ANNO SEXAGESIMO

GEORGII III. REGIS.

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An Act to authorize Justices of the Peace, in certain disturbed Counties, to seize and detain Arms collected or kept for Purposes dangerous to the Public Peace; to continue in force until the Twenty-fifth Day of *March* One thousand eight hundred and twenty-two.

[18th *December* 1819.]

WHEREAS Arms and Weapons of various Sorts have in many Parts of this Kingdom been collected, and are kept for Purposes dangerous to the Public Peace; and it is expedient that Justices of the Peace should be authorized and empowered to seize and detain such Arms and Weapons: Be it therefore enacted by the King'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 it shall be lawful for any Justice of the Peace, upon the Information upon Oath of One or more credible Witness or Witnesses, that he or they believe that any Pike, Pike-head, or Spear is in the Possession of any Person or Persons, or in any House or Place, or that any Dirk, Dagger, Pistol, Gun, or other Weapon is, for any Purpose dangerous to the Public Peace, in the Possession of any Person, or in any House or Place, to issue his Warrant to any Constable or other Peace Officer to search for and seize such Pike, Pike-head, Spear, Dirk, Dagger, Pistol, Gun, or other Weapon in the Possession of any such Person, or in any such House or Place; and that it shall be lawful for such Constable or other Peace Officer, acting under any such Warrant, or any other

Justices may issue Warrants for searching for and seizing Weapons, dangerous to the Public Peace.

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Person or Persons in his or their Aid or Assistance, to search for and seize any such Pike, Pike-head, Spear, Dirk, Dagger, Pistol, Gun, or other Weapon, being in the Possession of any such Person, or in any such House or Place as aforesaid; and in case Admission into such House or Place shall be refused or not obtained within a reasonable Time after it shall have been first demanded, to enter by Force, by Day or by Night, into every such House or Place whatsoever, and to detain or cause to be detained in safe Custody, in such Place as the said Justice of the Peace shall appoint and direct, the Arms or Weapons so found and seized as aforesaid, unless the Owner thereof shall prove to the Satisfaction of such Justice, that such Arms or Weapons were not kept for any Purpose dangerous to the Public Peace.

Party may appeal to Quarter Sessions.

II. Provided always, and be it further enacted, That it shall be lawful for any Person from whom any such Arms or Weapons shall be so taken as last aforesaid, in case the Justice of the Peace upon whose Warrant the same shall have been taken shall upon Application made for that Purpose refuse to restore the same, to apply to the next General or Quarter Sessions of the Peace of the County, or Riding, or Division, upon giving Ten Days previous Notice of such Application to such Justice, for the Restitution of such Arms or Weapons, or any Part thereof; and the Justices assembled at such General or Quarter Sessions of the Peace shall make such Order for the Restitution or safe Custody of such Arms or Weapons, or any Part thereof, as upon such Application shall appear to them to be proper.

Persons found carrying Arms under suspicious Circumstances may be detained, and required to give Bail, and prosecuted.

III. And be it further enacted, That it shall be lawful for any Justice of the Peace, or for any Constable, Peace Officer, or other Person acting under the Warrant of any Justice of the Peace, or for any Person acting with or in Aid of any Justice of the Peace, or of any Constable or other Peace Officer having such Warrant as aforesaid, to arrest and detain any Person found carrying Arms in such Manner and at such Times as, in the Judgment of such Justice of the Peace, to afford just Grounds of Suspicion that the same are carried for Purposes dangerous to the Public Peace; and it shall be lawful for the Justice of the Peace who shall arrest, any such Person, or before whom any Person arrested upon any such Warrant shall be brought, to commit such Person for Trial for a Misdemeanor, unless such Person can and shall give sufficient Bail for his Appearance at the next Assizes, or next General or Quarter Sessions of the Peace, to answer to any Indictment which may be preferred against him in that Part of *Great Britain* called *England;* and in *Scotland* every such Person shall be arrested and dealt with according to the Law and Practice of that Part of the United Kingdom in the Case of a Bailable Offence.

Justices of detached and adjoining Counties to have concurrent Jurisdiction in such Counties.

IV. And be it further enacted, That all the Justices of the Peace acting in and for the several Counties specified in this Act, or in any Proclamation to be issued under this Act, or any Counties next adjoining thereto, shall have concurrent Jurisdiction as Justices of the Peace, in all Cases as to the carrying into Execution the Provisions of this Act, and as to all Matters and Things relating to the Preservation of the public Peace, as fully and effectually as if each of such Justices

Justices was in the Commission of the Peace of each of such Counties, and had duly qualified by Law to act therein.

Sheriffs Depute in Scotland to have the same Powers as Justices in England.

V. And be it further enacted, That the Sheriffs Depute and their Substitutes, Stewards Depute and their Substitutes, Justices of the Peace, Magistrates of Royal Burghs, and all other inferior Judges and Magistrates, and also all High and Petty Constables or other Peace Officers of any County, Stewartry, City, or Town within that Part of the United Kingdom called *Scotland*, shall have such and the same Powers and Authorities for putting this present Act in Execution within *Scotland*, as the Justices of the Peace and other Magistrates and Peace Officers and Constables aforesaid respectively have, by virtue of this Act, within and for that Part of *Great Britain* called *England*.

Limitation of Actions.

VI. And be it further enacted, That any Action or Suit which shall be brought or commenced against any Justice or Justices of the Peace, Constable, Peace Officer, or other Person or Persons in that Part of *Great Britain* called *England*, for any thing done or acted in pursuance of this Act, shall be commenced within Six Calendar Months next after the Fact committed, and not afterwards; and the Venue in every such Action or Suit shall be laid in the proper County where the Fact was committed, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon; and if such Action shall be brought or commenced after the Time limited for bringing the same, or the Venue shall be laid in any other Place than as aforesaid, then the Jury shall find a Verdict for the Defendant or Defendants; and in such Case, or if the Jury shall find a Verdict for the Defendant or Defendants upon the Merits, or if the Plaintiff or Plaintiffs shall become nonsuit, or discontinue his, her, or their Action after Appearance, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Double Costs, which he or they shall and may recover in such and the same Manner as any Defendant can by Law in other Cases.

Double Costs.

Limitation of Actions, &c. in Scotland.

VII. And be it further enacted, That every Action or Suit which shall be brought or commenced against any Person or Persons in *Scotland*, for any thing done or acted in pursuance of this Act, shall in like Manner be commenced within Six Calendar Months after the Fact committed, and not afterwards, and shall be brought in the Court of Session in *Scotland;* and the Defender or Defenders may plead that the Matter complained of was done in pursuance of this Act, and may give this Act and the special Matter in Evidence; and if such Action or Suit shall be brought or commenced after the Time limited for bringing the same, then the same shall be dismissed; and in such Case, or if the Defender or Defenders shall be assoilzied, or the Pursuer or Pursuers shall suffer the Action or Suit to fall asleep, or a Decision shall be pronounced against the Pursuer or Pursuers upon the Relevancy, the Defender or Defenders shall have Double Costs or Expences, which he or they shall and may receive in such and the same Manner as any Defender can by Law recover Costs or Expences in other Cases.

Double Costs.

VIII. And

Act to extend to certain Counties, and others by Proclamation.

VIII. And be it further enacted, That this Act and all the Provisions thereof, shall extend to the several Counties of *Lancaster* and *Chester*, and to the West Riding of the County of *York*, and to the Counties of *Warwick*, *Stafford*, *Derby*, *Leicester*, *Nottingham*, *Cumberland*, *Westmorland*, *Northumberland*, *Durham*, *Renfrew*, and *Lanark*, the Counties of the Towns of *Newcastle-upon-Tyne* and *Nottingham*, and of the City of *Coventry*, and such other Counties or Ridings of *Great Britain* as His Majesty shall from Time to Time, upon the Representation made by the Justices assembled at any Quarter or General Session of the Peace, or by any General Meeting of the Lieutenancy of any County or Riding, in consequence of any Disturbance therein, by any Proclamation made by and with the Advice of His Privy Council, declare to be so disturbed as to make it necessary that the Provisions of this Act should be enforced therein; and then and in such Case this Act shall be in full Force as to any such County or Counties, or Ridings, from the Day specified in any such Proclamation, as if such County or Riding had been contained in this Act.

His Majesty in Council may restrict or extend the Operation of the Act.

IX. Provided always, and be it further enacted, That it shall be lawful for His Majesty, by and with the Advice of His Privy Council, by Proclamation, to declare that this Act shall be no longer in force in any Counties or Riding specified in this Act, or in any County or Riding to which the Provisions of this Act shall have been extended by Proclamation as aforesaid; and from and after the Period specified in any such Proclamation, the Powers of this Act shall no longer be in force in such County or Riding: Provided always, that nothing herein contained shall prevent or be construed to extend to prevent His Majesty, upon such Representation and by such Advice as aforesaid, declaring by Proclamation any such County or Riding to be again within the Powers of this Act.

Duration of this Act.

X. Provided always, and be it further enacted, That this Act shall be and continue in force until the Twenty-fifth Day of *March* One thousand eight hundred and twenty-two.

Act may be repealed or altered this Session.

XI. And be it further enacted, That this Act may be repealed in the Whole or in any Part thereof, or in any Manner altered or amended, during the present Session of Parliament.

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