

ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

CAP. CXXX.

An Act for the more effectual Puniſhment of Perſons deſtroying the Properties of His Majeſty's Subjects; and enabling the Owners of ſuch Properties to recover Damages for the Injury ſuſtained.

[18th *July* 1812.]

WHEREAS an Act paſſed in the Firſt Year of the Reign of His Majeſty King *George* the Firſt, intituled *An Act for preventing Tumults and riotous Aſſemblies, and for the more ſpeedy and effectual puniſhing the Rioters:* And whereas an Act paſſed in the Ninth Year of the Reign of His ſaid Majeſty King *George* the Firſt, intituled *An Act for the more effectual puniſhing wicked and evil diſpoſed Perſons, going armed in diſguiſe, and doing Injuries and Violences to the Perſons and Properties of His Majeſty's Subjects, and for the more ſpeedy bringing the Offenders to Juſtice:* And whereas an Act paſſed in the Ninth Year of the Reign of His Majeſty King *George* the Third, intituled *An Act for the more effectual Puniſhment of ſuch Perſons as ſhall demoliſh or pull down, burn or otherwiſe deſtroy or ſpoil any Mill or Mills, and for preventing the deſtroying or damaging of Engines for draining Collieries and Mines, or Bridges, Waggon Ways, or other Things uſed in conveying Coals, Lead, Tin, or other Minerals from Mines, or Fences for incloſing Lands in purſuance of Act of Parliament:* And whereas an Act paſſed in the Forty-firſt Year of the Reign of His preſent Majeſty King *George* the Third, intituled *An Act for the indemnifying of Perſons injured by the forcible pulling down and demoliſhing of Mills, or of Works thereunto belonging, by Perſons unlawfully and riotouſly aſſembled:* And whereas an Act paſſed in the Forty-third Year of the Reign of His preſent Majeſty King *George* the Third, intituled *An Act for the further Prevention of malicious Shooting, and attempting*

1 G. 1. c. 5.

9 G. 1. c. 22.

9 G. 3. c. 29.

41 G. 3. c. 24.

ing to discharge loaded Fire Arms, stabbing, cutting, wounding, poisoning, and the malicious using of Means to procure the Miscarriage of Women; and also the malicious setting fire to Buildings; and also for repealing a certain Act, made in England *in the Twenty-first Year of the late King* James *the First, intituled 'An Act to prevent the destroying and murthering of Bastard Children;' and also an Act made in* Ireland *in the Sixth Year of the Reign of the late Queen* Anne, *also intituled 'An Act to prevent the destroying and murthering of Bastard Children;' and for making other Provisions in lieu thereof:* And whereas it is expedient and necessary that more effectual Provisions should be made, for the Protection of Property not within the Provisions of the said Acts; may it therefore please Your Majesty that it may be enacted; and be it 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 every Person who shall, from and after the passing of this Act, wilfully or maliciously burn or set fire to any Buildings, Erections, or Engines, which shall be used or employed in the carrying on or conducting of any Trade or Manufactory, or any Branch or Department of any Trade or Manufactory of Goods, Wares, or Merchandize, of any Kind or Description whatsoever, or in which any Goods, Wares, or Merchandize, shall be warehoused or deposited, shall, upon being lawfully convicted thereof, be adjudged guilty of Felony, without Benefit of Clergy, and shall suffer Death as in Cases of Felony without Benefit of Clergy.

Punishing Persons wilfully destroying any Building or Engine used in manufacturing.

II. And be it further enacted, That if after the passing of this Act any Person or Persons unlawfully, riotously, and tumultuously assembled together in Disturbance of the Public Peace, shall unlawfully and with Force demolish or pull down, or begin to demolish or pull down, any Erection and Building or Engine which shall be used or employed in the carrying on or conducting of any Trade or Manufactory, or any Branch or Department of any Trade or Manufactory of Goods, Wares, or Merchandize, of any Kind or Description whatsoever, or in which any Goods, Wares, or Merchandize, shall be warehoused or deposited, that then every such demolishing or pulling down, or beginning to demolish or pull down, shall be adjudged Felony, without Benefit of Clergy, and the Offenders therein shall be adjudged Felons, and shall suffer Death as in Cases of Felony, without Benefit of Clergy.

Extending Provisions of former Act to other Buildings, Goods, and Machinery.

III. And be it further enacted, That the Person or Persons injured or damnified by such demolishing or pulling down, wholly or in Part, of any such Erection, Building, or Engine as aforesaid, shall be entitled to, and may and is and are hereby empowered to recover the Value of such Erection, Building, or Engine, and of the Machinery belonging thereto, or used therein which shall be destroyed in such demolishing as aforesaid, or the Amount of the Damage which may be done to any such Erection, Building, or Engine or Machinery aforesaid, in such tumultuous and riotous demolishing in Part as aforesaid; and such Value or Damage shall and may be recovered, levied, raised, and reimbursed, in such Manner and Form, and by such Ways and Means as are particularly provided, directed, or referred to, in the said recited Act of the First Year of the Reign of His late Majesty King *George* the First, in respect of the several Descriptions of Buildings therein mentioned.

Value of, or Damage done to Manufactories and Machinery therein may be recovered, as under 1 G. 1. c. 5.

IV. Provided

How to proceed to recover Damages.

IV. Provided always, and be it further enacted, That no Perſon or Perſons ſhall be enabled to recover any Damages by virtue of this Act, unleſs he or they, by themſelves or by their Servants, within Two Days after ſuch Damage or Injury done him or them by any ſuch Offender or Offenders as aforeſaid, ſhall give Notice of ſuch Offence done and committed unto ſome of the Inhabitants of ſome Town, Village, or Hamlet, near unto the Place where any ſuch Fact ſhall be committed, and ſhall within Four Days after ſuch Notice, give in his, her, or their Examination upon Oath, or the Examination upon Oath of his, her, or their Servant or Servants, that had the Care of his or their Erections, Buildings, Engines, or Machinery ſo deſtroyed or damaged as aforeſaid, before any Juſtice of the Peace of the County, Liberty, or Diviſion where ſuch Fact ſhall be committed, inhabiting within the ſaid Hundred where the ſaid Fact ſhall happen to be committed, or near unto the ſame, whether he or they do know the Perſon or Perſons that committed ſuch Fact, or any of them; and if upon ſuch Examination it be confeſſed that he or they do know the Perſon or Perſons that committed the ſaid Fact, or any of them, that then he or they ſo confeſſing ſhall be bound by Recognizance to proſecute ſuch Offender or Offenders by Indictment or otherwiſe, according to the Law of this Realm: Provided alſo, that no Perſon who ſhall ſuſtain any Damage by reaſon of any Offence to be committed by any Offender contrary to this Act, ſhall be thereby enabled to ſue or bring any Action againſt any Inhabitants of any Hundred where ſuch Offence ſhall be committed, except the Party or Parties ſuſtaining ſuch Damage ſhall commence his or their Action or Suit within One Year next after ſuch Offence ſhall be committed: Provided nevertheleſs, that the Notice hereby required may and ſhall be given in *Scotland* to the Sheriff or Steward Depute or Subſtitute of the County or Stewartry where ſuch Fact ſhall happen to be committed, in order that ſuch Meaſures may be taken as the Law of *Scotland* preſcribes in ſuch Caſes.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1812.