No. XXVII.

An Act to regulate the carrying of Fire-Arms and other Offensive Weapons. [21st December, 1852.]

BE it enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof as follows :—

Discharging pointing or producing fire-arms or other arms with intent to injure or alarm or to break the peace or whereby the public peace may be endangered to be a misdemeanor and punishable.

1. From and after the passing of this Act if any person shall wilfully discharge or attempt to discharge or point aim or present at or near any other person any Gun Pistol or any other description of Fire-Arms or of other Arms whatever whether the same shall or shall not contain any explosive or destructive material or shall discharge or cause to be discharged or attempt to discharge or cause to be discharged any explosive substance or material near to any other person or if any person shall wilfully strike at or attempt to strike at any other person with any offensive weapon with intent in any of the cases aforesaid to injure or to alarm such person or if any person shall near to any other person unlawfully produce or have any Gun Pistol or any other description of Fire-Arms or other Arms whatsoever with intent to

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use the same to injure or to alarm such person or with intent to break the public peace or whereby the public peace may be endangered every such person so offending shall be guilty of a misdemeanor and being lawfully convicted thereof shall be liable at the discretion of the Court before whom the said person shall be so convicted to be imprisoned with or without hard labor for any period not exceeding two years.

2. If any person shall carry on or about his person any Gun Pistol or any other description of Fire-Arms or other Arms loaded with any explosive or destructive material within the limits of the City of Sydney every such person so offending shall on conviction before any two Justices of the Peace in a summary way forfeit and pay any sum not exceeding twenty pounds Provided that nothing in this section contained shall apply to any Justice of the Peace persons in Her Majesty's Naval or Military Service or in the service of the Revenue or in the Police or Constabulary Force or Special Constables or to any person actually in pursuit of any felon or offender and this section shall extend to and be in force in such other cities or towns and at such times as the Governor for the time being shall by notice to be published in the *New South Wales Government Gazette* declare to come under the operation of the same. *{Carrying loaded Fire-Arms or other Arms within the City of Sydney to be an offence punishable summarily. Exceptions.}*

3. It shall be lawful for any person whomsoever to apprehend any person who shall be found committing any offence against the provisions of this Act and to convey him or deliver him to some constable or other peace officer in order to his being conveyed as soon as conveniently may be before a Justice of the Peace to be dealt with according to law. *{Power to apprehend offenders against this Act.}*

4. If any person liable to be apprehended under the provisions of this Act shall assault or offer any violence to any person by law authorized to apprehend or detain him or to any person acting in his aid or assistance every such offender shall be guilty of a misdemeanor and being convicted thereof shall be liable to be imprisoned with or without hard labor for any term not exceeding three years. *{Punishment for resisting apprehension.}*

5. All Arms or other offensive Weapons found on any person committing any offence against the provisions of this Act shall upon the conviction of such person become forfeited. *{Forfeiture of all Arms and other offensive Weapons found on offenders.}*

6. This Act shall come into operation and be in force on the first day of January one thousand eight hundred and fifty-three and shall continue and be in force until the thirty-first day of December one thousand eight hundred and fifty-four. *{Commencement of Act.}*