



# Gun Barrel Proof Act 1868

## CHAPTER cxiii

### GUN BARREL PROOF ACT 1868

- Charter of 14th March 1637.
- 1 Short Title.
  - 2 Commencement of Act.
  - 3 Reserving Power for Crown to establish public Proof Houses.
  - 4 Interpretation of Terms.
  - 5 10 & 11 Vict. c. 16. incorporated.
  - 6 8 & 9 Vict. c. 18. and 23 & 24 Vict. c. 106. incorporated.
  - 6A Acquisition of land in Scotland.
  - 7 Above-named Acts in Sect. 6. not to apply to Gunmakers Company. 10 & 11 Vict. c. 16. 8 & 9 Vict. c. 18. 23 & 24 Vict. c. 106.
  - 8 Same Meanings to Words in incorporated Acts as in this Act and in Schedules.
  - 9 Recited Act repealed.
  - 10 Saving Rights of Gunmakers Company.
  - 11 General Saving of Rights under recited Act.
  - 12 Guardians to continue incorporated.
  - 13 Guardians to remain entitled to their Property.
  - 14 Two Companies respectively to continue entitled to Rights under other Acts.
  - 15 Contracts, Conveyances, &c. to remain in force.
  - 16 Actions, &c. not to abate.
  - 17 Debts due to and by the Two Companies respectively to be paid to and by them.
  - 18 Byelaws, &c. to remain in force.
  - 19 Books to be Evidence.
  - 20 Officers to continue.
  - 21 Official and elected Guardians after the Commencement of this Act.
  - 22 First-elected Guardians.

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- 23 Qualification of elected Guardians.
- 24 Bankrupts not to be Guardians.
- 25 Guardians not to be concerned in Contracts.
- 26 But Shareholders in Companies not disqualified.
- 27 Declaration to be made by Guardian before acting.
- 28 False Declaration a Misdemeanor.
- 29 Declaration to be made at First Meeting.
- 30 Penalty on Guardians acting not being qualified. But Acts done valid.
- 31 Members of the Two Companies not incapable of acting as Justices.
- 32 Elected Guardians failing to act to cease to be elected Guardians.
- 33 Vacancy on elected Guardians becoming official Guardians.
- 34 Election as elected Guardians of persons ceasing to be official Guardians.
- 35 Election of elected Guardians to supply occasional Vacancies.
- 36 Rotation of elected Guardians.
- 37 Retiring Guardians to be eligible for Re-election.
- 38 Qualification of Members of Birmingham Gun Trade.
- 39 Qualification for elected Guardians and Birmingham Gun Trade in Cases of joint Rating.
- 40 Qualification of Joint Stock Companies as Members of Birmingham Gun Trade.
- 41 Existing Register of Birmingham Gun Trade to remain in force.
- 42 Claims for Registration of Members of Birmingham Gun Trade.
- 43 Publication of Times for making Claims and of Claims made.
- 44 Objections to Register and Claims.
- 45 Time for making Objections.
- 46 Printed Copies of Forms in Schedule A. to be kept.
- 47 Revision of Register by Registry Board.
- 48 Registry Board.
- 49 Mode of Revision by Registry Board.
- 50 Members on Register to remain registered until Proof of Death, or Objection allowed.
- 51 Members of Birmingham Gun Trade determined by Register in force.
- 52 Revised Register to be printed and Copies to be Evidence.
- 53 First and other yearly Meetings of Birmingham Gun Trade.
- 54 Special Meetings of Birmingham Gun Trade.
- 55 Notice of Yearly and Special Meetings.
- 56 Meetings of Birmingham Gun Trade.
- 57 Chairman of Meetings of Birmingham Gun Trade.
- 58 Business at Yearly and Special Meetings.
- 59 Guardians to report to Yearly Meetings.
- 60 Nomination of Candidate.
- 61 Election of Candidates.
- 62 Appointment of Scrutineers, and Examination of Votes by Chairman and Scrutineers.
- 63 Provision in case of Failure of Birmingham Gun Trade to supply Vacancies.
- 64 Informalities in Election of Members not to invalidate Proceedings.
- 65 First and other monthly Meetings of Guardians.
- 66 First and other Annual Meetings of Guardians.
- 67 Postponing Meetings for Fast Days, &c.
- 68 Place of Meetings of Guardians.
- 69 Quorum for Meetings of Guardians and Special Meetings of Guardians.

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- 70 Powers of Guardians and ordinary Business of Meetings of Guardians.
- 71 Notice of extraordinary Business.
- 72 Remuneration to Guardians.
- 73 Proof Master and Wardens.
- 74 Power for Guardians to resolve that Proof Master shall be a salaried Officer, and not a Guardian.
- 75 Power for Guardians to appoint Deputy Proof Master.
- 76 Salaried Proof Master.
- 77 Chairman of Guardians.
- 78 Appointment of Officers.
- 79 Power to grant Gratuities to Officers.
- 80 Appointment of Auditors.
- 81 Rotation of Auditors and Vacancies.
- 82 Remuneration to Auditors.
- 83 Accounts to be kept.
- 84 Accountant to submit monthly Accounts.
- 85 Accounts to be made up to 31st December in every Year.
- 86 Yearly Statement and Balance Sheet of Accounts.
- 87 Penalty on refusing Inspection of Books.
- 88 Power to maintain Birmingham Proof House, and provide Offices and a Rifle Ground
- 89 Power to provide Branch Proof Houses.
- 90 Notice of Branch Proof Houses.
- 91 Power to purchase Lands, &c.
- 92 The Two Companies to maintain Proof House and Branch Proof Houses.
- 93 Fund for Restoration of Birmingham Proof House and Branch Proof Houses.
- 94 Applicaton of Monies by Guardians.
- 95 Duties and Powers of Proof Masters and Wardens
- 96 Attendance of Officers at Proof Houses and Office of the Two Companies.
- 97 Proof Master of Gunmakers Company responsible.
- 98 Proof Master of Guardians responsible.
- 99 Declaration by Proof Master and Assistant Proof Masters of Guardians.
- 100 Acting contrary to Declaration a Misdemeanor.
- 101 Byelaws to be made by Guardians.
- 102 Byelaws to be allowed and approved before coming into operation.
- 103 Notice of Allowance of Byelaws to be given.
- 104 Copy of proposed Byelaws to be opened for Inspection.
- 105 Proof of Allowance of Byelaws.
- 106 Regulations to be made by Gunmakers Company for proving Barrels.
- 107 The Two Companies to receive, prove, mark, and deliver Barrels brought to them for Proof.
- 108 Small Arms not to be sold or exported unless proved and marked as proved.
- 109 Small Arms not to be pawned unless proved, &c.
- 110 Double Barrels provisionally proved, and reduced in Strength, to be deemed unproved.
- 111 Barrels reduced so that the Mark does not represent the Proof to be deemed unproved.
- 112 Barrels with Marks defaced or removed to be deemed unproved.

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- 113 But provisional Proof on Military Barrels converted may be removed by Proof Master, &c.
- 114 Converted Barrels with provisional Proof Mark remaining to be deemed provisionally proved Barrels.
- 115 Other Barrels when converted to be deemed unproved Barrels.
- 116 Barrels to be proved according to Rules, Regulations, and Scale.
- 117 Alteration of Rules, Regulations, and Scale for Proof.
- 118 Charges for proving and marking Barrels.
- 119 How far Act shall extend to Barrels made for Her Majesty's Forces, &c.
- 120 Act not to apply to Barrels above specified Size.
- 121 Offences declared Misdemeanor.
- 122 Offences involving Penalties.
- 123 Sending for Proof Barrels containing explosive Substances to be an Offence under Sect. 29 of 24 & 25 Vict. c. 100.
- 124 Provision as to Penalties.
- 125 Recovery of Penalties.
- 126 Power of Appeal.
- 127 Exemption from Penalty where original Offender made known to Companies.
- 128 Property in forged Stamps, &c. vested in the Company first claiming the same.
- 129 Convention proof marks.
- 130 Exemption of barrels with convention proof marks.
- 131 Convention proof marks: proceedings for offences.
- 138 Application to Justice for Warrant for Seizure of forged Stamps, &c.
- 139 Detention of barrels with forged etc. marks brought to proof house.
- 140 Disposal of detained stamps, barrels and small arms.
- 141 Officers removing Proof Stamps to be punishable as for a Misdemeanor.
- 142 Penalties on Officers for Neglect of Duties.
- 143 Penalty on Officers for Fraud.
- 144 Act not to extend to Scotland or Ireland.
- 145 Expenses of Act.

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SCHEDULES referred to in the foregoing Act.

SCHEDULE A. —

Part I.

I A.B. [insert Address and Description] hereby claim to be...

Dated

(Signed) A.B.

To the Law Clerk to the Guardians of the Birmingham...

Part II.

I A.B. [insert Address and Description] object to C.D. [insert...]

Dated

(Signed) A.B.

To the Law Clerk to the Guardians of the Birmingham...

Part III. — FORM OF VOTING PAPER.

I vote for the Persons in the above List against...

(Signed)

SCHEDULE B. — Rules and Regulations and Scales applicable to the Proof of Small Arms.

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### *Classification of Small Arms.*

First Class.—Comprising Single-barrelled Military Arms of Smooth Bore, not being...  
Second Class.—Comprising Double-barrelled Military Arms of Smooth Bore and Rifled...  
Third Class.—Comprising every Description of Single-barrelled Birding and Fowling Pieces...  
Fourth Class.—Comprising every Description of Double-barrelled Birding and Fowling Pieces...  
Fifth Class.—Comprising Revolving Small Arms of every Description and System....

### *Rule of Proof.*

The Gunpowder used shall be of equal Quality and Strength...  
The Bullets used shall be of Lead, and of the...  
The Wads used, except Wads used for Rifled Arms, shall...  
As to Rifled Arms of every Description, the Quantity of...  
Barrels for Arms of the Second and Fourth Classes shall...  
It shall be sufficient from Time to Time to prove...  
As to any Military Barrel made for the Use of...

### *Conditions precedent to Proof.*

Barrels for Arms of the First Class shall not be...  
Barrels for Arms of the Third Class shall not be...  
Barrels for Arms of the Second and Fourth Classes:  
For provisional Proof:—If of plain Metal, shall be bored and...  
For definitive Proof:—The Barrels, whether of plain or twisted Metal,...  
Barrels for Breech-loading Arms, all which are subject to provisional...  
Barrels for Revolving Arms shall have the Cylinders or Chambers...

### *Marks of Proof.*

The Marks denoting definitive Proof shall be the Proof and...  
As to the Gunmakers Company:  
The Letters G P interlaced in a Cypher surmounted by...  
As to the Guardians:  
Two Sceptres crossed, a Crown in the top Angle formed...  
The Marks denoting provisional Proof shall be as follows:  
As to the Gunmakers Company:  
The Letters G P interlaced in a Cypher surmounted by...  
As to the Guardians:  
The Letters B P interlaced in a Cypher surmounted by...  
The Marks denoting provisional Proof of Barrels proved in the...  
As to the Gunmakers Company:  
The Letters V G P interlaced in a Cypher surmounted...  
As to the Guardians:  
The Letters V B P interlaced in a Cypher surmounted...

### *Mode of affixing Proof Marks.*

On Arms of the First, Third, and Fifth Classes the...  
On Arms of the Second and Fourth Classes proved provisionally...

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On Arms of the Second and Fourth Classes proved provisionally...  
On all Barrels the Gauge Size of the Barrel shall...

SCHEDULE C. —

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