

‘ South Wales and Van Diemen’s Land, and for the more effectual Government thereof, and for other Purposes relating thereto : And whereas the said Act hath been since continued, and will now shortly expire : And whereas it is expedient further to continue the said Act, with such Amendments as are herein-after mentioned ;’ 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 the said recited Act, as herein-after amended, shall continue and be in force until the Thirty-first Day of *December* One thousand eight hundred and forty, and thenceforward to the End of the then next Session of Parliament.

Recited Act further continued.

II. ‘ And whereas by the said recited Act Provision was made for the Administration of Justice within the said Colonies, and for defining the Constitution and Powers of the Courts of Law and Equity therein : And whereas the Provisions of the said Act in that Behalf have, by reason of the Extension of the said Colonies, been found in divers respects inapplicable to the Circumstances of the said Colonies, and to the Wants of the Inhabitants thereof ; but the local Legislatures of the said respective Colonies established under the said recited Act have no Power to repeal or alter any of the before-mentioned Provisions thereof ;’ be it therefore enacted, That it shall be lawful for the local Legislatures of the said respective Colonies, by any Laws or Ordinances to be by them or either of them from Time to Time for that Purpose made in the Manner prescribed by the said recited Act, and subject to the Conditions and Provisoes therein contained, to make such Provision as to them may seem meet for the better Administration of Justice, and for defining the Constitution of the Courts of Law and Equity, and of Juries, within the said Colonies respectively, or within any present or future Dependency thereof respectively ; any thing in the said recited Act, or in any Charter of Justice or Order in Council made and issued in pursuance thereof, or in any Law, Statute, or Usage, to the contrary thereof in anywise notwithstanding.

Local Legislatures empowered to make Provision for Administration of Justice.

C A P. LXXI.

An Act for regulating the Police Courts in the Metropolis.

[24th August 1839.]

‘ WHEREAS it is expedient to amend the several Acts now in force for the more effectual Administration of Justice in the Office of a Justice of the Peace in the several Police Offices established in the Metropolis, and for the more effectual Prevention of Depredations on the River *Thames* and its Vicinity : Be it enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several Police Courts now established under the Names of the Public Office in *Bow Street*, and the Police Offices in the Parishes of *Saint Margaret Westminster*, *Saint James Westminster*, *Saint Mary-le-bone*, *Saint Andrew Holborn*, *Saint Leonard Shoreditch*, *Saint Mary Whitechapel*, and *Saint John*

Continuance of the Police Courts and Police Magistrates.

Wapping, in the County of *Middlesex*, and *Saint Saviour* in the County of *Surrey*, shall be continued, and that the several Persons appointed to execute the Duties of a Justice of the Peace at the said Courts shall continue to execute the same there, and shall be Justices of the Counties of *Middlesex*, *Surrey*, *Kent*, *Essex*, and *Hertfordshire*, the City and Liberty of *Westminster*, and the Liberty of the Tower of *London*, and Magistrates of the said Courts, during Her Majesty's Pleasure.

Her Majesty in Council may alter the Number and Situation of the Courts, &c.

II. And be it enacted, That it shall be lawful for Her Majesty, with the Advice of Her Privy Council, to alter the Number of the Police Courts, and to alter the Number of Magistrates appointed to any of the said Courts, and to order such Changes to be made of the Places in which they shall be holden within the Metropolitan Police District, as shall be found expedient; and every such Court shall thenceforth be holden in the Place in or to which it shall be so ordered to be established or removed: Provided always, that there shall not at any Time be more than Twenty-seven such Magistrates.

Vacancies to be supplied by Her Majesty from Barristers.

III. And be it enacted, That to supply such of the present Vacancies and also such other Vacancies among the Magistrates of the said Courts which Her Majesty shall think fit to supply, Her Majesty may appoint a sufficient Number of fit Persons, each of whom shall have practised as a Barrister during at least Seven Years then last past, or who shall have practised as a Barrister for Four Years then last past, having previously practised as a certificated Special Pleader for Three Years below the Bar, to be Magistrates of the said Courts; and any Person so appointed, and also every Magistrate already appointed to the said Courts or Offices, may act as a Justice of the Peace in and for the said Counties and Liberties, although he may not have the Qualification by Estate required of other Justices of the Peace: Provided always, that no Person hereafter to be appointed to be a Magistrate of the said Courts shall act in his Office until he shall have taken and subscribed before some Justice or Baron of One of Her Majesty's Courts of Record at *Westminster* the Oaths taken and subscribed by Justices of the Peace, except the Oath of Qualification.

Magistrates, &c. exempt from serving on Juries.

IV. And be it enacted, That the said Magistrates, and their Clerks, Ushers, Door-keepers, and Messengers, shall be exempt and disqualified from being returned and from serving on any Juries or Inquests whatsoever, and shall not be inserted in any Lists of Men qualified and liable to serve as Jurors.

Appointment of Clerks, Ushers, Door-keepers, and Messengers.

V. And be it enacted, That One of Her Majesty's Principal Secretaries of State shall fix the Number of Clerks, Ushers, Door-keepers, and Messengers to assist in carrying on the Business of each of the said Courts, who shall be appointed, and may be dismissed at Pleasure, by the Secretary of State; and the Clerks now acting at the said several Offices shall be continued the Clerks of the said Courts during the Pleasure of the Secretary of State; and no Person shall hereafter be appointed Chief Clerk in any of the said Courts unless he shall be an Attorney of One of Her Majesty's Superior Courts of Law at *Westminster*, or shall have served as Clerk in One or more of the said Police Courts or Offices, or as Clerk to the Justices of any Division or Special or Petty Session within the Metropolitan Police District, during at least

Seven

Seven Years; and no Clerk in any of the said Courts shall hold or have any other Office or Employment whatsoever, except any Office or Employment to which any such Clerk has been appointed before the passing of this Act with the Sanction of the Secretary of State; and every Usher, Door-keeper, and Messenger appointed to any of the said Courts shall be sworn as a Constable, but shall only be empowered to act as a Constable within the said Courts and the Precincts thereof, unless for the Protection of the Magistrates or of Persons resorting to the Court, or, in case of being sworn in as Special Constables, in any urgent Necessity in which the Services of any One or more of them may be specially required by an Order in Writing from the Secretary of State.

VI. And be it enacted, That none of the said Magistrates, Clerks, Ushers, Door-keepers, or Messengers appointed by virtue of this Act shall, during the Time that he shall continue in his Office respectively, or within Six Months after he shall have quitted the same, be capable of giving his Vote for the Election of a Member to serve in Parliament for the Counties of *Middlesex* or *Surrey*, or for the City of *London*, or for the City and Liberty of *Westminster*, the Borough of the *Tower Hamlets*, the Borough of *Finsbury*, the Borough of *Mary-le-bone*, in the County of *Middlesex*, or for the Borough of *Southwark* or the Borough of *Lambeth* in the County of *Surrey*, or the Borough of *Greenwich* in the County of *Kent* respectively; nor shall he by Word, Message, Writing, or in any other Manner endeavour to persuade any Elector to give or to dissuade any Elector from giving his Vote for the Choice of any Person to be a Member to serve in Parliament for any such County, City, or Borough; and every such Magistrate, Clerk, Usher, Door-keeper, or Messenger offending therein shall forfeit the Sum of One hundred Pounds, one Moiety thereof to the Informer, and the other Moiety thereof to the Use of the Poor of the Parish or Place where such Offence shall be committed, to be recovered by any Person that shall sue for the same in any of Her Majesty's Courts of Record at *Westminster* within the Space of One Year after such Offence committed: Provided nevertheless, that nothing in this Act contained shall extend to subject any such Magistrate, Clerk, Usher, Door-keeper, or Messenger to any Penalty for any Act done by him at or concerning any of the said Elections in the Discharge of his Duty.

VII. And be it enacted, That the Receiver of the Metropolitan Police District for the Time being shall be the Receiver of the said Courts, and shall receive all Fees, Penalties, and Forfeitures and other Monies applicable to the Purposes of this Act, and shall pay quarterly the Salaries, Expences, and Charges attending the said Courts and in carrying this Act into execution, and shall make all such Contracts and Disbursements as shall be necessary for purchasing, hiring, fitting-up, and furnishing fit Buildings and Offices for holding the said Courts, in such Manner as shall be directed by One of Her Majesty's Principal Secretaries of State; and all the Estate, Interest, and Property of and in all Buildings so hired or purchased, and all Buildings already hired or purchased for the like Purposes, and the Fixtures and Furniture thereof, and all other Things needful to be had for the Purposes of this Act, shall be vested in the Receiver for the Time being, who may sell,

No Magistrate or Officer of the Courts to vote at certain Elections.

Receiver of Metropolitan Police to be Receiver under this Act.

assign, and dispose of the same, or any Part thereof, under the like Directions as Need shall be ; and the Receiver shall prepare Plans and Estimates of all such Contracts and Disbursements as shall be needed for the Purposes aforesaid, and shall deliver the same to One of Her Majesty's Principal Secretaries of State, and shall further do all such other lawful Matters and Things having relation to the Business of his Office, and towards putting this Act into execution, as from Time to Time shall be directed by One of Her Majesty's Principal Secretaries of State.

Extension of Powers and Duties of Receiver when acting under this Act.

10 G. 4. c. 44.

VIII. And be it enacted, That all the Provisions and Enactments contained in an Act 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*, relative to the drawing and accounting for Monies which may come into the Hands of the Receiver of the Metropolitan Police District for the Purposes of that Act, and for auditing the Accounts and taking Security from the said Receiver, shall be deemed to extend to the said Receiver in respect to all Monies which he shall receive under this Act, as fully as if the same were herein enacted ; and with respect to all the Powers and Liabilities of the said Receiver, or any thing to be done by or any Contract to be entered into with the said Receiver, the Execution of this Act shall be deemed one of the Purposes of the said Act for improving the Police in and near the Metropolis.

Salaries of Magistrates, Receiver, Clerks, and Officers.

IX. And be it enacted, That instead of the Salaries heretofore payable to the said Magistrates, Clerks, and other Officers of the said Courts, and to the Receiver of the Metropolitan Police District, there shall be payable out of the Monies in the Hands of the Receiver such Salaries as Her Majesty shall direct, the Salary to the Chief Magistrate not being more than Twelve hundred Pounds ; and to each of the other Magistrates not more than Twelve hundred Pounds ; and to the Receiver not more than One thousand Pounds ; and to the Chief Clerk in each of the said Courts not more than Five hundred Pounds ; and to the Second Clerk in each of the said Courts not more than Three hundred Pounds ; and the Salaries to the other Clerks and Officers employed in the said Courts in due Proportion with regard to their several Stations and the Duties they have to perform ; and such Salaries shall be paid quarterly, by equal Portions, on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in every Year, the first Payment to be made on the Quarter Day next after the passing of this Act ; and in case of Vacancy in any of the said Offices at any intermediate Time, the Person making the Vacancy, or his Executors or Administrators, shall be entitled to a proportional Part of his quarterly Salary, according to the Time elapsed between the Vacancy and the last quarterly Payment.

In case of the Establishment of a Civil Court for Recovery of Small Debts, Her Majesty may appoint the Metropolitan Magistrates to take

X. And be it enacted, That after the passing of any Act for the Establishment of a Civil Court of summary Jurisdiction for the Recovery of Small Debts within the Metropolitan Police District, or any Part thereof, to be holden before a Judge or Judges to be appointed by Her Majesty, it shall be lawful for Her Majesty to appoint all or any of the said Magistrates to take upon them the Duties of Judge or Judges of such Civil Court ; and every Magistrate so appointed shall be bound to discharge the Duties of

of a Judge of such Court, either exclusively or in conjunction with his Duties as Police Magistrate, in such Manner as Her Majesty shall think fit to direct; and the said Receiver shall be bound to discharge any Duties as Receiver, Treasurer, or Accountant, which by any such Act he may be required to perform in respect of such Civil Court; and no such Magistrate or Receiver shall be therefor entitled to any other or additional Salary than is provided by this Act.

the Duties thereof.

XI. And be it enacted, That it shall be lawful for Her Majesty to direct that such Sum not exceeding in any One Year the Sum of Fifty thousand Pounds, over and above the necessary Disbursements, for purchasing, hiring, repairing, fitting-up, and furnishing the Houses and Buildings wherein the said Police Courts shall be holden, and for defraying the retiring Allowances of such Magistrates as may resign or be superseded under the Provision hereinbefore contained, shall be issued quarterly out of the Consolidated Fund of *Great Britain and Ireland* to the said Receiver, to be by him applied towards defraying the Salaries of the Magistrates, Receiver, Clerks, and other Officers of the said Police Courts, and all Expences of holding the said Courts and putting this Act in execution.

Her Majesty may direct an Issue from the Consolidated Fund towards the Expences of this Act.

XII. And be it enacted, That on every Day, excepting *Sundays, Christmas Day, Good Friday*, or any Day appointed for a Public Fast or Thanksgiving, One of the said Magistrates shall attend at each of the Police Courts established or to be established within the Metropolitan Police District from Ten of the Clock in the Morning until Five of the Clock in the Afternoon; and every such Magistrate shall attend at such other Times as urgent Necessity may require, or shall be directed by One of Her Majesty's Principal Secretaries of State; and the Secretary of State shall have Power from Time to Time to direct at which Court each of the said Magistrates shall attend.

Time of Attendance of Magistrates.

XIII. And be it enacted, That where by any Law now in being, or by any Act not containing an express Enactment to the contrary hereafter to be made, any Act is directed or authorized to be done by any Justice or Justices of the Peace belonging to any of the said Offices, or by any Justice or Justices residing in or near or next the Parish or Place where any Offence or other Matter cognizable before him or them shall be committed or shall arise, the same Jurisdiction may be exercised by One of the said Magistrates in any of the said Courts.

Acts directed to be done by a neighbouring Justice may be done by any of the said Magistrates.

XIV. And be it enacted, That it shall be lawful for any One of the said Magistrates appointed or hereafter to be appointed to do alone any Act at any of the said Courts, or at any Place where Her Majesty shall order any such Court to be holden within the Limits of the Metropolitan Police District for the Time being, which by any Law now in force, or by any Law not containing an express Enactment to the contrary hereafter to be made, is or shall be directed to be done by more than One Justice: Provided always, that none of the said Magistrates shall be competent to act as a Justice of the Peace, either alone or with any other Justice or Justices, in any thing which is to be done at a Special or Petty Session of all the Justices acting in the Division, or by the Justices

One Magistrate may do any Act directed to be done by more than One Justice.

Except at Petty Sessions.

of any of the said Counties or Liberties in Quarter Session assembled.

Magistrates to meet quarterly for reporting to the Secretary of State.

XV. And be it enacted, That the said Magistrates, or so many as may be able to attend, shall meet together once in every Quarter of a Year at such Time and Place as One of Her Majesty's Principal Secretaries of State shall appoint; and the Chief Magistrate shall preside at the said Meetings, or in his Absence such One of the said Magistrates shall preside as shall be chosen by the Magistrates then present; and every one of the Magistrates belonging to the said Police Courts shall furnish for the Use of such Meeting a Report of his Proceedings in the Execution of this Act, and each of the said Magistrates, and also the Commissioners of the Police of the Metropolis, shall furnish a Report of any Matters relating to the Execution of this Act, or to the Police of the Metropolis, which they shall be desirous of bringing under the Notice of the Magistrates assembled at such Meeting; and the Magistrates so assembled shall take every such Report into consideration; and an Abstract shall be made, under the Direction of the Magistrates, of all the said Reports, and also a Report of any Matters which they, or the Majority of them assembled at any such Meeting, shall be desirous of bringing under the Notice of the Secretary of State; and the said Meeting may be adjourned from Time to Time for the Purpose of considering the said Report; and the Abstract and Report, when made, shall be delivered to One of Her Majesty's Principal Secretaries of State.

Secretary of State may make Rules for conducting the Business of the Courts.

XVI. And be it enacted, That the Secretary of State may make such Rules for regulating the Manner of conducting the Business in the said Courts, and for securing Uniformity therein, as shall appear to him fit to be made; and a Copy of every Rule made for enforcing any such Regulation, signed by the Secretary of State, shall be sent to each of the said Magistrates, and to the Chief Clerk of each of the said Courts; and every Rule made for such Purpose as aforesaid shall be observed by the Magistrates, Clerks, and Officers of the said Courts; and a Copy of all such Rules shall be laid before both Houses of Parliament within Six Weeks next after the Commencement of each Session of Parliament.

Process in respect of Matters arising within the Metropolitan Police District need not be endorsed.

XVII. And be it enacted, That every Warrant to compel the Appearance of any Person, or Warrant for the Apprehension of any Person charged with any Offence, issued by any of the said Magistrates, in respect of any Matter arising within the Metropolitan Police District, may be served or executed out of the Metropolitan Police District by the Constable or Constables to whom the same shall be directed, and shall have the same Force and Effect as if the same had been originally issued or subsequently endorsed by a Justice or Justices of the Peace having Jurisdiction in the Place where the same shall be served or executed.

Summons for Persons to appear at any Place without the Limits specified in this Act, void.

XVIII. And be it enacted, That every Summons or Warrant which after the passing of this Act shall be issued by any Justice of the Peace of the Counties of *Middlesex*, *Surrey*, *Kent*, *Essex*, or *Hertfordshire* respectively, requiring any Person residing within the Metropolitan Police District to appear at any Place without the said District to answer any Information or Complaint touching any Matter arising within the said District, shall be utterly void, except for the Purpose of enforcing Payment of any Rates or Taxes

Taxes levied within any 'Parish or Place Part only of which is within the Metropolitan Police District.

XIX. And be it enacted, That upon any Information or Complaint to be laid or made before any Magistrate of the said Courts of any Matter which such Magistrate is authorized to hear and determine summarily, the Magistrate may summon the Party charged, and if such Party shall not appear according to the Tenor of the Summons, any One of the said Magistrates, upon Proof of the Service of the Summons, may proceed, in all Cases which are not of a Criminal Nature, if no sufficient Cause shall be shown for the Nonappearance of the Party, to hear and determine the Case in the Absence of the Party, and in all Criminal Cases shall issue his Warrant for apprehending and bringing such Party before him, or some other Magistrate, in order that the said Information or Complaint may be heard and determined.

Magistrates may proceed by Summons, and if Party summoned does not appear may issue Warrant.

XX. And be it enacted, That every such Summons may be served by delivering a Copy of the Summons to the Party, or by delivering a Copy of the Summons to the Wife or Servant or some adult Inmate of the Family of the Party at his usual Place of Abode, and explaining the Purport thereof to such Wife, Servant, or Inmate.

How Summons may be served.

XXI. And be it enacted, That every such Magistrate may, without issuing any Summons, forthwith issue his Warrant for the Apprehension of any Person charged with any Offence cognizable before him whenever good Grounds for so doing shall be stated on Oath before him.

Warrant may be issued without Summons.

XXII. And be it enacted, That any such Magistrate may summon any Witness to appear and give Evidence before him upon the Matter of any Offence cognizable before such Magistrate with which any Person shall be charged before him, at a Time and Place appointed for hearing the Information or Complaint, and by Warrant under his Hand and Seal may require any Person to be brought before him who shall neglect or refuse to appear to give Evidence at the Time and Place appointed in such Summons, Proof upon Oath being first given of personal Service of the Summons upon the Person against whom such Warrant shall be granted; and such Magistrate may commit any Person coming or brought before him, who shall refuse to give Evidence, to any House of Correction within the Metropolitan Police District, there to remain without Bail or Mainprize for any Time not exceeding Fourteen Days, or until such Person shall sooner submit himself to be examined; and in case of such Submission the Order of any such Magistrate shall be a sufficient Warrant for the Discharge of such Person.

Magistrates may enforce Attendance of Witnesses.

XXIII. And be it enacted, That every Person who, upon any Examination upon Oath or Affirmation before any Magistrate acting at any One of the said Courts, shall wilfully and corruptly give false Evidence, or shall wilfully and corruptly swear or affirm any thing which shall be false, shall be liable to the Penalties of wilful and corrupt Perjury.

Punishment of Persons giving false Evidence.

XXIV. And be it enacted, That every Person who shall be brought before any of the said Magistrates charged with having in his Possession or conveying in any Manner any thing which may be reasonably suspected of being stolen or unlawfully obtained, and who shall not give an Account to the Satisfaction of such Ma-

Persons suspected of having or conveying stolen Goods.

Magistrate

gistrate how he came by the same, shall be deemed guilty of a Misdemeanor, and shall be liable to a Penalty of not more than Five Pounds, or, in the Discretion of the Magistrate, may be imprisoned in any Gaol or House of Correction within the Metropolitan Police District, with or without hard Labour, for any Time not exceeding Two Calendar Months.

In case of Information given that there is reasonable Cause for suspecting that any Goods have been unlawfully obtained and are concealed.

XXV. And be it enacted, That if Information shall be given on Oath to any of the said Magistrates that there is reasonable Cause for suspecting that any thing stolen or unlawfully obtained is concealed or lodged in any Dwelling House or any other Place, it shall be lawful for such Magistrate, by Special Warrant under his Hand directed to any Constable, to cause every such Dwelling House or other Place to be entered and searched at any Time of the Day, or by Night if Power for that Purpose be given by such Warrant; and the said Magistrate, if it shall appear to him necessary, may empower such Constable, with such Assistance as may be found necessary, such Constable having previously made known such his Authority, to use Force for the effecting of such Entry, whether by breaking open Doors or otherwise, and if upon Search thereupon made any such Thing shall be found, then to convey the same before a Magistrate, or to guard the same on the Spot until the Offenders are taken before a Magistrate, or otherwise dispose thereof in some Place of Safety, and moreover to take into Custody and carry before the said Magistrate every Person found in such House or Place who shall appear to have been privy to the Deposit of any such Thing, knowing or having reasonable Cause to suspect the same to have been stolen or otherwise unlawfully obtained.

Party from whom stolen Goods are received to be examined by the Magistrate.

XXVI. And be it enacted, That when any Person shall be brought before any such Magistrate charged with having or conveying any thing stolen or unlawfully obtained, and shall declare that he received the same from some other Person, or that he was employed as a Carrier, Agent, or Servant to convey the same for some other Person, such Magistrate is hereby authorized and required to cause every such Person, and also, if necessary, every former or pretended Purchaser, or other Person through whose Possession the same shall have passed, to be brought before him and examined, and to examine Witnesses upon Oath touching the same; and if it shall appear to such Magistrate that any Person shall have had Possession of such Thing, and had reasonable Cause to believe the same to have been stolen or unlawfully obtained, every such Person shall be deemed guilty of a Misdemeanor, and to have had Possession of such Thing at the Time and Place when and where the same shall have been found or seized; and the Possession of a Carrier, Agent, or Servant shall be deemed to be the Possession of the Person who shall have employed such other Person to convey the same, and shall be liable to a Penalty of not more than Five Pounds, or, in the Discretion of the Magistrate, may be imprisoned in any Gaol or House of Correction within the Metropolitan Police District, with or without hard Labour, for any Time not exceeding Three Calendar Months.

Power to order Delivery of Goods stolen or fraudulently

XXVII. And be it enacted, That if any Goods shall be stolen or unlawfully obtained from any Person, or, being lawfully obtained, shall be unlawfully deposited, pawned, pledged, sold, or exchanged, and

and Complaint shall be made thereof to any of the said Magistrates, and that such Goods are in the Possession of any Broker, Dealer in Marine Stores, or other Dealer in Second-hand Property, or of any Person who shall have advanced Money upon the Credit of such Goods, within the Metropolitan Police District, it shall be lawful for such Magistrate to issue a Summons or Warrant for the Appearance of such Broker or Dealer, and for the Production of the Goods, and to order such Goods to be delivered up to the Owner thereof, either without any Payment, or upon Payment of such Sum and at such a Time as the Magistrate shall think fit; and every Broker or Dealer who, being so ordered, shall refuse or neglect to deliver up the Goods, or who shall dispose of or make away with the same after Notice that such Goods were stolen or unlawfully obtained as aforesaid, shall forfeit to the Owner of the Goods the full Value thereof, to be determined by the Magistrate: Provided always, that no such Order shall bar any such Broker or Dealer from recovering Possession of such Goods by Suit or Action at Law from the Person into whose Possession they may come by virtue of the Magistrate's Order, so that such Action be commenced within Six Calendar Months next after such Order shall be made.

obtained, and in Possession of Brokers and other Dealers in Second-hand Property.

XXVIII. ' And whereas Doubts have arisen whether Goods ' unlawfully deposited, pledged, pawned, or exchanged may be ' restored to the Owner in Cases of summary Conviction, or where ' the Goods are produced without the Issue of any Search War- ' rant;' be it declared and enacted, That it shall be lawful for any Magistrate to order that any Goods unlawfully pawned, pledged, or exchanged which shall be brought before him, and the Ownership of which shall be established to the Satisfaction of such Magistrate, shall be delivered up to the Owner by the Party with whom they were so unlawfully pawned, pledged, or exchanged, either without Compensation, or with such Compensation to the Party in question as the Magistrate may think fit.

For removing Doubts as to ordering the Restoration of Property unlawfully pawned, &c.

XXIX. And be it enacted, That if any Goods or Money charged to be stolen or fraudulently obtained shall be in the Custody of any Constable by virtue of any Warrant of a Justice, or in prosecution of any Charge of Felony or Misdemeanor in regard to the obtaining thereof, and the Person charged with stealing or obtaining Possession as aforesaid shall not be found, or shall have been summarily convicted or discharged, or shall have been tried and acquitted, or if such Person shall have been tried and found guilty, but the Property so in Custody shall not have been included in any Indictment upon which he shall have been found guilty, it shall be lawful for any Magistrate to make an Order for the Delivery of such Goods or Money to the Party who shall appear to be the rightful Owner thereof, or in case the Owner cannot be ascertained, then to make such Order with respect to such Goods or Money as to such Magistrate shall seem meet: Provided always, that no such Order shall be any Bar to the Right of any Person or Persons to sue the Party to whom such Goods or Money shall be delivered, and to recover such Goods or Money from him, by Action at Law, so that such Action shall be commenced within Six Calendar Months next after such Order shall be made.

Power to order Delivery of Possession of Goods charged to have been stolen or fraudulently obtained, and in Custody of Constable.

XXX. And

Unclaimed
stolen Goods
delivered to the
Receiver may
be sold after
12 Months.

XXX. And be it enacted, That when any Goods or Money charged to be stolen or unlawfully obtained, and of which the Owner shall be unknown, shall be ordered by any Magistrate to be delivered to the Receiver of the Metropolitan Police Force, it shall be lawful for the Receiver, after the Expiration of Twelve Calendar Months, during which no Owner shall have appeared to claim the same, to sell or dispose of such Goods or Money for the Benefit of the Superannuation Fund of the Police of the Metropolis.

Power to award
Costs on hearing
of Charges.

XXXI. And be it enacted, That it shall be lawful for any Magistrate who shall hear and determine any Charge or Complaint, whether or not a Warrant or Summons shall have been issued in consequence of such Charge or Complaint, to award such Costs as to him shall seem meet, to be paid to or by either of the Parties to the said Charge or Complaint.

Amends may be
awarded for
frivolous Infor-
mations.

XXXII. ' And whereas Informations are often laid for the mere Sake of Gain, or by Parties not truly aggrieved, and the Offences charged in such Informations are not further prosecuted, or it appears upon Prosecution that there was no sufficient Ground for making the Charge ;' be it enacted, That in every Case in which any Information or Complaint of any Offence shall be laid or made before any of the said Magistrates, and shall not be further prosecuted, or in which, if further prosecuted, it shall appear to the Magistrate by whom the Case shall be heard that there was no sufficient Ground for making the Charge, the Magistrate shall have Power to award such Amends, not more than the Sum of Five Pounds, to be paid by the Informer to the Party informed or complained against, for his Loss of Time and Expences in the Matter, as to the Magistrate shall seem meet.

Penalty on
Common
Informers for
compounding
Informations.

XXXIII. And be it enacted, That in case any Person shall lodge any Information before any of the said Magistrates for any Offence alleged to have been committed by which he was not personally aggrieved, and shall afterwards directly or indirectly receive, without the Permission of One of the said Magistrates, any Sum of Money or other Reward for compounding, delaying, or withdrawing the Information, it shall be lawful for any One of the said Magistrates to issue his Warrant or Summons, as he may deem best, for bringing before him the Party charged with the Offence of such Compounding, Delay, or Withdrawal ; and if such Offence be proved by the Confession of the Party, or by the Oath of any credible Witness, such Informer shall be liable to a Penalty not more than Ten Pounds.

Power to lessen
the Share of
Informers.

XXXIV. ' And whereas by divers Acts the Moiety or other fixed Portion of the Penalties to be thereby recovered is directed to be adjudged to the Informer, and the same has been found to encourage the corrupt Practices of Common Informers ;' for Prevention thereof be it enacted, That where by any Act now in force or hereafter to be passed a Moiety or other fixed Portion of the Penalty or Penalties thereby imposed is or shall be directed to be paid to the Informer, not being the Party aggrieved, it shall be lawful for any One of the said Magistrates before whom the Conviction shall be had to adjudge that no Part or such Part only of the Penalty as he shall think fit shall be paid to the Informer.

XXXV. ' And

XXXV. ' And whereas by divers Acts certain limited Penalties
' or Terms of Imprisonment are imposed for Offences therein men-
' tioned, and sufficient Power is not given to the Justice or Justices
' before whom the Offender is convicted to reduce or lessen such
' Penalty or Term of Imprisonment, whereby much Hardship is
' experienced ;' be it enacted, That where by any Act now in force
or hereafter to be passed a limited Penalty or Term of Imprisonment is imposed on Conviction of an Offender before a Justice or Justices of the Peace, it shall be lawful for any One of the said Magistrates before whom such Conviction shall be had to reduce or lessen such Penalty or Term of Imprisonment in such Manner as he may think fit: Provided always, that no Penalty for the Infringement of any Act relating to the Revenue of Customs or Excise, Stamps or Taxes, shall be reduced by any such Magistrate below the Amount or Proportion allowed in that Behalf by the Act or Acts specially relating thereunto without the Consent of the Commissioners of Customs or Excise or Stamps and Taxes respectively.

Power to miti-
gate Penalties.

Proviso as to
Revenue Acts.

XXXVI. And be it enacted, That any One of the said Magistrates, if he shall think fit, may remand any Person for further Examination, or may suffer to go at large any Person who shall be charged before him with any Felony or Misdemeanor upon his personal Recognizance (with or without Sureties); and every such Recognizance shall be conditioned for the Appearance of such Person before the same or some other of the said Magistrates, for further Examination, or to surrender himself to take his Trial at the Central Criminal Court, or at a Court of General or Quarter Sessions, at a Day and Place to be therein mentioned; and the Magistrate shall be at liberty from Time to Time to enlarge every such Recognizance to such further Time as he shall appoint; and every such Recognizance which shall not be enlarged shall be discharged, without Fee or Reward, when the Party shall have appeared according to the Condition thereof: Provided always, that whenever any Magistrate shall take the Recognizance of any Person to appear at the Central Criminal Court, or at a Court of General or Quarter Sessions, the Magistrate shall be bound to return the Depositions taken in the Case, and to bind over the Witnesses to appear and give Evidence, in like Manner as if he had committed the Party to take his Trial at such Court.

Power to re-
mand or enlarge
Prisoners on
Recognizances.

XXXVII. And be it enacted, That all Differences, Complaints, and Disputes which shall happen between any Bargemen, Lightermen, Watermen, Ballastmen (except *Trinity* Ballastmen), Coal-whippers, Coal Porters, Sailors, Lumpers, Riggers, Shipwrights, Caulkers, or other Labourers who work for Hire in or upon the River *Thames*, or the Docks, Creeks, Wharfs, Quays, or Places adjacent, not being in the City of *London* or the Liberties thereof, and the Owners, Masters, or Commanders of Vessels, or their Agents, on the said River, or the Docks or Creeks thereunto adjoining, or the Owners, Wharfingers, or Occupiers of such Wharfs or Quays, or their Agents, or other Employers, respecting Wages or Money due to such Labourers for Work or Loss of Time, whether the same Persons be employed for any certain Time or in any other Manner, may be heard and determined by any of the said Magistrates; and every such Magistrate is hereby empowered to examine

Disputes about
Wages for
Labour done
on the River,
&c. (except by
Trinity Ballast-
men) to be
settled by
Magistrates,
provided the
Sum in question
does not exceed
5*l*.

upon

upon Oath any such Labourer as aforesaid, or any other Witness or Witnesses, touching any such Complaint or Dispute, and to make such Order for Payment of so much Wages or Money to such Labourer as to the Magistrate shall seem just, provided that the Sum ordered do not exceed Five Pounds, besides all reasonable Costs attending the Prosecution of the Complaint.

Power to order Compensation for wilful Damage by Tenants.

XXXVIII. And be it enacted, That every Person who shall occupy or shall have occupied any House or Lodging within the Metropolitan Police District as Tenant thereof, and who shall wilfully or maliciously do any Damage to the Premises, or to any Furniture thereof not being the Property of such Tenant or Occupier, shall, upon Complaint made to One of the said Magistrates within One Calendar Month next after the Commission of the Offence or the End of the Tenancy or Occupation, forfeit and pay such Sum of Money as shall appear to the Magistrate to be a reasonable Compensation for the Damage done, not more than the Sum of Fifteen Pounds, to be paid to the Landlord or Party aggrieved.

Power to deal summarily with Cases of oppressive Distresses.

XXXIX. And be it enacted, That on Complaint made to any of the said Magistrates by any Person who shall, within the Metropolitan Police District, have occupied any House or Lodging by the Week or Month, or whereof the Rent does not exceed the Rate of Fifteen Pounds by the Year, that his Goods have been taken from him by an unlawful Distress, or that the Landlord, or his Broker or Agent, has been guilty of any Irregularity or Excess in respect of such Distress it shall be lawful for such Magistrate to summon the Party complained against, and if upon the hearing of the Matter it shall appear to the Magistrate that such Distress was improperly taken, or unfairly disposed of, or that the Charges made by the Party having distrained or having attempted to distrain are contrary to Law, or that the Proceeds of the Sale of such Distress have not been duly accounted for to the Owner thereof, it shall be lawful for the Magistrate to order the Distress so taken, if not sold, to be returned to the Tenant on Payment of the Rent which shall appear to be due at such Time as the Magistrate shall appoint, or if the Distress shall have been sold, then to order Payment to the said Tenant of the Value thereof, deducting thereout the Rent which shall so appear to be due, such Value to be determined by the Magistrate; and such Landlord or Party complained against, in default of Compliance with any such Order, shall forfeit to the Party aggrieved the Value of such Distress, not being greater than Fifteen Pounds, such Value to be determined by the Magistrate.

Power to order Delivery of Goods unlawfully detained to the Owner.

XL. And be it enacted, That upon Complaint made to any of the said Magistrates by any Person claiming to be entitled to the Property or Possession of any Goods which are detained by any other Person within the Limits of the Metropolitan Police District, the Value of which shall not be greater than Fifteen Pounds, and not being Deeds, Muniments, or Papers relating to any Property of greater Value than Fifteen Pounds, it shall be lawful for such Magistrate to summon the Person complained of, and to inquire into the Title thereto or to the Possession thereof, and if it shall appear to the Magistrate that such Goods have been detained, without just Cause, after due Notice of the Claim made by

by the Person complaining, or that the Person detaining such Goods has a Lien or Right to detain the same by way of Security for the Payment of Money, or the Performance of any Act by the Owner thereof, it shall be lawful for such Magistrate to order the Goods to be delivered to the Owner thereof, either absolutely or upon Tender of the Amount appearing to be due by such Owner (which Amount the Magistrate is hereby authorized to determine), or upon Performance or upon Tender and Refusal of the Performance of the Act for the Performance whereof such Goods are detained as Security, or if such Act cannot be performed, then upon Tender of Amends for Non-performance thereof (the Nature or Amount of which Amends the Magistrate is hereby authorized to determine); and every Person who shall neglect or refuse to deliver up the Goods according to such Order shall forfeit to the Party aggrieved the full Value of such Goods, not greater than the Sum of Fifteen Pounds, such Value to be determined by the Magistrate: Provided always, that no such Order shall bar any Person from recovering Possession of the Goods or Money so delivered or forfeited, by Suit or Action at Law, from the Person to whose Possession such Goods or Money shall come by virtue of such Order, so that such Action be commenced within Six Calendar Months next after such Order shall be made.

XLII. And be it enacted, That if the Guardians of the Poor of any Union or Parish, or the Churchwardens and Overseers of the Poor of any Parish, within the Metropolitan Police District, together with the Medical Officer for any such Parish or Union, shall be of opinion, and shall certify under the Hands of Two or more of such Guardians, Churchwardens, or Overseers, and also of such Medical Officer, that any House or Part of any House within such Union or Parish is in such filthy and unwholesome Condition that the Health of the Inmates or of the Public is thereby affected or endangered, it shall be lawful for any Magistrate acting within the District in which such Union or Parish is situate, if he shall think fit, to cause Notice to be affixed on the Door or other conspicuous Part of such House, requiring the Occupier or Occupiers of such House or Part thereof to appear before him to answer such Complaint, or to cause the same to be cleansed within Seven Days from the Date of affixing such Notice; and if within the said Seven Days such House or Part thereof shall not be cleansed to the Satisfaction of such Medical Officer, and if such Occupier or Occupiers being duly summoned shall not appear before the Magistrate, and show sufficient Cause to the contrary, such Magistrate is hereby empowered, on Proof thereof, to issue an Order under his Hand and Seal to the Guardians of the Poor or the Churchwardens and Overseers aforesaid, to cause such House or Part thereof to be cleansed, at the Expence of such Occupier or Occupiers, and to cause the Amount thereof to be levied, in case of Nonpayment, by Distress and Sale of the Goods and Chattels of such Occupier or Occupiers, by Warrant under the Hand and Seal of such Magistrate.

In case any House be in a filthy and unwholesome Condition, the Magistrate may order the same to be cleansed.

XLIII. And be it enacted, That neither any Justice of the Peace for any of the said Counties, or for the City and Liberty of *Westminster*, or Liberty of the Tower of *London*, not being One of the said Magistrates, nor the Clerk of any such Justice, nor any Person

No other Justice than a Police Magistrate shall take Fees within the Police District.

Penalty, 100*l*.

on his Behalf, shall directly or indirectly, upon any Pretence whatever, take any Fee or Recompence for any Act by him or them done or to be done as Justice of the Peace or Clerk as aforesaid within any Part of the Metropolitan Police District for which a Police Court shall have been established under the Authority of this Act, upon pain of forfeiting the Sum of One hundred Pounds for every such Offence, one Moiety thereof to the said Receiver, to be applied to the Purposes of this Act, and the other Moiety thereof, with full Costs of Suit, to the Person who shall sue for the same in any of Her Majesty's Courts of Record at *Westminster*; but this Enactment shall not be construed to extend to any Fees taken at any General or Quarter Sessions of the Peace, or at any Meeting of Justices for the Purpose of licensing Alehouses, or for the Purpose of inquiring into the legal Settlement of any Person applying for Parochial Relief, and making suspended Orders of Removal, or to any Fees taken at any Special or Petty Sessions of the Justices in respect of Business which must be transacted at such Special or Petty Sessions, or to any Fees taken by any Vestry Clerk, or by the Clerk to the Overseers of any Parish, for the Purpose of enforcing the Payment of any Rates or Taxes arising within the same Parish.

Table of Fees
to be hung up.

XLIII. And be it enacted, That, notwithstanding any thing herein-before contained, such Fees as are contained in the Schedule (A.) to this Act annexed may be taken by any of the said Magistrates or by any Justice or Justices acting in any of the said Courts; and a Table of such Fees shall be fixed in some conspicuous Part of each of the said Courts; and it shall be lawful for any of the said Magistrates to refuse to do any Act for which any Fee shall be demandable unless such Fee shall be first paid; and that if any such Act shall be done, and the Fee due thereon shall not be paid, it shall be lawful for any of the said Magistrates to summon the Person from whom such Fee shall be due, and to make Order for Payment of the same, with the Costs of the Proceedings, and in default of Payment to levy the same, with the Costs of the Distress, by Warrant under his Hand.

Proceedings on
Information
before Magis-
trates.

XLIV. And be it enacted, That all Offences committed within the Limits of the Metropolitan Police District, which under this or any other Act are punishable on summary Conviction before a Justice or Justices of the Peace, may be heard and determined by any of the said Magistrates sitting at one of the said Police Courts, in a summary Way, within Six Calendar Months at the farthest next after the Commission of such Offence, or within such shorter Time as shall be limited by the Act specifying the Offence, and not afterwards, whether or not any Information in Writing shall have been exhibited or taken by or before such Magistrate; and all such Proceedings by Summons without Information in Writing shall be as valid and effectual as if an Information in Writing had been first exhibited in that Behalf: Provided always, that a Note or Memorandum in Writing, according to a Form to be approved by the Secretary of State, shall be made and kept in the Court of the Substance of every Charge for which a Summons or Warrant shall be issued: Provided also, that the Magistrate, if he shall think fit, may require an Information in Writing to be laid in every Case in which it shall seem to him to be expedient, before the Matter of the

the Complaint or Charge shall be brought before him; and the Magistrate shall examine into the Matter of every Complaint or Charge brought before him, and if, upon the Confession of the Party accused, or on the Oath of any One or more Witnesses, the Party accused shall be convicted of having committed the Offence charged or complained of, the Party so convicted shall pay such Penalty as to the Magistrate shall seem fit, not more than the greatest Penalty made payable in respect of such Offence, together with the Costs of Conviction, to be ascertained by such Magistrate.

XLV. And be it enacted, That all Penalties, Forfeitures, and other Sums of Money imposed, awarded, or ordered to be paid by any Magistrate continued or appointed under the Authority of this Act, and all Sums of Money which any Person is bound to pay under any Recognizance taken before a Magistrate, and afterwards forfeited, in case of Nonpayment thereof, may be levied with the Costs of such Proceedings on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or Person liable to pay the same, by Warrant under the Hand of such Magistrate, and the Overplus (if any) of the Money so raised or recovered, after discharging with Costs the Penalty, Forfeiture, or Sum ordered to be paid, shall be returned, on Demand, to the Party whose Goods and Chattels shall have been distrained; and in case any such Penalty, Forfeiture, or Sum of Money shall not be forthwith paid, it shall be lawful for such Magistrate to order the Party to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless such Party shall give Security, to the Satisfaction of the Magistrate, for his Appearance at such Place and Time, not being more than Seven Days from the Time of such Detention, as shall be appointed for the Return of the Warrant of Distress, and the Magistrate is hereby empowered to take such Security by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress could be had whereupon to levy the said Penalty, Forfeiture, or Sum of Money, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of the Magistrate, upon the Confession of the Party or otherwise, that he has not sufficient Goods and Chattels whereupon such Penalty, Forfeiture, or Sum of Money could be levied if a Warrant of Distress, should be issued, it shall be lawful for the Magistrate, by Warrant under his Hand, to commit such Party to some Common Gaol or House of Correction within his Jurisdiction, there to remain for any Time not more than One Calendar Month where the Sum to be paid shall not exceed Five Pounds, and not more than Three Calendar Months in any Case, the Imprisonment to cease on Payment of the Sum due.

XLVI. And be it enacted, That the Magistrates at each of the said Courts shall take care that one of their Clerks shall, in Books to be provided for that Purpose, keep a full, true, and particular Account of all Fees taken and received thereat, together with all Penalties and Forfeitures which shall have been recovered, levied, or received in pursuance of any Adjudication, Conviction, or Order had or made thereat, or any Process or Warrant issuing therefrom, to which Books of Account the said Receiver shall at all Times have free Access; and the said Magistrates shall, once in every

Recovery of Penalties and Forfeitures.

Accounts to be kept of Fees and Forfeitures received and delivered quarterly to the Receiver, and the Amount thereof paid to him.

Quarter of a Year, cause to be delivered to the Receiver an Account of all such Sums received, with all proper Vouchers for verifying the same, and shall cause the Amount of all such Sums to be paid to the Receiver, to be applied by him towards the Expences of the said Courts except Fines imposed upon drunken Persons, or upon Constables for Misconduct, or for Assaults upon Police Constables, which shall be applied for the Benefit of "The Police Superannuation Fund," and except also Fees for the Execution of Summonses and Warrants, which shall be applied towards defraying the Charge of maintaining the Police of the Metropolis.

Certain Penalties and Forfeitures recovered to be paid to the Receiver.

XLVII. And be it enacted, That where by any Act or Acts any Penalties or Forfeitures, or Shares of Penalties or Forfeitures, are or shall hereafter be made recoverable in a summary Manner before any Justice or Justices of the Peace, and by such Act or Acts respectively the same are or shall be limited and made payable to Her Majesty, or to any Body Corporate, or to any Person or Persons whomsoever, save the Informer who shall sue for the same, or any Party aggrieved, in every such Case the same, if recovered or adjudged before any of the said Magistrates, shall be recovered for and adjudged to be paid to the said Receiver for the Time being, and not to any other Person; but this Enactment shall not extend to any Penalties or Forfeitures recovered under any Act relating to the Customs, or to Trade or Navigation, and sued for by the Direction of the Commissioners of Her Majesty's Customs, which shall be paid to such Person as the said Commissioners shall direct to receive the same.

Not to extend to Penalties under Revenue Acts.

Forms of Information and Conviction.

XLVIII. And be it enacted, That any Magistrate before whom any Information shall be laid in Writing against any Person, or before whom any Person shall be convicted in respect of any Offence, may cause the Information and the Conviction to be drawn up according to the Forms respectively given in Schedule (B.) to this Act annexed, or any other Forms to the same Effect, as the Case may require: Provided always, that this Enactment shall not invalidate any Information or Conviction laid or drawn in any other Form which may be more specially suited to the Case or may be provided by Law; and in any Information in Writing, and in every Conviction for an Offence contrary to any Statute or Statutes, it shall be sufficient if the Offence shall be stated in the Words of the Statute declaring the Offence or attaching any Penalty thereunto.

Conviction, &c. not to be quashed for Informality, &c.

XLIX. And be it enacted, That no Information, Conviction, or other Proceeding before or by any of the said Magistrates shall be quashed or set aside, or adjudged void or insufficient, for Want of Form, or be removed by Certiorari into Her Majesty's Court of Queen's Bench.

Appeal to Quarter Sessions.

L. And be it enacted, That in every Case of summary Order or Conviction before any of the said Magistrates, in which the Sum or Penalty adjudged to be paid shall be more than Three Pounds, or in which the Penalty adjudged shall be Imprisonment for any Time more than One Calendar Month, any Person who shall think himself aggrieved by the Order or Conviction may appeal to the Justices of the Peace at the next General or Quarter Sessions of the Peace to be holden for the County wherein the Cause of Complaint shall have arisen, provided that such Person

at

at the Time of the Order or Conviction, or within Forty-eight Hours thereafter, shall enter into a Recognizance, with Two sufficient Sureties, conditioned personally to appear at the said Sessions to try such Appeal, and to abide the further Judgment of the Justices at such Sessions assembled, and to pay such Costs as shall be by the last-mentioned Justices awarded; and it shall be lawful for the Magistrate by whom such Order or Conviction shall have been made to bind over the Witnesses who shall have been examined, in sufficient Recognizances, to attend and be examined at the Hearing of such Appeal, and that every such Witness, on producing a Certificate of his being so bound, under the Hand of the Magistrate, shall be allowed Compensation for his Time, Trouble, and Expences in attending the Appeal, which Compensation shall be paid, in the first instance, by the Treasurer of the County, in like Manner as in Cases of Misdemeanor under the Provisions of an Act passed in the Seventh Year of the Reign of King *George the Fourth*, intituled *An Act for improving the Administration of Criminal Justice in England*; and in case the Appeal shall be dismissed, and the Order or Conviction affirmed, the reasonable Expences of all such Witnesses attending as aforesaid, to be ascertained by the Court, shall be repaid to the Treasurer of the County by the Appellant.

7 G. 4. c. 64.

LI. And be it enacted, That when any Distress shall be made for any Money to be levied by virtue of the Warrant of any of the said Magistrates, the Distress shall not be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Information, Summons, Warrant of Apprehension, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser from the Beginning on account of any Irregularity which shall be afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage by an Action on the Case.

Distress not unlawful for Want of Form.

LII. And be it enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in the Execution of this Act, or in, under, or by virtue of any Power or Authority hereby given, if Tender of sufficient Amends shall have been made, by or on behalf of the Party who shall have committed such Irregularity, Trespass, or other wrongful Proceeding, before such Action brought; and in case no Tender shall have been made it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, whereupon such Proceeding, Order, and Adjudication shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

Plaintiff not to recover after Tender of Amends.

LIII. And be it enacted, That [no Action, Suit, or Information, or any other Proceeding of what Nature soever, shall be brought, commenced, or prosecuted against any Person for any thing done or omitted to be done in pursuance of this Act, or in the Execution of the Powers or Authorities under this Act, unless Twenty Days previous Notice in Writing shall be given by the Party intending to commence and prosecute such Suit, Information, or

Limitation of Actions.

other Proceeding to the intended Defendant, nor unless such Action, Suit, Information, or other Proceeding shall be brought or commenced within Three Calendar Months next after the Act committed, or in case there shall be a Continuation of Damage, then within Three Calendar Months next after the doing or committing such Damage shall have ceased, or unless such Action, Suit, or Information shall be laid and brought in the County of *Middlesex*; and if the Plaintiff shall become nonsuited, or shall suffer a Discontinuance of his Suit, Information, or other Proceeding after the Defendant shall have appeared thereto, or if a Verdict shall pass against the Plaintiff thereon, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff, the Defendant shall have his Costs as between Attorney and Client, and shall have such Remedy for recovering the same as Defendants have for recovering Costs of Suit by Law in other Cases.

Commence-
ment of Act.
Repeal of
former Acts:
3 & 4 W. 4. c. 19.

7 W. 4. &
1 Vict. c. 37.

LIV. And be it enacted, That this Act shall take effect upon the Day next after the Day of the passing thereof; and that as soon as this Act shall take effect an Act passed in the Third Year of the Reign of King *William* the Fourth, intituled *An Act for the more effectual Administration of the Office of a Justice of the Peace in and near the Metropolis, and for the more effectual Prevention of Depredations on the River Thames and its Vicinity, for Three Years*; and also an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to continue until the First Day of July One thousand eight hundred and thirty-eight, and from thence until the End of the then next Session of Parliament, an Act for the more effectual Administration of the Office of a Justice of the Peace in and near the Metropolis*, shall cease and determine, except as to any Offences which may have been committed against any of the said Acts before the Commencement of this Act, and as to any Penalties which may have been incurred under any of the said Acts before the Commencement of this Act, which Offences shall be dealt with and punished, and the Penalties recovered, as if this Act had not been passed, and except also as to any Matters done by any Persons under the Authority of any of the said Acts before the Commencement of this Act, with respect to which every Privilege and Protection given to such Persons by any of the said Acts shall continue in force as if this Act had not been passed.

This Act to be
construed with
10 G. 4. c. 44. and
2 & 3 Vict. c. 47.

LV. And be it enacted, That this Act and an Act 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*, and also an Act passed in the present Session of Parliament, intituled *An Act for further improving the Police in and near the Metropolis*, shall be construed together as One Act.

Certain Pro-
visions not to
extend to Cus-
toms, Excise,
Stamps and
Taxes, or Post
Office.

LVI. Provided always, and be it enacted, That in any Proceedings under any Act or Acts relating to the Customs, Excise, Stamps, Taxes, or Post Office, nothing herein contained shall extend to prevent any Penalties awarded by any One of the said Magistrates from being recovered and adjudged to be paid as if this Act had not been passed, or to give any Appeal from any Conviction under any such Act or Acts where such Appeal is not given by the Act or Acts specially relating thereunto.

LVII. And

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

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

Table of Fees.

	<i>s.</i>	<i>d.</i>
For every Summons - - - - -	2	0
For every Warrant (except Warrants of Distress) - - - - -	2	0
For backing a Warrant - - - - -	1	0
For every Recognizance to appear before a Magistrate or to take Trial - - - - -	2	6
For every Recognizance to keep the Peace or to be of good Behaviour - - - - -	2	0
For every Supersedeas - - - - -	3	0
For every Warrant of Distress - - - - -	3	0
For every Declaration, except those relating to lost Duplicates of Articles under 20s. and except those made for the Use of Public Offices or Departments or for charitable Purposes - - - - -	1	0

SCHEDULE (B.)

Form of Information.

Metropolitan Police District to wit. } BE it remembered, That *A.B.* of
 in the County of _____ cometh on the
 Day of _____ in the Year of
 our Lord _____ before me *J.P.*, One of the Magistrates
 of the Police Courts of the Metropolis, sitting at the Police Court
 at _____ within the Metropolitan Police District, and
 giveth me to understand and be informed that *C.D.* hath been
 guilty of [*here describe the Offence*].

Form of Conviction.

Metropolitan Police District to wit. } BE it remembered, That on the
 Day of _____ in the Year of our Lord
C.D. is brought before me *J.P.*,
 One of the Police Magistrates of the Metropolis, sitting at the
 Police Court in _____ within the Metropolitan Police
 District and is charged before me with having [*here describe the Offence*]; and it appearing to me upon the Confession of the said *C.D.* [*or upon the Oath of a credible Witness, as the Case may be,*] that the said *C.D.* is guilty of the said Offence, I do therefore adjudge the said *C.D.* [*insert the Adjudication*].
 Given under my Hand the Day and Year first above written.