



Metropolitan Police Act 1839

1839 CHAPTER 47 2 and 3 Vict

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 ^{F1}... holden within the metropolitan police district has been holden without lawful authority, or that any fair lawfully holden within the said district has been ^{F1}... 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 ^{F1}... 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 ^{F1}... 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 and near the ground where such fair has been ^{F1}... 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 ^{F2}... 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 [^{F3}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 [^{F4}level 1 on the standard scale].

Textual Amendments

F1 Word repealed by [Statute Law Revision Act 1874 \(No. 2\)](#) (c. 96)

Changes to legislation: There are currently no known outstanding effects for the Metropolitan Police Act 1839, Section 39. (See end of Document for details)

- F2** Words repealed (E.W.) by Police and Criminal Evidence Act 1984 (c. 60, SIF 95), s. 119(2), **Sch. 7 Pt. I**
- F3** Words inserted (E.W.) by Police and Criminal Evidence Act 1984 (c. 60, SIF 95), s. 119(1), **Sch. 6 para. 2**
- F4** Words substituted by virtue of Criminal Justice Act 1982 (c. 48, SIF 39:1), **s. 46**

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