River, or any Dock, Creek, Quay, Wharf, or Landing Place adjacent to the same, or in the Way to or from any Warehouse, with Intent that the Contents of such Package or any Part thereof may be spilled or dropped from such Package, shall be deemed guilty of a Misdemeanor.

### **XXXIII Superintendents and Inspectors may board Vessels.**

And be it enacted, That any Superintendent or Inspector belonging to the Metropolitan Police Force shall have Power, by virtue of his Office, to enter at all Times, with such Constables as he shall think necessary, as well by Night as by Day, into and upon every Ship, Boat, or other Vessel (not being then actually employed in Her Majesty's Service) lying in the said River or Creeks, or in any Dock or Docks thereto adjacent, and into every Part of every such Vessel, for the Purpose of inspecting and upon Occasion directing the Conduct of any Constable who may be stationed on board of any such Vessel, and of inspecting and observing the Conduct of all other Persons who shall be employed on board of any such Vessel in or about the lading or unlading thereof, as the Case may be, and for the Purpose of taking all such Measures as may be necessary for providing against Fire and other Accidents, and preserving Peace and good Order on board of any such Vessel, and for the effectual Prevention or Detection of any Felonies or Misdemeanors.

### **XXXIV Superintendent, &c. having just Cause to suspect Felony-may enter on board Vessels and take up suspected Persons.**

And be it enacted, That it shall be lawful for every Superintendent, Inspector, or Serjeant belonging to the Metropolitan Police Force having just cause to suspect that any Felony has been or is about to be committed in or on board of any Ship, Boat, or other Vessel lying in the said River, Docks, or Creeks, to enter at all Times, as well by Night as by Day, into and upon every such Ship, Boat, or other Vessel, and therein to take all necessary Measures for the effectual Prevention or Detection of all Felonies which he has just Cause to suspect to have been or to be about to be committed in or upon the said River, Docks, or Creeks, and to take into Custody all Persons suspected of being concerned in such Felonies, and also to take charge of all Property so suspected to be stolen.

### **XXXV Unlawful Quantities of Gunpowder may be seized.**

And be it enacted, That it shall be lawful for every Superintendent or Inspector belonging to the Metropolitan Police Force, with such Constables as he shall think necessary, at any Time between Sun-rising and Sun-setting, to enter any Snip, Boat, or Vessel (except Her Majesty's Ships) in the said River, Docks, and Creeks, and to search the same for unlawful Quantities

of Gunpowder, and also to exercise the same Powers of seizing, removing to proper Places, and detaining all such unlawful Quantities of Gunpowder found on board any such Ship, Boat, or Vessel, and the Barrels or other Packages in which such Gunpowder shall be, as are given to Persons searching for unlawful Quantities of Gunpowder under the Warrant of a Justice by virtue of an Act passed in the Twelfth Year of the Reign of King George the Third, intituled An Act to regulate the making, keeping, and Carriage of Gunpowder within Great Britain, and to repeal the Laws heretofore made for arm of those Purposes.

**XXXVI Penalty for having on board Guns loaded with Ball, or discharging Guns in the Night.**

And be it enacted, That every Master or Commander or other Officer of any Ship, Boat, or Vessel (except Her Majesty's Ships) who, while such Ship or Vessel shall lie or be in the River Thames between Westminster Bridge and Blackmail, keep any Gun on board such Ship, Boat, or Vessel shotted or loaded with Ball, or cause or permit to be fired any Gun on board such Ship, Boat, or Vessel before Sun-rising or after Sun-setting, shall be liable for every Gun so kept shotted or loaded to a Penalty of Five Shillings, and for every Gun so fired shall be liable to a Penalty of Ten Shillings.

**XXXVII Penalty for heating combustible Matters on board of Vessels.**

And be it enacted, That every Master or Commander or other Officer of any such Ship, Boat, or Vessel, or any other Person on board of the same, who, while such Ship, Boat, or Vessel shall lie in the said River between Westminster Bridge and Blackmail, shall heat or melt, or cause or permit to be heated or melted, on board such Ship, Boat, or Vessel, any Pitch, Tar, Rosin, Grease, Tallow, Oil, or other combustible Matter, shall for every such Offence be liable to a Penalty not more than Five Pounds.

**XXXVIII Penalty on keeping Fairs open within forbidden Hours.**

And be it enacted, That the Business and Amusements of all Fairs holden within the Metropolitan Police District shall cease at the Hour of Eleven in the Evening, and shall not begin earlier than the Hour of Six in the Morning ; and that if any House, Room, Booth, Standing, Tent, Caravan, Waggon, or other Place shall, during the Continuance of any such Fair, be open within the Hours of Eleven in the Evening and Six in the Morning, for any Purpose of Business or Amusement, in the Place where such Fair shall be holden, it shall be lawful for any Constable to take into Custody the Person having the Care or Management thereof, and also every Person being therein who shall not quit the same forthwith upon being bidden by such Constable so to do ; and the Person so then having the Care or Management of any such House, Room, Booth, Standing, Tent, Caravan, Waggon, or other Place shall be liable to a Penalty not more than Five Pounds, and every Person convicted of having been therein, and of not having quitted the same forthwith upon being bidden by a Constable so to do, shall be liable to a Penalty not more than Forty Shillings.

**XXXIX Fairs within the Metropolitan Police District may be inquired into.**

And be it enacted, That if it shall appear to the Commissioners of Police that any Fair usually holden within the Metropolitan Police District has been holden without lawful Authority, or that any Fair lawfully holden within the said District has been usually holden for a longer Period than is so warranted, it shall be competent to such Commissioners to direct one of the Superintendents belonging to the Metropolitan Police Force to summon the Owner or Occupier of the Ground upon which such Fair is usually holden to appear before a Magistrate at a Time and Place to be specified in the Summons, not less than Eight Days after the Service of the Summons, to show his Right and Title to hold such Fair, or to hold such Fair beyond a given Period (as the Case may be) ; and if such Owner or Occupier shall not attend in pursuance of such Summons, or shall not show to the Magistrate who shall hear the Case sufficient Cause to believe that such Fair has been lawfully holden for the whole Period during which the same has been usually holden, the Magistrate shall declare in Writing such Fair to be unlawful, either altogether or beyond a stated Period (as the Case may be) ; and the Commissioners shall give Notice of such Declaration by causing Copies thereof to be affixed on the Parish Church and on other public Places in and near the Ground where such Fair has been usually holden ; and if, after such Notices have been affixed for the Space of Six Days, any Attempt shall be made to hold such Fair if it shall be declared altogether unlawful, or to hold it beyond the prescribed Period if it shall be declared unlawful beyond a certain Period, the Commissioners of Police may direct any Constable to remove every Booth, Standing, and Tent, and every Carriage of whatsoever Kind conveyed to or being upon the Ground for the Purpose of holding or continuing such Fair, and to take into Custody every Person erecting, pitching, or fixing, or assisting to erect, pitch, or fix, any such Booth, Standing, or Tent, and every Person driving, accompanying, or conveyed in every such Carriage, and every Person resorting to such Ground with any Show or Instrument of Gambling or Amusement; and every Person convicted before a Magistrate of any of the Offences last aforesaid shall be liable to a Penalty not more than Ten Pounds.

**XL On entering into Recognizance, Question as to Right of Title to Fair may be tried in the Queen's Bench.**

Provided nevertheless, and be it enacted, That if the Owner or Occupier of the Ground whereon any such Fair has been usually holden shall, when summoned before the Magistrate, enter into a Recognizance in the penal Sum of Two hundred Pounds (which Recognizance such Magistrate is hereby authorized to take) with Condition to appear in the Court of Queen's Bench on the First Day of the then next Term and to answer to any Information which Her Majesty's Attorney or Solicitor General may exhibit against such Owner or Occupier touching his Right and Title to such Fair, and to abide the Judgment of the Court thereon, and to pay such Costs as may be awarded by the Court, which Costs the said Court is hereby authorized to award, then, notwithstanding the Magistrate may have declared such Fair to be unlawful, the Commissioners of Police shall forbear from giving Notice of such Declaration, and from taking any further Measures thereon, until Judgment shall be given by the said Court against the Right and Title to such Fair ; and the Magistrate taking such Recognizance shall forthwith transmit the same to One of Her Majesty's Principal Secretaries

of State, to the end that the same may be filed in the said Court, and such further Directions may be given thereon as to such Secretary of State may seem fit.

**XLI Freeman of Vintners Company subject to certain Provisions.**

And be it declared and enacted, That after the passing of this Act every Person who by reason of his or her Freedom of the Mystery or Craft of Vintners of the City of London, or of any Right or Privilege of such Mystery, shall claim to be entitled to sell Foreign Wine by Retail, to be drunk or consumed on the Premises within the Metropolitan Police District, without Licence, shall be subject to all the Provisions of all Acts made for the Regulation of Persons so licensed (except those Provisions which require or refer to the taking out of a Licence either from any Justice of the Peace or from the Commissioners of Excise), and, in the Case of any Offence committed by him or her against the Tenor of the Licence granted under the Provisions of any Act for the Sale of exciseable Liquors by retail to be drunk or consumed on the Premises, shall be liable to be dealt with, proceeded against, and punished in like Manner as if selling Wine by Licence and not by virtue of such Claim or Privilege.

**XLII Public Houses to be shut on the Mornings of Sundays, &c.**

And be it enacted, That no Licensed Victualler or other Person shall open his House within the Metropolitan Police District for the Sale of Wine, Spirits, Beer, or other fermented or distilled Liquors on Sundays, Christmas Day, and Good Friday before the Hour of One in the Afternoon, except Refreshment for Travellers.

**XLIII Publicans prohibited from supplying Liquors to Persons under Sixteen Years of Age.**

And be it enacted, That every Person licensed to deal in exciseable Liquors within the said District who shall knowingly supply any Sort of distilled exciseable Liquor to any Boy or Girl apparently under the Age of Sixteen Years, to be drunk upon the Premises, shall be liable to a Penalty not more than Twenty Shillings, and upon Conviction of a Second Offence shall be liable to a Penalty not more than Forty Shillings, and upon Conviction of a Third Offence shall be liable to a Penalty not more than Five Pounds.

**XLIV Regulations of 9 G.4 c.61 respecting Public Houses to extend to other Houses of public Resort.**

And whereas it is expedient that the Provisions made by Law for preventing disorderly Conduct in the Houses of Licensed Victuallers be extended to other Houses of public Resort; be it enacted, That every Person who shall have or keep any House, Shop, Room, or Place of public Resort within the Metropolitan Police District, wherein Provisions, Liquors, or Refreshments of any Kind shall be sold or consumed, (whether the same shall be kept or

retailed therein or procured elsewhere,) and who shall wilfully or knowingly permit Drunkenness or other disorderly Conduct in such House, Shop, Room, or Place, or knowingly suffer any unlawful Games or any Gaming whatsoever therein, or knowingly permit or suffer Prostitutes or Persons of notoriously bad Character to meet together and remain therein, shall for every such Offence be liable to a Penalty of not more than Five Pounds ; Provided always, that if the Offender be a Licensed Victualler, or licensed to sell Beer by Retail to be drunk on the Premises, this Enactment shall not be construed to exempt him from the Penalties or penal Consequences to which he may be liable for committing an Offence against the Tenor of the Licence to him granted.

#### **XLV Penalty on Keepers of Cook Shops, &c., making internal Communication with an adjoining Public House.**

And be it enacted, That every Person who shall make or use or allow to be made or used any internal Communication between any House, Shop, Room, or Place of public Resort not licensed for the Sale of Wine, Spirits, Beer, or other exciseable Articles within the said District, and any House, Shop, Room, or Place licensed for the Sale of Wine, Spirits, Beer, or other exciseable Articles, or in which Wine is sold by a Free Vintner, shall be liable to a Penalty not more than Ten Pounds for every Day that such Communication shall be open.

#### **XLVI Power to enter unlicensed Theatres, and take away Persons found there.**

And be it enacted, That it shall be lawful for the said Commissioners of Police, by Order in Writing, to authorize any Superintendent belonging to the Metropolitan Police, with such Constables as he may think necessary, to enter into any House or Room kept or used within the said District for Stageplays or Dramatic Entertainments into which Admission is obtained by Payment of Money, and which is not a licensed Theatre, at any Time when the same shall be open for the Reception of Persons resorting thereto, and to take into Custody all Persons who shall be found therein without lawful Excuse ; and every Person keeping, using, or knowingly letting any House or other Tenement for the Purpose of being used as an unlicensed Theatre shall be liable to a Penalty not more than Twenty Pounds, or in the Discretion of the Magistrate may be committed to the House of Correction, with or without hard Labour, for a Time not more than Two Calendar Months; and every Person performing or being therein without lawful Excuse shall be liable to a Penalty not more than Forty Shillings, and a Conviction under this Act for this Offence shall not exempt the Owner, Keeper, or Manager of any such House, Room, or Tenement from any Penalty or penal Consequences to which he may be liable for keeping a disorderly House, or for the Nuisance thereby occasioned.

#### **XLVII Places used for Bear-baiting, Cock-fighting, &c.**

And be it enacted, That every Person who within the Metropolitan Police District shall keep or use, or act in the Management of any House, Room, Pit, or other Place for the Purpose of fighting or baiting Lions, Bears, Badgers, Cocks, Dogs, or other Animals, shall be liable to a

Penalty not more than Five Pounds, or in the Discretion of the Magistrate may be committed to the House of Correction, with or without hard Labour, for a Time not more than One Calendar Month ; and it shall be lawful for the Commissioners of Police, by Order in Writing, to authorize any Superintendent belonging to the Metropolitan Police Force, with such Constables as he shall think necessary, to enter any Premises kept or used for any of the Purposes aforesaid, and take into Custody all Persons who shall be found therein without lawful Excuse, and every Person so found shall be liable to a Penalty not more than Five Shillings, and a Conviction under this Act of this Offence shall not exempt the Owner, Keeper, or Manager of any such House, Room, Pit, or Place from any Penalty or penal Consequence to which he may be liable for the Nuisance thereby occasioned.

#### **XLVIII Commissioners empowered to authorize Superintendents of Police to enter Gaming Houses.**

And be it enacted, That if any Superintendent belonging to the Metropolitan Police Force shall report in Writing to the said Commissioners that there are good Grounds for believing any House or Room, within the Metropolitan Police District, to be kept or used as a common Gaming House, and if Two or more Householders dwelling within the said District, and not belonging to the Metropolitan Police Force, shall make Oath in Writing to be by them taken and subscribed before a Magistrate, and annexed to the said Report, which Oath every Magistrate is hereby empowered to administer and receive, that the Premises complained of by the Superintendent are commonly reported and are believed by the Deponents to be kept or used as a common Gaming House, it shall be lawful for the Commissioners, by Order in Writing, to authorize the Superintendent to enter any such House or Room, with such Constables as shall be directed by the Commissioners to accompany him, and, if necessary, to use Force for the Purpose of effecting such Entry, whether by breaking open Doors or otherwise, and to take into Custody all Persons who shall be found therein, and to seize and destroy all Tables and Instruments of gaming found in such House or Premises, and also to seize all Monies and Securities for Money found therein ; and the Owner or Keeper of the said Gaming House, or other Person having the Care and Management thereof and also every Banker, Croupier, and other Person who shall act in any Manner in conducting the said Gaming House, shall be liable to a Penalty not more than One hundred Pounds, or, in the Discretion of the Magistrate before whom he shall be convicted of the Offence, may be committed to the House of Correction, with or without hard Labour, for a Time not more than Six Calendar Months ; and upon Conviction of any such Offender all the Monies and Securities for Monies which shall have been seized as aforesaid shall be paid to the said Receiver, to be by him applied towards defraying the Charge of the Police of the Metropolis; and every Person found in such Premises without lawful Excuse shall be liable to a Penalty not more than Five Pounds : Provided always, that nothing herein contained shall prevent any Proceeding by Indictment against the Owner or Keeper or other Person having the Care or Management of any Gaming House ; but no Person shall be proceeded against by Indictment and also under this Act for the same Offence.

**XLIX Proof of gaming for Money, &c. not necessary in support of Informations for gaming.**

And be it enacted, That it shall not be necessary, in support of any Information for gaming in, or suffering any Games or gaming in, or for keeping or using or being concerned in the Management or Conduct of a common Gaming House, under this Act, to prove that any Person found playing at any Game was playing for any Money, Wager, or Stake.

**L Penalty on Pawnbrokers receiving Pledges from Persons under the Age of 16.**

And be it enacted, That after the passing of this Act every Pawnbroker within the Metropolitan Police District, and every Agent or Servant employed by any such Pawnbroker, who shall purchase or receive or take any Goods or Chattels in Pawn or Pledge of or from any Person apparently under the Age of Sixteen Years shall be liable to a Penalty not more than Five Pounds.

**LI Empowering the Commissioners of Police to regulate the Route and Conduct of Persons driving Stage Carriages, Cattle, &c. during the Hours of Divine Service.**

And be it enacted, That on the Application of the Minister or Churchwardens of any Church, Chapel, or other Place of public Worship within the Metropolitan Police District to the Commissioners of Police, it shall be lawful for the said Commissioners to make Orders for regulating the Route and Conduct of Persons who shall drive any Cart or Carriage, or who shall drive any Cattle, Sheep, Pigs, or other Animals, within such Parish or Place during the Hours of Divine Service on Sunday, Christmas Day, Good Friday, or any Day appointed for a public Fast or Thanksgiving, and any Orders which shall be so made shall be printed and affixed on or near the Church, Chapel, or Place of public Worship to which the same shall refer, and in some conspicuous Places leading to and contiguous thereto, and elsewhere, as the Commissioners of Police shall direct; and every Breach of any such Order shall be deemed a separate Offence.

**LII Regulations for preventing Obstructions in the Streets during Public Processions, &c.**

And be it enacted, That it shall be lawful for the Commissioners of Police from Time to Time, and as Occasion shall require, to make Regulations for the Route to be observed by all Carts, Carriages, Horses, and Persons, and for preventing Obstruction of the Streets and Thoroughfares within the Metropolitan Police District, in all Times of public Processions, public Rejoicings, or Illuminations, and also to give Directions to the Constables for keeping Order and for preventing any Obstruction of the Thoroughfares in the immediate Neighbourhood of Her Majesty's Palaces and the Public Offices, the High Court of Parliament, the Courts of Law and Equity, the Police Courts, the Theatres, and other Places of public Resort, and in any Case when the Streets or Thoroughfares may be thronged or may be liable to be obstructed.

### **LIII Proprietors of Stage Carriages not liable to Penalties for deviating from Route.**

And be it enacted, That no Proprietor of any Stage Carriage duly licensed to carry Passengers for Hire shall be liable to any Penalty for any Deviation from the Route or Line of Route specified in his Licence, which the Driver of Such Stage Carriage shall make by virtue of any Regulation or Direction made or given by the Commissioners of Police.

### **LIV Prohibition of Nuisances by Persons in the Thoroughfares.**

And be it enacted, That every Person shall be liable to a Penalty not more than Forty Shillings, who, within the Limits of the Metropolitan Police District, shall, in any Thoroughfare or public Place, commit any of the following Offences ; (that is to say,)

1. Every Person who shall, to the Annoyance of the Inhabitants or Passengers, expose for Show or Sale (except in a Market lawfully appointed for that Purpose,) or feed or fodder any Horse or other Animal, or show any Caravan containing any Animal, or any other Show or public Entertainment, or shoe, bleed, or farry any Horse or Animal, (except in Cases of Accident,) or clean, dress, exercise, train, or break any Horse or Animal, or clean, make, or repair any Part of any Cart or Carriage, except in Cases of Accident where Repair on the Spot is necessary:
2. Every Person who shall turn loose any Horse or Cattle, or suffer to be at large any unmuzzled ferocious Dog, or set on or urge any Dog or other Animal to attack, worry, or put in fear any Person, Horse, or other Animal:
3. Every Person who by Negligence or Ill-usage in driving Cattle shall cause any Mischief to be done by such Cattle, or who shall in anywise misbehave himself in the driving, Care, or Management of such Cattle, and also every Person not being hired or employed to drive such Cattle who shall wantonly and unlawfully pelt, drive, or hunt any such Cattle :
4. Every Person having the Care of any Cart or Carriage who shall ride on any Part thereof, on the Shafts, or on any Horse or other Animal drawing the same, without having and holding the Reins, or who shall be at such a Distance from such Cart or Carriage as not to have the complete Control over every Horse or other Animal drawing the same:
5. Every Person who shall ride or drive furiously, or so as to endanger the Life or Limb of any Person, or to the common Danger of the Passengers in any Thoroughfare :
6. Every Person who shall cause any Cart, public Carriage, Sledge, Truck, or Barrow, with or without Horses, to stand longer than may be necessary for loading or unloading, or for taking up or setting down Passengers, except Hackney Carriages standing for Hire in any Place not forbidden by Law, or who by means of any Cart, Carriage, Sledge, Truck, or Barrow, or any Horse or other Animal, shall wilfully interrupt any public Crossing, or wilfully cause any Obstruction in any Thoroughfare;
7. Every Person who shall lead or ride any Horse or other Animal, or draw or drive any Cart or Carriage, Sledge, Truck, or Barrow, upon any Footway or Curbstone, or fasten any Horse or other Animal so that it can stand across or upon any Footway:

8. Every Person who shall roll or carry any Cask, Tub, Hoop, or Wheel, or any Ladder, Plank, Pole, Showboard, or Placard, upon any Footway, except for the Purpose of loading or unloading any Cart or Carriage, or of crossing the Footway:

9. Every Person who, after being made acquainted with the Regulations or Directions which the Commissioners of Police shall have made for regulating the Route of Horses, Carts, Carriages, and Persons during the Time of Divine Service, and for preventing Obstructions during public Processions, and on other Occasions herein-before specified, shall wilfully disregard or not conform himself thereunto:

10. Every Person who, without the Consent of the Owner or Occupier, shall affix any Posting Bill or other Paper against or upon any Building, Wall, Fence, or Pale, or write upon, soil, deface, or mark any such Building, Wall, Fence, or Pale with Chalk or Paint, or in any other Way whatsoever, or wilfully break, destroy, or damage any Part of any such Building, Wall, Fence, or Pale, or any Fixture or Appendage thereunto, or any Tree, Shrub, or Seat in any public Walk, Park, or Garden:

11. Every common Prostitute or Nightwalker loitering or being in any Thoroughfare or public Place for the Purpose of Prostitution or Solicitation to the Annoyance of the Inhabitants or Passengers:

12. Every Person who shall sell or distribute or offer for Sale or Distribution, or exhibit to public View, any profane, indecent, or obscene Book, Paper, Print, Drawing, Painting, or Representation, or sing any profane, indecent, or obscene Song or Ballad, or write or draw any indecent or obscene Word, Figure, or Representation, or use any profane, indecent, or obscene Language to the Annoyance of the Inhabitants or Passengers :

13. Every Person who shall use any threatening, abusive, or insulting Words or Behaviour with Intent to provoke a Breach of the Peace, or whereby a Breach of the Peace may be occasioned:

14. Every Person, except the Guards and Postmen belonging to Her Majesty's Post Office in the Performance of their Duty, who shall blow any Horn or use any other noisy Instrument, for the Purpose of calling Persons together, or of announcing any Show or Entertainment, or for the Purpose of hawking, selling, distributing, or collecting any Article whatsoever, or of obtaining Money or Alms

15. Every Person who shall wantonly discharge any Fire-arm, or throw or discharge any Stone or other Missile, to the Damage or Danger of any Person, or make any Bonfire, or throw or set fire to any Firework :

16. Every Person who shall wilfully and wantonly disturb any Inhabitant by pulling or ringing any Door-bell or knocking at any Door without lawful Excuse, or who shall wilfully and unlawfully extinguish the Light of any Lamp :

17. Every Person who shall fly any Kite or play at any Game to the Annoyance of the Inhabitants or Passengers, or who shall make or use any Slide upon Ice or Snow in any Street or other Thoroughfare, to the common Danger of the Passengers. And it shall be lawful for any Constable belonging to the Metropolitan Police Force to take into Custody, without Warrant, any Person who shall commit any such Offence within View of any such Constable.

**LV Cannon, &c. not to be fired near Dwelling Houses.**

And be it enacted, That no Person other than Persons acting in obedience to lawful Authority shall discharge any Cannon or other Fire-arm of greater Calibre than a common Fowling Piece within Three hundred Yards of any Dwelling House within the said District to the Annoyance of any Inhabitant thereof, and every Person who after being warned of the Annoyance by any Inhabitant shall discharge any such Fire-arm shall be liable to a Penalty not more than Five Pounds.

**LVI Dog Carts, &c. prohibited after 1st January 1840.**

And be it enacted, That after the First Day of January next every Person who within the Metropolitan Police District shall use any Dog for the Purpose of drawing or helping to draw any Cart, Carriage, Truck, or Barrow shall be liable to a Penalty not more than Forty Shillings for the First Offence, and not more than Five Pounds for the Second or any following Offence.

**LVII Street Musicians to depart when desired so to do.**

And be it enacted, That it shall be lawful for any Householder within the Metropolitan Police District, personally, or by his Servant, or by any Police Constable, to require any Street Musician to depart from the Neighbourhood of the House of such Householder on account of the Illness of any Inmate of such House, or for other reasonable Cause, and every Person who shall sound or play upon any Musical Instrument in any Thoroughfare near any House after being so required to depart shall be liable to a Penalty not more than Forty Shillings.

**LVIII Drunkards guilty of riotous or indecent Behaviour may be imprisoned.**

And be it enacted, That every Person who shall be found drunk in any Street or public Thoroughfare within the said District, and who while drunk shall be guilty of any riotous or indecent Behaviour, and also every Person who shall be guilty of any violent or indecent Behaviour in any Police Station House, shall be liable to a Penalty of not more than Forty Shillings for every such Offence, or may be committed, if the Magistrate before whom he shall be convicted shall think fit, instead of inflicting on him any pecuniary Penalty, to the House of Correction for any Time not more than Seven Days.

**LIX Persons using Carriages with-out Driver's Consent liable to Penalty.**

And be it enacted, That every Person who shall ride upon or cause himself to be carried or drawn by any Carriage within the Metropolitan Police District without the Consent of the Owner or Driver thereof, shall be liable to a Penalty not more than Five Shillings, or if a Child apparently under the Age of Twelve Years it shall be lawful for the Magistrate to cause

such Child to be detained until his Parent or Guardian can attend for the Purpose of having such Child delivered into his Care, and if such Parent or Guardian do not so attend before the closing of the Police Court for the Day it shall be lawful for the Magistrate to order such Child to be discharged.

### **LX Prohibition of other Nuisances.**

And be it enacted, That every Person who, in any Street or public Place within the Limits of the Metropolitan Police District, shall be guilty of any of the following Offences, shall be liable to a Penalty not more than Forty Shillings for every such Offence ; (that is to say,) 1. Every Person who in any Thoroughfare shall burn, dress, or cleanse any Cork, or hoop, cleanse, fire, wash, or scald any Cask or Tub, or hew, saw, bore, or cut any Timber or Stone, or slack, sift, or screen any Lime:

2. Every Person who shall throw or lay in any Thoroughfare any Coals, Stones, Slates, Shells, Lime, Bricks, Timber, Iron, or other Materials (except Building Materials, or Rubbish thereby occasioned, which shall be placed or inclosed so as to prevent any Mischief happening to Passengers) :

3. Every Person who in any Thoroughfare shall beat or shake any Carpet, Rug, or Mat (except Door Mats before the Hour of Eight in the Morning), or throw or lay any Dirt, Litter, or Ashes, or any Carrion, Fish, Offal, or Rubbish, or throw or cause any such Thing to fall into any Sewer, Pipe, or Drain, or into any Well, Stream, or Watercourse, Pond or Reservoir for Water, or cause any offensive Matter to run from any Manufactory, Brewery, Slaughterhouse, Butcher's Shop, or Dunghill, into any Thoroughfare, or any uncovered Place, whether or not surrounded by a Wall or Fence; but it shall not be deemed an Offence to lay Sand or other Materials in any Thoroughfare in Time of Frost to prevent Accidents, or Litter or other Materials to prevent the freezing of Water in Pipes, or in case of Sickness to prevent Noise, if the Party laying any such Things shall cause them to be removed as soon as the Occasion for them shall cease:

4. Every Person who shall empty or begin to empty any Privy between the Hours of Six in the Morning and Twelve at Night, or remove along any Thoroughfare any Night Soil, Soap Lees, Ammoniacal Liquor, or other such offensive Matter, between the Hours of Six in the Morning and Eight in the Evening, or who shall at any Time use for any such Purpose any Cart or Carriage not having a proper Covering, or who shall wilfully or carelessly slop or spill any such offensive Matter in the Removal thereof, or who shall not carefully sweep and clean every Place in which any such offensive Matter shall have been placed, slopped, or spilled ; and in default of the Apprehension of the actual Offender the Owner of the Cart or Carriage employed for any such Purpose shall be deemed to be the Offender: Provided always, that this Enactment shall not be construed to prevent the Commissioners of any Sewers within the Metropolitan Police District, or any Person acting in their Service or by their Direction, from emptying or removing along any Thoroughfare at any Time the Contents of any Sewer which they are authorized to cleanse or empty :

5. Every Person who shall keep any Pigstye to the Front of any Street or Road in any Town within the said District, not being shut out from such Street or Road by a sufficient Wall or

Fence, or who shall keep any Swine in or near any Street, or in any Dwelling, so as to be a common Nuisance :

6. Every Occupier of a House or other Tenement in any Town within the said District who shall not keep sufficiently swept and cleansed all Footways and Watercourses adjoining to the Premises occupied by him ; and if any Tenement be empty or unoccupied the Owner thereof shall be deemed the Occupier with reference to this Enactment:

7. Every Person who shall expose any thing for Sale in any Park or public Garden, unless with the Consent of the Owner or other Person authorized to give such Consent, or upon or so as to hang over any Carriageway or Footway, or on the Outside of any House or Shop, or who shall set up or continue any Pole, Blind, Awning, Line, or any other Projection from any Window, Parapet, or other Part of any House, Shop, or other Building, so as to cause any Annoyance or Obstruction in any Thoroughfare :

8. Every Person who, to the Danger of Passengers in any Thoroughfare, shall leave open any Vault or Cellar, or the Entrance from any Thoroughfare to any Cellar or Room underground, without a sufficient Fence or Handrail, or leave defective the Door, Window, or other Covering of any Vault or Cellar, or who shall not sufficiently fence any Area, Pit, or Sewer left open in or adjoining to any Thoroughfare, or who shall leave such open Area, Pit, or Sewer without a sufficient Light after Sunset to warn and prevent Persons from falling thereinto.

#### **LXI Mad Dogs, &c.**

And be it enacted, That it shall be lawful for any Constable belonging to the Metropolitan Police Force to destroy any Dog or other Animal reasonably suspected to be in a rabid State, or which has been bitten by any Dog or Animal reasonably suspected to be in a rabid State; and the Owner of any such Dog or Animal who shall permit the same to go at large after having Information or reasonable Ground for believing it to be in a rabid State, or to have been bitten by any Dog or other Animal in a rabid State, shall be liable to a Penalty not more than Five Pounds.

#### **LXII Compensation for Hurt or Damage not exceeding 10l.**

And be it enacted, That every Person who, by committing any Offence herein forbidden within the said District, shall have caused any Hurt or Damage to any Person or Property, may be apprehended, with or without any Warrant, by any Constable, and if he shall not, upon Demand, make Amends for such Hurt or Damage to the Satisfaction of the Person aggrieved, he shall be detained by the Constable in order to be taken before a Magistrate, and upon Conviction shall pay such a Sum, not more than Ten Pounds, as shall appear to the Magistrate before whom he shall be convicted to be reasonable Amends to the Person aggrieved, besides any Penalty to which he may be liable for the Offence, and the Evidence of the Person aggrieved shall be admitted in Proof of the Offence: Provided always, that if the Person aggrieved shall have been the only Witness examined in Proof of the Offence the Sum ordered as Amends shall be paid and applied in the same Manner as a Penalty.

**LXIII Constables may apprehend any Offender whose Name and Residence is not known.**

And be it enacted, That it shall be lawful for any Constable belonging to the Metropolitan Police District, and for all Persons whom he shall call to his Assistance, to take into Custody, without a Warrant, any Person who within View of any such Constable shall offend in any Manner against this Act, and whose Name and Residence shall be unknown to such Constable, and cannot be ascertained by such Constable.

**LXIV Constables may apprehend without Warrant in certain Cases.**

And be it enacted, That it shall be lawful for any Constable belonging to the Metropolitan Police to take into Custody, without a Warrant, all loose, idle, and disorderly Persons whom he shall find disturbing the public Peace, or whom he shall have good Cause to suspect or having committed or being about to commit any Felony, Misdemeanor, or Breach of the Peace, and all Persons whom he shall find between Sunset and the Hour of Eight in the Morning lying or loitering in any Highway, Yard, or other Place, and not giving a satisfactory Account of themselves.

**LXV Persons charged with recent Assaults may be apprehended without Warrant.**

And be it enacted, That it shall be lawful for any Constable belonging to the Metropolitan Police Force to take into Custody, without Warrant, any Person who within the Limits of the Metropolitan Police District shall be charged by any other Person with committing any aggravated Assault, in every Case in which such Constable shall have good Reason to believe that such Assault has been committed, although not within View of such Constable, and that by reason of the recent Commission of the Offence a Warrant could not have been obtained for the Apprehension of the Offender.

**LXVI Power to Police Constables and Persons aggrieved to apprehend certain Offenders.**

And be it enacted, That any Person found committing any Offence punishable either upon Indictment or as a Misdemeanor upon summary Conviction, by virtue of this Act, may be taken into Custody without a Warrant by any Constable, or may be apprehended by the Owner of the Property on or with respect to which the Offence shall be committed, or by his Servant or any Person authorized by him, and may be detained until he can be delivered into the Custody of a Constable to be dealt with according to Law ; and every such Constable may also stop, search, and detain any Vessel, Boat, Cart, or Carriage in or upon which there shall be Reason to suspect that any thing stolen or unlawfully obtained may be found, and also any Person who may be reasonably suspected of having or conveying in any Manner any thing stolen or unlawfully obtained ; and any Person to whom any Property shall be offered to

be sold, pawned, or delivered, if he shall have reasonable Cause to suspect that any such Offence has been committed with respect to such Property, or that the same or any Part thereof has been stolen or otherwise unlawfully obtained, is hereby authorized, and if in his Power is required, to apprehend and detain, and as soon as may be to deliver such Offender into the Custody of a Constable, together with such Property, to be dealt with according to Law.

#### **LXVII Removing Furniture to evade Rent.**

And be it enacted, That it shall be lawful for any Constable to stop and detain, until due Inquiry can be made, all Carts and Carriages which he shall find employed in removing the Furniture of any House or Lodging between the Hours of Eight in the Evening and Six in the following Morning, or whenever the Constable shall have good Grounds for believing that such Removal is made for the Purpose of evading the Payment of Rent.

#### **LXVIII Horses, Carriages, &c. of Offenders may be detained.**

And be it enacted, That whenever any Person having Charge of any Horse, Cart, Carriage, or Boat, or any other Animal or Thing, shall be taken into the Custody of any Constable under the Provisions of this Act, it shall be lawful for any Constable to take charge of such Horse, Cart, Carriage, or Boat, or such other Animal or Thing, and to deposit the same in some Place of safe Custody, as a Security for Payment of any Penalty to which the Person having had Charge thereof may become liable, and for Payment of any Expences which may have been necessarily incurred for taking charge of and keeping the same; and it shall be lawful for any Magistrate before whom the Case shall have been heard to order such Horse, Cart, Carriage, or Boat, or such other Animal or Thing, to be sold, for the Purpose of satisfying such Penalty, and reasonable Expences in default of Payment thereof, in like Manner as if the same had been subject to be distrained, and had been distrained for the Payment of such Penalty and reasonable Expences.

#### **LXIX Persons apprehended without Warrant to be taken to the Station House.**

And be it enacted, That every Person taken into Custody by any Constable belonging to the Metropolitan Police, without Warrant, except Persons detained for the mere Purpose of ascertaining their Name or Residence, shall be forthwith delivered into the Custody of the Constable in charge of the nearest Station House, in order that such Person may be secured until he can be brought before a Magistrate, to be dealt with according to Law, or may give Bail for his Appearance before a Magistrate, if the Constable in charge shall deem it prudent to take Bail in the Manner herein-after mentioned.

### **LXX Power to take Recognizances at Station Houses on petty Charges.**

And be it enacted, That whenever any Person charged with any Offence of which he is liable to be summarily convicted before a Magistrate, or with having carelessly done any Hurt or Damage, shall be, without the Warrant of a Magistrate, in the Custody of any Constable of the Metropolitan Police in charge of any Station House during the Time when the Police Courts shall be shut, it shall be lawful for such Constable, if he shall deem it prudent, to take the Recognizance of such Person, with or without Sureties, conditioned as herein-after mentioned.

### **LXXI Power to bind over Persons making Charges.**

And be it enacted, That whenever any Person charged with any Felony, or any Misdemeanor punishable by Transportation, or other grave Misdemeanor, shall be, without Warrant, in the Custody of any Constable of the Metropolitan Police, at any Station House, during the Time when the Police Courts shall be shut, it shall be lawful for the Constable in charge of the Station House to require the Persons making such Charge to enter into a Recognizance conditioned as herein-after mentioned, and upon his or her Refusal so to do it shall be lawful for such Constable, if he shall deem it prudent, to discharge from Custody the Person so charged, upon his or her Recognizance, with or without Sureties, conditioned as herein-after mentioned.

### **LXXII Condition of Recognizance.**

And be it enacted, That every Recognizance so taken shall be without Fee or Reward, and shall be conditioned for the Appearance of the Person thereby bound before a Magistrate of the District in which such Station House shall be situated, at his next Sitting, and the Time and Place of Appearance shall be specified in the Recognizance ; and the Constable shall enter in a Book, to be kept for that Purpose at every such Station House, the Name, Residence, and Occupation, of the Party, and his Surety or Sureties (if any) entering into such Recognizance, together with the Condition thereof, and the Sum thereby acknowledged, and shall return every such Recognizance to the Magistrate present at the Time and Place when and where the Party is bound to appear.

### **LXIII Penalty for Offences for which no Penalty is appointed.**

And be it enacted, That for every Misdemeanor or other Offence against this Act for which no special Penalty is herein-before appointed, the Offender shall, at the Discretion of the Magistrate before whom the Conviction shall take place, either be liable to a Penalty not more than Five Pounds, or be imprisoned for any Time not more than One Calendar Month in any Gaol or House of Correction within the Jurisdiction of such Magistrate.

#### **LXXIV Not to repeal Local Acts containing Penalties.**

Provided always, and be it enacted, That nothing herein contained shall be construed to prevent any Person from being indicted for any indictable Offence made punishable on summary Conviction by this Act, or to prevent any Person from being liable under any other Act or Acts to any other of higher Penalty or Punishment than is provided for such Offence by this Act, so nevertheless that no Person be punished twice for the same Offence.

#### **LXXV Meaning of the Word Magistrate.**

And be it enacted, That in the Construction of this Act the Word "Magistrate" shall be taken to mean and include every Justice of the Peace appointed to be a Magistrate of the Police Courts of the Metropolis, and also every Justice of the Peace acting in and for any Part of the Metropolitan Police District for which no Police Court shall be established.

#### **LXXVI Offences how to be tried.**

And be it enacted, That every such Magistrate shall be empowered summarily to convict any Person charged with any Offence against this Act, on the Oath of One or more Witnesses or by his own Confession, and to award the Penalty or Punishment herein provided for such Offence; and the Matter of such Complaint shall be heard and determined by One of the Justices appointed to be a Magistrate of the Police Courts of the Metropolis at one of the said Police Courts ; or if the Offence shall have been committed or the Offender apprehended in any Part of the Metropolitan Police District for which no Police Court shall be established as aforesaid, the Matter of such Complaint may be also heard and determined by any Two or more Justices acting in and for the County in which the Offence was committed or the Offender apprehended.

#### **LXXVII If Penalty is not paid the Offender maybe committed.**

And be it enacted, That in every Case of the Adjudication of a pecuniary Penalty or Amends under this Act, and Nonpayment thereof, it shall be lawful for the Magistrate to commit the Offender to any Gaol or House of Correction within his Jurisdiction for a Term not more than One Calendar Month, where the Sum to be paid shall not exceed Five Pounds, the Imprisonment to cease on Payment of the Sum due; and the Costs for the Recovery thereof, and so much of every such pecuniary Penalty as shall not be awarded to the Informer or other Persons who have contributed to the Conviction, shall be paid to the Receiver of the Metropolitan Police for the Purposes of this Act; and the Residue thereof, under the Direction of the Magistrate by whom the same shall have been adjudged, shall be paid and applied either to the Use of the Informer alone or to the Use of such Persons as shall have contributed to the Conviction of the Offender, in such Shares and Proportions as such Magistrate shall think fit.

**LXXVIII Interpretation Clause.**

And be it enacted, That in the Construction of this Act, unless there be something in the Context repugnant thereunto, any Word denoting the Singular Number or the Male Sex shall be taken to extend to any Number of Persons or Things and to both Sexes ; and that all Things herein authorized to be done by the Commissioners of Police of the Metropolis may be done by either of them.

**LXXIX This Act to be construed with 10 G.4 c.44.**

And be it enacted, That this Act. shall be construed as one Act with the said Act passed in the Tenth Year of the Reign of King George the Fourth for the Improvement of Police in and near the Metropolis; and that all the Provisions of the said Act, except so far as is herein otherwise provided, shall extend to this Act, and to all Things done in execution of this Act.

**LXXX Act may be altered this Session.**

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