ANNO QUINQUAGESIMO SEXTO

GEORGII III. REGIS.

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C A P. CXXV.

An Act for the more effectual Puniſhment of Perſons riotouſly deſtroying or damaging Buildings, Engines, and Machinery, uſed in and about Collieries and other Mines, Waggonways, Bridges, and other Works, uſed in conveying and ſhipping Coals and other Minerals; and for enabling the Owners of ſuch Property to recover Damages for the Injury ſuſtained. [1ſt *July* 1816.]

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:* (1 G. 1. c. 5.) And whereas an Act paſſed in the Ninth Year of the Reign of His preſent 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, Waggonways, 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:* (9 G. 3. c. 29.) And whereas an Act paſſed in the Fifty-ſecond Year of the Reign of His preſent Majeſty, intituled *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:* (52 G. 3. c. 130.) 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 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, pull down, destroy, or damage, or begin to demolish, pull down, destroy, or damage any Fire-Engine or other Engine, erected or to be erected for making, sinking, or working Collieries, Coal Mines or other Mines, or any Bridge, Waggonway, or Trunk, erected or made, or to be erected or made for conveying Coals or other Minerals from any Colliery, Coal Mine or other Mine, to any Place, or for shipping the same, or any Staith or other Erection or Building for depositing Coals or other Minerals, or used in the Management or conducting of the Business of any such Colliery, Coal Mine or other Mine, whether the same Engines, Bridges, Waggonways, Trunks, Staiths, Erections, and other Buildings or Works shall be respectively completed and finished, or only begun to be set up, made, and erected, that then every such demolishing, pulling down, destroying, and damaging, or beginning to demolish, pull down, destroy, and damage, shall be adjudged Felony, without Benefit of Clergy; and the Offenders therein shall be adjudged Felons, and shall suffer Death as in case of Felony without Benefit of Clergy.

Demolishing or destroying Engines, Erections, or other Works belonging to Collieries, &c. adjudged Felony without Benefit of Clergy.

II. And be it further enacted, That the Person or Persons injured or damnified by such demolishing, pulling down, destroying, or damaging, or beginning to demolish, pull down, destroy, or damage any such Property herein-before specified, shall be entitled to and may and are hereby empowered to recover the Value of such Property herein-before specified, so demolished, pulled down, destroyed, or damaged as aforesaid, or the Amount of the Damage done to the same 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.

Persons injured may recover the Value of the Property destroyed, under 1 G. 1. c. 5.

III. Provided always, and be it further enacted, That whenever any Person or Number of Persons shall so unlawfully assemble together in Disturbance of the Public Peace as aforesaid, the Person or Persons who is or are the Owner or Proprietor or Owners or Proprietors of any of the Engines, Works, Buildings, or other Property herein-before particularly specified, shall, as soon as conveniently may be, after such unlawful Assembly shall take place, by himself or themselves, or by his or their Servants, give or cause to be given due Notice and Information of such Assembly having taken place, to some or one of the nearest Magistrates, and to the Constable or some one of the resident Housekeepers of the Towns, Villages, or Hamlets near to the Place where any such Assembly shall take place; and that no Person or Persons shall be enabled to recover any Damages by virtue of this Act, unless he or they shall have given such Notice and Information as aforesaid, by himself or themselves or by his or their Servants, within Two Days after such Damage or Injury done

Owners of Engines and Works, &c. to give Notice to Magistrates of unlawful Assemblies; and after sustaining Damage, to give Notice within Two Days after to some Inhabitants of the Town, &c.

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 or their Examination upon Oath, or the Examination upon Oath of his, her, or their Servant or Servants, that had the Care of his, her, or their Property herein-before specified, 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 Stewart 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.

Examination upon Oath to be had before a Justice within Four Days as to a Knowledge of the Offenders.

Action for Damages to be brought within a Year.

In Scotland, Notice to be given to the Sheriff, &c.

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