



# Metropolitan Police Courts Act 1839

## 1839 CHAPTER 71

### **XL Power to order Delivery of Goods unlawfully detained to the Owner.**

And be it enacted, That upon Complaint made to any of the said Magistrates by any Person claiming to be entitled to the Property or Possession of any Goods which are detained by any other Person within the Limits of the Metropolitan Police District, the Value of which shall not be greater than Fifteen Pounds, and not being Deeds, Muniments, or Papers relating to any Property of greater Value than Fifteen Pounds, it shall be lawful for such Magistrate to summon the Person complained of, and to inquire into the Title thereto or to the Possession thereof, and if it shall appear to the Magistrate that such Goods have been detained, without just Cause, after due Notice of the Claim made by the Person complaining, or that the Person detaining such Goods has a Lien or Right to detain the same by way of Security for the Payment of Money, or the Performance of any Act by the Owner thereof, it shall be lawful for such Magistrate to order the Goods to be delivered to the Owner thereof, either absolutely or upon Tender of the Amount appearing to be due by such Owner (which Amount the Magistrate is hereby authorized to determine), or upon Performance or upon Tender and Refusal of the Performance of the Act for the Performance whereof such Goods are detained as Security, or if such Act cannot be performed, then upon Tender of Amends for Non-performance thereof (the Nature or Amount of which Amends the Magistrate is hereby authorized to determine) ; and every Person who shall neglect or refuse to deliver up the Goods according to such Order shall forfeit to the Party aggrieved the full Value of such Goods, not greater than the Sum of Fifteen Pounds, such Value to be determined by the Magistrate: Provided always, that no such Order shall bar any Person from recovering Possession of the Goods or Money so delivered or forfeited, by Suit or Action at Law, from the Person to whose Possession such Goods or Money shall come by virtue of such Order, so that such Action be commenced within Six Calendar Months next after such Order shall be made.