



Metropolitan Police Act 1839

1839 CHAPTER 47 2 and 3 Vict

An Act for further improving the Police in and near the
Metropolis. [17th August 1839]

Modifications etc. (not altering text)

- C1 Short title given by [Short Titles Act 1896 \(c. 14\)](#)
- C2 Act amended by [Administration of Justice Act 1973 \(c. 15\)](#), [Sch. 1 Pt. IV para. 10\(2\)](#)
- C3 The "said commissioners" means the commissioners of police of the metropolis
- C4 Preamble omitted under authority of [Statute Law Revision \(No. 2\) Act 1890 \(c. 51\)](#)

Commencement Information

- I1 Act wholly in force at Royal Assent

1 F1

Textual Amendments

- F1 [S. 1](#) repealed by [Statute Law Revision \(No. 2\) Act 1890 \(c. 51\)](#)

2 F2

Textual Amendments

- F2 [S. 2](#) repealed by [Police Act 1946 \(c. 46\)](#), [Sch. 5 Pt. II](#)

3 F3

Status: Point in time view as at 01/04/2005.

Changes to legislation: There are currently no known outstanding effects for the Metropolitan Police Act 1839. (See end of Document for details)

Textual Amendments

F3 S. 3 repealed by Statute Law Revision (No. 2) Act 1874(c. 96)

4 **F4**

Textual Amendments

F4 S. 4 repealed by Administration of Justice Act 1973 (c. 15), s. 20(6), **Sch. 5 Pt. II**

5 **F5**

Textual Amendments

F5 S. 5 repealed by Police Act 1964 (c. 48), **Sch. 10 Pt. I**

6 **F6**

Textual Amendments

F6 S. 6 repealed by Miscellaneous Financial Provisions Act 1950 (c. 21), **Sch.**

F77 **Constables may be sworn to act for the palaces.**

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Textual Amendments

F7 S. 7 repealed (E.W.) by Police and Criminal Evidence Act 1984 (c. 60, SIF 95), s. 119(2), **Sch. 7 Pt. VI**

8, 9. **F8**

Textual Amendments

F8 Ss. 8, 9 repealed by Police Act 1964 (c. 48), **Sch. 10 Pt. I**

10 **F9**

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Textual Amendments

F9 S. 10 repealed by Statute Law (Repeals) Act 1978 (c. 45), Sch. 1 Pt. XI

11 **F10**

Textual Amendments

F10 S. 11 repealed (31.10.1991) by Criminal Justice Act 1991 (c. 53, SIF 39:1) s. 101(2), Sch.13; S.I. 1991/2208, art. 2(4), Sch. 3

12 **F11**

Textual Amendments

F11 S. 12 repealed by Criminal Justice (Scotland) Act 1963(c. 39), Sch. 6

13 **F12**

Textual Amendments

F12 S. 13 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), Sch. 1 Pt. I

14— **F13**
18.

Textual Amendments

F13 Ss. 14–18 repealed by Police Act 1964 (c. 48), Sch. 10 Pt. I

19 **F14**

Textual Amendments

F14 S. 19 repealed by Superannuation Act 1887 (c. 67), Sch.

20 **F15**

Status: Point in time view as at 01/04/2005.

Changes to legislation: There are currently no known outstanding effects for the Metropolitan Police Act 1839. (See end of Document for details)

Textual Amendments

F15 S. 20 repealed by Statute Law Revision (No. 2) Act 1874 (c. 96)

21 **F16**

Textual Amendments

F16 S. 21 repealed by Metropolitan Police Staff(Superannuation) Act 1875 (c. 28), s. 4

22, 23. **F17**

Textual Amendments

F17 Ss. 22, 23 repealed by Police Act 1890 (c. 45), Sch. 4

24 **F18**

Textual Amendments

F18 S. 24 repealed by Statute Law Revision (No. 2) Act 1874 (c. 96)

25 **F19**

Textual Amendments

F19 S. 25 repealed by Statute Law Revision Act 1875 (c. 66)

26— **F20**

28.

Textual Amendments

F20 Ss. 26–28, 30, 31 repealed by Theft Act 1968 (c. 60), Sch. 3 Pt. I

F21**29**

Textual Amendments

F21 S. 29 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), Sch. 1 Pt. I

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30, 31. ^{F22}

Textual Amendments
F22 Ss. 26–28, 30, 31 repealed by [Theft Act 1968 \(c. 60\)](#), [Sch. 3 Pt. I](#)

^{F23}**32**

Textual Amendments
F23 S. 32 repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), s. 1(1), [Sch. 1 Pt. I](#)

33 Superintendents and inspectors may board vessels.

Any superintendent or inspector belonging to the metropolitan police force shall have power, by virtue of his office, to enter at all times, with such constables as he shall think necessary, as well by night as by day, into and upon every ship, boat, or other vessel (not being then actually employed in her Majesty’s service) lying in the said river or creeks, or in any dock or docks thereto adjacent, and into every part of every such vessel, for the purpose of inspecting and upon occasion directing the conduct of any constable who may be stationed on board of any such vessel, and of inspecting and observing the conduct of all other persons who shall be employed on board of any such vessel in or about the lading or unlading thereof, as the case may be, and for the purpose of taking all such measures as may be necessary for providing against fire and other accidents, and preserving peace and good order on board of any such vessel, and for the effectual prevention or detection of any felonies or misdemeanors.

^{F24}**34 Superintendent, &c. having just cause to suspect felony may enter on board vessels and take up suspected persons.**

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Textual Amendments
F24 S. 34 repealed (E.W.) by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), s. 119(2), [Sch. 7 Pt. I](#)

^{F25}**35**

Textual Amendments
F25 Ss. 35-37 repealed (8.11.1995) by [1995 c. 44](#), s. 1(1), [Sch. 1 Pt. VI](#) Group 1

^{F26}**36**

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Textual Amendments

F26 Ss. 35-37 repealed (8.11.1995) by 1995 c. 44, s. 1(1), **Sch. 1 Pt. VI** Group 1

^{F27}**37**

Textual Amendments

F27 Ss. 35-37 repealed (8.11.1995) by 1995 c. 44, s. 1(1), **Sch. 1 Pt. VI** Group 1

38 Penalty on keeping fairs open within forbidden hours.

The business and amusements of all fairs holden within the metropolitan police district shall cease at the hour of eleven in the evening, and shall not begin earlier than the hour of six in the morning; and if any house, room, booth, standing, tent, caravan, waggon, or other place shall, during the continuance of any such fair, be open within the hours of eleven in the evening and six in the morning for any purpose of business or amusement, in the place where such fair shall be holden, ^{F28}... the person so then having the care of management of any such house, room, booth, standing, tent, caravan, waggon, or other place, shall be liable to a penalty not more than [^{F29}level 1 on the standard scale], and every person convicted of having been therein, and of not having quitted the same forthwith upon being bidden by a constable so to do, shall be liable to a penalty not more than [^{F29}level 1 on the standard scale].

Textual Amendments

F28 Words repealed (E.W.) by **Police and Criminal Evidence Act 1984** (c. 60, SIF 95), s. 119(2), **Sch. 7 Pt. I**

F29 Words substituted by virtue of **Criminal Justice Act 1982** (c. 48, SIF 39:1), **s. 46**

39 Fairs within the metropolitan police district may be inquired into. If declared unlawful, booths, &c. to be removed.

If it shall appear to the commissioners of police that any fair ^{F30}... holden within the metropolitan police district has been holden without lawful authority, or that any fair lawfully holden within the said district has been ^{F30}... holden for a longer period than is so warranted, it shall be competent to such commissioners to direct one of the superintendents belonging to the metropolitan police force to summon the owner or occupier of the ground upon which such fair is ^{F30}... holden to appear before a magistrate at a time and place to be specified in the summons, not less than eight days after the service of the summons, to show his right and title to hold such fair, or to hold such fair beyond a given period (as the case may be); and if such owner or occupier shall not attend in pursuance of such summons, or shall not show to the magistrate who shall hear the case sufficient cause to believe that such fair has been lawfully holden for the whole period during which the same has been ^{F30}... holden, the magistrate shall declare in writing such fair to be unlawful, either altogether or beyond a stated period (as the case may be); and the commissioners shall give notice of such declaration by causing copies thereof to be affixed on the parish church and on other public places in

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and near the ground where such fair has been ^{F30}... holden; and if, after such notices have been affixed for the space of six days, any attempt shall be made to hold such fair if it shall be declared altogether unlawful, or to hold it beyond the prescribed period if it shall be declared unlawful beyond a certain period, the commissioners of police may direct any constable to remove every booth, standing, and tent, and every carriage of whatsoever kind conveyed to or being upon the ground for the purpose of holding or continuing such fair, and ^{F31}... every person erecting, pitching, or fixing, or assisting to erect, pitch, or fix, any such booth, standing, or tent, and every person driving, accompanying, or conveyed in every such carriage, and every person resorting to such ground with any show or instrument of gambling or amusement [^{F32}shall be guilty of an offence]; and every person convicted before a magistrate of any of the offences last aforesaid shall be liable to a penalty not more than [^{F33}level 1 on the standard scale].

Textual Amendments

- F30** Word repealed by [Statute Law Revision Act 1874 \(No. 2\)](#) (c. 96)
- F31** Words repealed (E.W.) by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), s. 119(2), [Sch. 7 Pt. I](#)
- F32** Words inserted (E.W.) by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), s. 119(1), [Sch. 6 para. 2](#)
- F33** Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 46

40 **On entering into recognizance, question as to right of title to fair may be tried in the Queen's Bench.**

Provided nevertheless, that if the owner or occupier of the ground whereon any such fair has been . . . ^{F34} holden shall, when summoned before the magistrate, enter into a recognizance in the penal sum of two hundred pounds (which recognizance such magistrate is hereby authorized to take) with condition to appear in the [^{F35}High Court] on the first day of the then next term and to answer to any information which her Majesty's attorney ^{F36}. . . general may exhibit against such owner or occupier touching his right and title to such fair, and to abide the judgment of the court thereon, and to pay such costs as may be awarded by the court, which costs the said court is hereby authorized to award, then, notwithstanding the magistrate may have declared such fair to be unlawful, the commissioners of police shall forbear from giving notice of such declaration, and from taking any further measures thereon, until judgment shall be given by the said court against the right and title to such fair; and the magistrate taking such recognizance shall forthwith transmit the same to one of her Majesty's principal secretaries of state, to the end that the same may be filed in the said court, and such further directions may be given thereon as to such secretary of state may seem fit.

Textual Amendments

- F34** Word repealed by [Statute Law Revision Act 1874 \(No. 2\)](#) (c. 96)
- F35** Words substituted by virtue of [Supreme Court of Judicature \(Consolidation\) Act 1925 \(c. 49\)](#), s. 224(1)
- F36** Words in s. 40 repealed (30.9.1997) by [1997 c. 60, s. 3\(2\)\(3\)](#), [Sch.](#)

41 **Freemen of vintners company subject to certain provisions.**

Every person who, by reason of his or her freedom of the mystery or craft of vintners of the city of London, or of any right or privilege of such mystery, shall claim to be

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entitled to sell foreign wine by retail, to be drunk or consumed on the premises within the metropolitan police district, without license, shall be subject to all the provisions of all Acts made for the regulation of persons so licensed (except those provisions which require or refer to the taking out of a licence either from any justice of the peace or from the commissioners of excise).

42, 43. F37

Textual Amendments
F37 Ss. 42, 43 repealed by [Licensing Act 1872 \(c. 94\)](#), [Sch. 2](#)

44 **Regulations of 9G. 4. c. 61 respecting public houses to extend to other houses of public resort.**

... F38 ... F39 Every person who shall have or keep any house, shop, room, or place of public resort within the metropolitan police district, wherein provisions, liquors, or refreshments of any kind shall be sold or consumed, (whether the same shall be kept or retailed therein or procured elsewhere,) and who shall wilfully or knowingly permit drunkenness or other disorderly conduct in such house, shop, room, or place, or knowingly suffer any unlawful games or any gaming whatsoever therein, or knowingly permit or suffer prostitutes or persons of notoriously bad character to meet together and remain therein, shall for every such offence be liable to a penalty of not more than [F40]level 1 on the standard scale]: ... F41

Textual Amendments
F38 Words repealed by [Licensing Act 1872 \(c. 94\)](#), [Sch. 2](#)
F39 Recital omitted under authority of [Statute Law Revision \(No. 2\) Act 1890 \(c. 51\)](#)
F40 Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [ss. 38, 46](#)
F41 Words repealed by [Statute Law Revision \(No. 2\) Act 1874 \(c. 96\)](#)

Modifications etc. (not altering text)
C5 S. 44 amended by [Betting, Gaming and Lotteries Act 1963 \(c. 2\)](#), [s. 40](#)

45 F42

Textual Amendments
F42 S. 45 repealed by [Licensing Act 1953 \(c. 46\)](#), [Sch. 10](#)

46 F43

Textual Amendments
F43 S. 46 repealed by [Theatres Act 1968 \(c. 54\)](#), [Sch. 3](#)

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47 Places used for bear-baiting, cock-fighting, &c.

Every person who within the metropolitan police district shall keep or use or act in the management of any house, room, pit, or other place for the purpose of fighting or baiting lions, bears, badgers, cocks, dogs, or other animals, shall be liable to a penalty not more than [^{F44}level 4 on the standard scale], or in the discretion of the magistrate may be committed to the house of correction, . . . ^{F45}, for a time not more than one calendar month; and it shall be lawful for the commissioners of police by order in writing, to authorize any superintendent belonging to the metropolitan police force, with such constables as he shall think necessary, to enter any premises kept or used for any of the purposes aforesaid, and [^{F46}take into custody]all persons who shall be found therein without lawful excuse [^{F46}, and every person so found]shall be liable to a penalty not more than [^{F44}level 4 on the standard scale]; and a conviction under this Act of this offence shall not exempt the owner, keeper, or manager of any such house, room, pit or place, from any penalty or penal consequence to which he may be liable for the nuisance thereby occasioned.

Textual Amendments

- F44** Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 46](#) and [Protection of Animals \(Amendment\) Act 1988 \(c. 29, SIF 4:5\)](#), [s. 2\(1\)](#)
- F45** Words omitted by virtue of [Criminal Justice Act 1948 \(c. 58\)](#), [s. 1\(2\)](#)
- F46** Words repealed (E. W.) by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), [s. 119\(2\)](#), [Sch. 7 Pt. I](#)

48 ^{F47}

Textual Amendments

- F47** [S. 48](#) repealed by [Betting and Gaming Act 1960 \(c. 60\)](#), [Sch. 6 Pt. I](#)

49 ^{F48}

Textual Amendments

- F48** [S. 49](#) repealed by [Statute Law Revision \(No. 2\) Act 1874 \(c. 96\)](#)

50 ^{F49}

Textual Amendments

- F49** [S. 50](#) repealed by [Consumer Credit Act 1974 \(c. 39\)](#), [s. 192\(3\)](#), [Sch. 5 Pt. I](#)

51 ^{F50}

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Textual Amendments

F50 Ss. 51, 56 repealed by Statute Law (Repeals) Act 1973 (c. 39), Sch. 1 Pt. VI

52 Regulations for preventing obstruction in the streets during public processions, &c.

It shall be lawful for the commissioners of police from time to time, and as occasion shall require, to make regulations for the route to be observed by all carts, carriages, horses, and persons, and for preventing obstruction of the streets and thoroughfares within the metropolitan police district, in all times of public processions, public rejoicings, or illuminations, and also to give directions to the constables for keeping order and for preventing any obstruction of the thoroughfares in the immediate neighbourhood of her Majesty's palaces and the public offices, the High Court of Parliament, the courts of law and equity, the [^{F51}magistrates' courts], the theatres, and other places of public resort, and in any case when the streets or thoroughfares may be thronged or may be liable to be obstructed.

Textual Amendments

F51 Words in s. 52 substituted (31.8.2000) by 1999 c. 22, s. 78, Sch. 11 paras. 1, 2 (with s. 107, Sch. 14 para. 7(2)); S.I. 2000/1920, art. 3

Modifications etc. (not altering text)

- C6** Reference to police court to be construed as reference to a magistrates' court for the inner London area: Administration of Justice Act 1964 (c. 42), Sch. 3 Pt. I para. 2
- C7** Reference to carriage to be construed as including reference to motor vehicle or trailer: Road Traffic Act 1972 (c. 20), s. 195
- C8** Power to extend conferred by Road Traffic Regulation Act 1984 (c. 27, SIF 107:1), s. 96(2)(a)

53 Proprietors of stage carriages not liable to penalties for deviating from route.

No proprietor of any stage carriage duly licensed to carry passengers for hire shall be liable to any penalty for any deviation from the route or line of route specified in his licence which the driver of such stage carriage shall make by virtue of any regulation or direction made or given by the commissioners of police

54 Prohibition of nuisances by persons in the thoroughfares.

Every person shall be liable to a penalty not more than [^{F52}level 2 on the standard scale], who, within the limits of the metropolitan police district, shall in any thoroughfare or public place, commit any of the following offences; (that is to say,)

- (1) Every person who shall, to the annoyance of the inhabitants or passengers expose for show or sale (except in a market lawfully appointed for that purpose) or feed or fodder any horse or other animal, or show any caravan containing any animal or any other show or public entertainment, or shoe, bleed, or farry any horse or animal (except in cases of accident), or clean, dress, exercise, train, or break any horse or animal, or clean, make, or repair any part of any cart or carriage, except in cases of accident where repair on the spot is necessary:

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- (2) Every person who shall turn loose any horse or cattle, or suffer to be at large any unmuzzled ferocious dog, or set on or urge any dog or other animal to attack, worry, or put in fear any person, horse, or other animal:
- (3) Every person who by negligence or ill-usage in driving cattle shall cause any mischief to be done by such cattle, or who shall in anywise misbehave himself in the driving, care, or management of such cattle, and also every person not being hired or employed to drive such cattle who shall wantonly and unlawfully pelt, drive, or hunt any such cattle:
- (4) Every person having the care of any cart or carriage who shall ride on any part thereof, on the shafts, or on any horse or other animal drawing the same, without having and holding the reins, or who shall be at such a distance from such cart or carriage as not to have the complete control over every horse or other animal drawing the same:
- (5) Every person who shall ride or drive furiously, or so as to endanger the life or limb of any person, or to the common danger of the passengers in any thoroughfare:
- (6) Every person who shall cause any cart, public carriage, sledge, truck, or barrow, with or without horses, to stand longer than may be necessary for loading or unloading or for taking up or setting down passengers, except hackney carriages standing for hire in any place not forbidden by law, or who, by means of any cart, carriage, sledge, truck, or barrow, or any horse or other animal, shall wilfully interrupt any public crossing, or wilfully cause any obstruction in any thoroughfare:
- (7) Every person who shall lead or ride any horse or other animal, or draw or drive any cart or carriage, sledge, truck, or barrow, upon any footway or curbstone, or fasten any horse or other animal so that it can stand across or upon any footway:
- (8) Every person who shall roll or carry any cask, tub, hoop, or wheel, or any ladder, plank, pole, showboard, or placard, upon any footway, except for the purpose of loading or unloading any cart or carriage, or of crossing the footway:
- (9) Every person who, after being made acquainted with the regulations or directions which the commissioners of police shall have made for regulating the route of horses, carts, carriages, and persons ^{F53}... for preventing obstructions during public processions and on other occasions herein-before specified, shall wilfully disregard or not conform himself thereunto:
- (10) Every person who, without the consent of the owner or occupier, shall affix any posting bill or other paper against or upon any building, wall, fence, or pale, or write upon, soil, deface, or mark any such building, wall, fence, or pale with chalk or paint, or in any other way whatsoever, ^{F54}... :
- ^{F55}(11)
- (12) Every person who shall sell or distribute or offer for sale or distribution, or exhibit to public view, any profane, ^{F56}... book, paper, print, drawing, painting or representation, or sing any profane, indecent, or obscene song or ballad, ^{F56}..., or use any profane, indecent or obscene language to the annoyance of the inhabitants or passengers:
- ^{F57}(13)
- (14) Every person, ^{F58}..., who shall blow any horn or use any other noisy instrument, for the purpose of calling persons together, or of announcing any show or entertainment, or

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for the purpose of hawking, selling, distributing, or collecting any article whatsoever, or of obtaining money or alms:

- (15) Every person who shall wantonly discharge any fire-arm or throw or discharge any stone or other missile, to the damage or danger of any person, or make any bonfire, or throw or set fire to any firework:
- (16) Every person who shall wilfully and wantonly disturb any inhabitant by pulling or ringing any door-bell or knocking at any door without lawful excuse, or who shall wilfully and unlawfully extinguish the light of any lamp:
- (17) Every person who shall fly any kite or play at any game to the annoyance of the inhabitants or passengers, or who shall make or use any slide upon ice or snow in any street or other thoroughfare, to the common danger of the passengers.

F59

Textual Amendments

F52 Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **s. 46**

F53 Words repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\), Sch. 1 Pt. VI](#)

F54 Words repealed by [Criminal Damage Act 1971 \(c. 48\), Sch. Pt. I](#)

F55 S. 54(11) repealed by [Street Offences Act 1959 \(c. 57\), Sch.](#)

F56 Words repealed by [Indecent Displays Control Act 1981 \(c. 42 SIF 39:5\)](#), s. 5(2), Sch.

F57 S. 54(13) repealed (E.W.S.) by [Public Order Act 1986 \(c. 64, SIF 39:2\)](#), s. 40(3), **Sch. 3**

F58 Words repealed by [Post Office Act 1969 \(c. 48\), Sch. 8 Pt. I](#)

F59 Words repealed (E.W.) by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), s. 121(1), **Sch. 7 Pt. I**

Modifications etc. (not altering text)

C9 Reference to carriage to be construed as including reference to motor vehicle or trailer by virtue of [Road Traffic Act 1972 \(c. 20\), s. 195](#)

55 Cannon, &c. not to be fired near dwelling houses.

No person, other than persons acting in obedience to lawful authority, shall discharge any cannon or other fire-arm of greater calibre than a common fowling-piece within three hundred yards of any dwelling house within the said district to the annoyance of any inhabitant thereof; and every person who, after being warned of the annoyance by any inhabitant, shall discharge any such fire-arm, shall be liable to a penalty not more than [^{F60}level 1 on the standard scale].

Textual Amendments

F60 Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **s. 46**

56 ^{F61}

Textual Amendments

F61 **Ss. 51, 56** repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\), Sch. 1 Pt. VI](#)

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57 F62

Textual Amendments

F62 S. 57 repealed by [Metropolitan Police Act 1864 \(c. 55\)](#),s. 1

58 Drunkards guilty of riotous or indecent behaviour may be imprisoned.

... ^{F63} every person who shall be guilty of any violent or indecent behaviour in any police station house, shall be liable to a penalty of not more than [^{F64}level 1 on the standard scale] for every such offence, or may be committed, if the magistrate before whom he shall be convicted shall think fit instead of inflicting on him any pecuniary penalty, to the house of correction for any time not more than [^{F65}one month].

Textual Amendments

F63 Words repealed by [Criminal Justice Act 1967 \(c. 80\)](#), **Sch. 7 Pt. I**

F64 Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 38, 46**

F65 Words substituted by virtue of [Penalties for Drunkenness Act 1962 \(c. 52\)](#), **s. 1**

59 F66

Textual Amendments

F66 S. 59 repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), **Sch. 1 Pt. VI**

60 Prohibition of other nuisances.

Every person who, in any street or public place within the limits of the metropolitan police district, shall be guilty of any of the following offences, shall be liable to a penalty not more than [^{F67}level 1 on the standard scale]for every such offence; (that is to say,)

- (1) Every person who in any thoroughfare shall burn, dress, or cleanse any cork, or hoop, cleanse, fire, wash, or scald any cask or tub, or hew, saw, bore, or cut any timber or stone, or slack, sift, or screen any lime:
- (2) Every person who shall throw or lay in any thoroughfare any coals, stones, slates, shells, lime, bricks, timber, iron, or other materials (except building materials, or rubbish thereby occasioned, which shall be placed or enclosed so as to prevent any mischief happening to passengers):
- (3) Every person who in any thoroughfare shall beat or shake any carpet, rug, or mat (except door mats before the hour of eight in the morning), or throw or lay any dirt, litter or ashes, or any carrion, fish, offal, or rubbish, or throw or cause any such thing to fall into any sewer, pipe, or drain, or into any well, stream, or watercourse, pond, or reservoir for water ... ^{F68}

^{F69}(4)

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^{F70}(5)

(7) Every person who shall expose any thing for sale in any park or public garden, unless with the consent of the owner or other person authorized to give such consent, or upon or so as to hang over any carriageway or footway, or on the outside of any house or shop, or who shall set up or continue any pole, blind, awning, line, or any other projection from any window, parapet, or other part of any house, shop, or other building, so as to cause any annoyance or obstruction in any thoroughfare:

(8) Every person who, to the danger of passengers in any thoroughfare, shall leave open any vault or cellar, or the entrance from any thoroughfare to any cellar or room underground, without a sufficient fence or handrail, or leave defective the door, window, or other covering of any vault or cellar, or who shall not sufficiently fence any area, pit, or sewer left open in or adjoining to any thoroughfare, or who shall leave such open area, pit, or sewer without a sufficient light after sunset to warn and prevent persons from falling thereinto.

Textual Amendments
F67 Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **s. 46**
F68 Words (a) repealed by [Public Health \(London\) Act 1891 \(c. 76\)](#), **Sch. 4**; (b) residue local
F69 [Para. 4](#) repealed by [Removal of Matter Act 1906 \(c. 45\)](#), **s. 1**
F70 [Paras. 5, 6\(a\)](#) repealed by [Public Health \(London\) Act 1891 \(c. 76\)](#), **Sch. 4**; (b) residue local

61 Mad dogs, &c.

It shall be lawful for any constable belonging to the metropolitan police force to destroy any dog or other animal reasonably suspected to be in a rabid state, or which has been bitten by any dog or animal reasonably suspected to be in a rabid state; . . . ^{F71}.

Textual Amendments
F71 Words repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), **Sch. 1 Pt. I**

62 ^{F72}

Textual Amendments
F72 [S. 62](#) repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), **Sch. 1 Pt. I**

^{F73}**63 Constables may apprehend any offender whose name and residence are not known.**

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Changes to legislation: There are currently no known outstanding effects for the Metropolitan Police Act 1839. (See end of Document for details)

Textual Amendments

F73 Ss. 63–65 repealed (E.W.) by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), s. 119(2), [Sch. 7 Pt. I](#)

^{F74}64 Constable may apprehend without warrant in certain cases.

Textual Amendments

F74 Ss. 63–65 repealed (E.W.) by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), s. 119(2), [Sch. 7 Pt. I](#)

^{F75}65 Persons charged with recent assaults may be apprehended without warrant.

Textual Amendments

F75 Ss. 63–65 repealed (E.W.) by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), s. 119(2), [Sch. 7 Pt. I](#)

^{F76}66 Power to police constables and persons aggrieved to apprehend certain offenders.

Textual Amendments

F76 S. 66 repealed (E.W.) by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), ss. 7(1)(b), 119(2), [Sch. 7 Pt. I](#)

^{F77}67 Removing furniture to evade rent.

Textual Amendments

F77 S. 67 repealed (E.W.) by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), s. 119(2), [Sch. 7 Pt. I](#)

68 Horses, carriages, &c. of offenders may be detained.

Whenever any person having charge of any horse, cart, carriage, or boat, or any other animal or thing, shall be taken into the custody of any constable under the provisions of this Act, it shall be lawful for any constable to take charge of such horse, cart, carriage, or boat, or such other animal or thing, and to deposit the same in some place

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of safe custody, as a security for payment of any penalty to which the person having had charge thereof may become liable, and for payment of any expences which may have been necessarily incurred for taking charge of and keeping the same; and it shall be lawful for any magistrate before whom the case shall have been heard to order such horse, cart, carriage, or boat, or such other animal or thing, to be sold, for the purpose of satisfying such penalty and reasonable expences in default of payment thereof, in like manner as if the same had been subject to be distrained and had been distrained for the payment of such penalty and reasonable expences.

Modifications etc. (not altering text)

C10 Reference to carriage to be construed as including reference to motor vehicle or trailer: [Road Traffic Act 1972 \(c. 20\), s. 195](#)

69 **F78**

Textual Amendments

F78 S. 69 repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\), s. 1\(1\), Sch. 1 Pt. I](#)

70— **F79**
72.

Textual Amendments

F79 Ss. 70–72 repealed by [Magistrates' Courts Act 1952 \(c. 55\), Sch. 6](#)

73 **F80**

Textual Amendments

F80 S. 73 repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\), s. 1\(1\), Sch. 1 Pt. I](#)

74 **F81**

Textual Amendments

F81 S. 74 repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\), s. 1\(1\), Sch. 1 Pt. I](#)

[^{F82}75 Meaning of “magistrate” in this Act

In this Act “magistrate” means any two justices of the peace sitting together in public.]

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Textual Amendments

F82 S. 75 substituted (1.4.2005) by Courts Act 2003 (c. 39), s. 110(1), Sch. 8 para. 10; S.I. 2005/910, art. 3(y)

76 Offences how to be tried.

Every such magistrate shall be empowered summarily to convict any person charged with any offence against this Act,^{F83} . . .

Textual Amendments

F83 Words in s. 76 repealed (19.11.1998) by 1998 c. 43, s. 1(1), Sch. 1 Pt. I Group 2

Modifications etc. (not altering text)

- C11** Reference to police court to be construed as reference to a magistrates' court for the inner London area: Administration of Justice Act 1964 (c. 42), Sch. 3 Pt. I para. 2
- C12** Reference to a magistrate of the police courts of the metropolis to be construed as reference to a metropolitan stipendiary magistrate sitting in a magistrates' court in the same court-house as the chief metropolitan stipendiary magistrate: Administration of Justice Act 1964 (c. 42), Sch. 3 Pt. I para. 3

77^{F84}

Textual Amendments

F84 S. 77 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), Sch. 1 Pt. I

78 Interpretation clause.

In the construction of this Act, unless there be something in the context repugnant thereunto, any word denoting the singular number or the male sex shall be taken to extend to any number of persons or things and to both sexes; . . .^{F85}

Textual Amendments

F85 Words repealed by Statute Law (Repeals) Act 1989 (c.43), s. 1(1), Sch. 1 Pt. I

79 This Act to be construed with 10 Geo. 4. c. 44.

This Act shall be construed as one Act with the Metropolitan Police Act 1829; and all the provisions of the said Act, except so far as is herein otherwise provided, shall extend to this Act, and to all things done in execution of this Act.

80^{F86}

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for the Metropolitan Police Act 1839. (See end of Document for details)*

Textual Amendments

F86 S. 80 repealed by [Statute Law Revision \(No. 2\) Act 1874 \(c. 96\)](#)

Status:

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Changes to legislation:

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