ANNO SECUNDO

VICTORIÆ REGINÆ.

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C A P. XII.

An Act to amend an Act of the Thirty-ninth Year of King *George* the Third, for the more effectual Suppression of Societies established for seditious and treasonable Purposes, and for preventing treasonable and seditious Practices, and to put an End to certain Proceedings now pending under the said Act. [4th *June* 1839.]

WHEREAS in an Act passed in the Thirty-ninth Year of the Reign of King *George* the Third, intituled *An Act* 39 G.3.c.79.
for the more effectual Suppression of Societies established for seditious and treasonable Purposes, and for the better preventing treasonable and seditious Practices, certain Provisions are contained to restrain the printing or publishing of any Papers or Books whatsoever which should be meant or intended to be published or dispersed without the Name and Place of Abode of the Printer thereof being printed thereon in the Manner in the said Act specified: And whereas the said Provisions have given Occasion to many vexatious Proceedings at the Instance of common Informers, and it is expedient to discourage the same: 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 the said Act as enacts that every Person who, after the Expiration of Forty Days after the passing of the said Act, shall print any Paper or Book whatsoever which shall be meant or intended to be published or dispersed, whether the same shall be sold or given away, shall print upon the Front of every such Paper, if the same shall be printed on One Side only, and upon the first and last Leaves of every Paper or Book which shall consist of more than One Leaf, in legible Characters, his or her Name, and the Name of the City, Town, Parish, or Place, and also the Name (if any) of the Square, Street, Lane, Court, or Place in which his or her Dwelling House or usual Place of Abode shall be, and that every Person who shall omit so to print his Name and Place of Abode on every such Paper or Book printed by him, and also every Person who shall publish or disperse, or assist in publishing or dispersing, either *gratis* or for Money, any printed Paper or Book which shall have been printed after the Expiration of Forty Days from the passing of the said Act, and on which the Name and Place of Abode of the Person printing the same shall not be printed as aforesaid, shall for every Copy of such Paper so published or dispersed by him forfeit and pay the Sum of Twenty Pounds, shall be and the same is hereby repealed.

Repeal of 39 G. 3. c. 79. s. 27.

II. And be it enacted, That every Person who after the passing of this Act shall print any Paper or Book whatsoever, which shall be meant to be published or dispersed, and who shall not print upon the Front of every such Paper, if the same shall be printed on One Side only, or upon the first or last Leaf of every Paper or Book which shall consist of more than One Leaf, in legible Characters, his or her Name and usual Place of Abode or Business, and every Person who shall publish or disperse, or assist in publishing or dispersing, any printed Paper or Book on which the Name and Place of Abode of the Person printing the same shall not be printed as aforesaid, shall for every Copy of such Paper so printed by him or her forfeit a Sum not more than Five Pounds: Provided always, that nothing herein contained shall be construed to impose any Penalty upon any Person for printing any Paper excepted out of the Operation of the said Act, either in the said Act or by any Act made for the Amendment thereof.

Penalty upon Printers for not printing their Name and Residence on every Paper or Book; and on Persons publishing the same.

Proviso.

III. And be it enacted, That in the Case of Books or Papers printed at the University Press of *Oxford*, or the *Pitt* Press of *Cambridge*, the Printer, instead of printing his Name thereon, shall print the following Words: "Printed at the University Press, *Oxford*," or "The *Pitt* Press, *Cambridge*," as the Case may be.

As to Books or Papers printed at the University Presses.

IV. Provided always, and be it enacted, That it shall not be lawful for any Person or Persons whatsoever to commence, prosecute, enter, or file, or cause or procure to be commenced, prosecuted, entered, or filed, any Action, Bill, Plaint, or Information in any of Her Majesty's Courts, or before any Justice or Justices of the Peace, against any Person or Persons, for the Recovery of any Fine, Penalty, or Forfeiture made or incurred, or which may hereafter be incurred under the Provisions of this Act, unless the same be commenced, prosecuted, entered,

No Actions for Penalties to be commenced, except in the Name of the Attorney or Solicitor General in England, or

entered, or filed in the Name of Her Majesty's Attorney General or Solicitor General in that Part of *Great Britain* called *England*, or Her Majesty's Advocate for *Scotland* (as the Case may be respectively); and if any Action, Bill, Plaint, or Information shall be commenced, prosecuted, entered, or filed in the Name or Names of any other Person or Persons than is or are in that Behalf before mentioned, the same, and every Proceeding thereupon had, are hereby declared and the same shall be null and void to all Intents and Purposes. the Queen's Advocate in Scotland.

V. And be it enacted, That immediately after the passing of this Act it shall be lawful for any Person against whom any original Writ, Suit, Action, Bill, Plaint, or Information shall have been sued out, commenced, or prosecuted, on or before the Day of the passing of this Act, for the Recovery of any pecuniary Penalty or Penalties incurred under the said recited Act, to apply to the Court in which such original Writ, Suit, Action, Bill, Plaint, or Information shall have been sued out, commenced, or prosecuted, if such Court shall be sitting, or if such Court shall not be sitting to any Judge of either of the Superior Courts at *Westminster*, or to any Justice of the Peace before whom any such Plaint or Information shall be pending, or any Conviction shall have been had or obtained, or to any other Justice of the Peace acting for the same County, Riding, Division, City, Borough, or Place, as the Justice of the Peace before whom such Plaint or Information shall be pending or such Conviction shall have been had or obtained, for an Order that such Writ, Suit, Action, Bill, Plaint, or Information shall be discontinued, or such Conviction be quashed, upon Payment of the Costs thereof out of Pocket incurred to the Time of such Application being made, such Costs to be taxed according to the Practice of such Court, or in case of any Proceeding before a Justice, to be taxed and ascertained by such Justice; and every such Court or Judge, or Justice of the Peace, as the Case may be, is hereby authorized and required, upon such Application, and Proof that sufficient Notice has been given to the Plaintiff or Informer, or to his Attorney, of the Application, to make such Order as aforesaid; and upon the making such Order, and Payment or Tender of such Costs as aforesaid, such Writ, Suit, Action, Bill, Plaint, or Information shall be forthwith discontinued, or such Conviction shall be quashed, as the Case may be: Provided always, that in all Cases in which any such Writ, Suit, Action, Bill, Plaint, or Information shall have been sued out or commenced subsequently to the Sixteenth Day of *April* One thousand eight hundred and thirty-nine, it shall be lawful for such Court, Judge, or Justice as aforesaid to make such Order for discontinuing the same, or quashing any Conviction had thereon, without Payment of any Costs, and in every such Case, on the making of such Order, such Writ, Suit, Action, Bill, Plaint, or Information shall be forthwith discontinued, or such Conviction shall be forthwith quashed, as the Case may be: Provided always, that nothing herein contained shall be deemed or taken to enable any Person to recover back any Money paid before the passing of this Act, in pursuance of any Judgment or Conviction duly obtained under the Provisions of the said recited Act. Persons sued before the passing of this Act for Penalties incurred under the recited Act, may apply to the Court or to a Judge to stay Proceedings upon certain Conditions.

VI. And

Former Acts and this Act to be construed as One Act.

VI. And be it enacted, That the said Act, and all Acts made for the Amendment thereof, except so far as herein repealed or altered, shall be construed as One Act together with this Act.

Act may be amended.

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

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1838.