



Hares Act 1848

1848 CHAPTER 29

An Act to enable Persons having a Right to kill Hares in *England* and *Wales* to do so, by themselves or Persons authorized by them, without being required to take out a Game Certificate. [22d July 1948]

WHEREAS by an Act passed in the Forty-eighth Year of the Reign of King George the Third, intituled *An Act for repealing the Duties of Assessed Taxes, and granting new Duties in lieu thereof, and certain additional Duties to be consolidated therewith, and also for repealing the Stamp Duties on Game Certificates, and granting new Duties in lieu thereof, to be placed under the Management of the Commissioners for the Affairs of Taxes*, and by an Act passed in the Fifty-second Year of the Reign of the said King George the Third, intituled *An Act for granting to His Majesty certain new and additional Duties of Assessed Taxes, and for consolidating the same with the former Duties of Assessed Taxes*, and by an Act passed in the Third Year of the Reign of Her present Majesty, intituled *An Act for granting to Her Majesty Duties of Customs, Excise, and Assessed Taxes*, certain Duties of Assessed Taxes were granted to Her Majesty the Queen upon, amongst other things, every Person who shall use any Dog, Gun, Net, or other Engine for the Purpose of taking or killing any Game whatever, or shall assist in any Manner in the taking or killing of any Game: And whereas by divers Laws now in force Penalties are imposed on all Persons taking or killing, or assisting in the taking or killing of, amongst other things, any Game whatever, who shall not have obtained a Certificate of the due Payment of such Duties: And whereas it has been found that much Damage has been and is continually done by Hares to the Produce of inclosed Lands, and that great Losses have thereby accrued and do accrue to the Occupiers of such Lands; and it is expedient that Persons in the actual Occupation of such inclosed Lands, or the Owners thereof, who have the Right of killing Game thereon, should be allowed to take, kill, and destroy Hares thereon, without the Payment of the said Duties of Assessed Taxes, and without the incurring of any of the Penalties above mentioned:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Persons in the Occupation of inclosed Ground, and in certain Cases Owners, may kill Hares without a Game Certificate.

That from and after the passing of this Act it shall be lawful for any Person, being in the actual Occupation of any inclosed Lands, or for any Owner thereof who has the Right of killing Game thereon, by himself or by any Person directed or authorized by him in Writing, according to the Form in the Schedule to this Act annexed, or to the like Effect, so to do, to take, kill, or destroy any Hare then being in or upon any such inclosed Lands, without the Payment of any such Duties of Assessed Taxes as aforesaid, and without the obtaining of an annual Game Certificate.

II Authority to kill Hares to be limited to One Person at the same Time in any One Parish; which Authority shall be sent to the Clerk of the Petty Sessions who shall register the same. If Authority revoked Notice to be given of the same.

Provided always, and be it enacted, That no Owner or Occupier of Land as aforesaid shall be authorized to grant or continue, under the Provisions of this Act, Authority to more than One Person, at one and the same Time, to kill Hares upon his Land within any One Parish; and that he shall deliver the said Authority, or a Copy thereof, or cause the same to be delivered, to the Clerk of the Magistrates acting for the Petty Sessions Division within which the said Lands are situate, who shall forthwith register the same, and the Date of such Registration, in a Book to be kept by him for such Purpose, which Book shall be at all reasonable Times open to the Inspection of the Clerk of the Commissioners acting in the. Execution of the Acts for Assessed Taxes or of any of the Collectors of Assessed Taxes within such District; and the said Authority, so soon as it shall have been registered as aforesaid, shall be held good until after the First Day of February in the Year following that within which the same is granted, unless the same be previously revoked, and Notice of such Revocation be given to the Clerk of the Magistrates as aforesaid ; and the said registered Authority, or the unrevoked Register thereof, shall be good and sufficient Evidence of the Right of the Person to whom Authority is given by the same to kill Hares upon the Lands mentioned within the same without having obtained an annual Game Certificate.

III Persons not to be liable to Tax on Game-keepers.

And be it enacted, That no Person so directed or authorized to kill any Hare as aforesaid shall, unless otherwise chargeable, be liable to any Duties of Assessed Taxes as Gamekeeper.

IV To extend to coursing or hunting.

And be it enacted, That from and after the passing of this Act it shall be lawful for any Person to pursue and kill or to join in the Pursuit and killing of any Hare by coursing with Greyhounds, or by hunting with Beagles or other Hounds, without having obtained an annual Game Certificate.

V Not to authorize the laying of Poison.

Provided also, and be it enacted, That nothing herein contained shall extend or be taken or construed to extend to the making it lawful for any Person, with Intent to destroy or injure any Hares or other Game, to put or cause to be put any Poison or poisonous Ingredient on any Ground, whether open or inclosed, where Game usually resort, or

in any Highway, or for any Person to use any Fire-arms or Gun of any Description, by Night, for the Purpose of killing any Game or Hares.

VI Agreements reserving Game to be still in force.

Provided also, and be it enacted, That where any Tenant Of any Land for Life or Lives, Years, or otherwise, now is or hereafter shall be bound by any Agreement not to take, kill, or destroy any Game upon any Lands included in such Agreement, then and in all such Cases nothing herein contained shall extend or be taken or construed to extend to authorize or empower such Tenant to take, kill, or destroy any Hare upon any such Lands so included in such Agreement, or to authorize any other Person to kill or destroy any Hare upon any such Lands.

VII Interpretation of Act.

And be it enacted, That in the Interpretation of this Act the Singular Number shall extend to several Persons and Things as well as to one Person or Thing; and any Word importing the Plural Number shall apply to one Person or Thing as well as to several Persons or Things ; and every Word importing the Masculine Gender only shall extend to a Female as well as a Male; and that the Word "Agreement" shall include any Covenant, Proviso, Promise, Undertaking, Condition, or Reservation; and that the Word "Parish" shall include any Hamlet, Township, Tithing, or Extra-parochial Place; and for the Purposes of this Act the Word " Night" shall be considered and is hereby declared to commence at the Expiration of the first Hour after Sunset, and to conclude at the Beginning of the last Hour before Sunrise.

VIII To extend to England and Wales only.

And be it enacted, That this Act shall extend to that Part of the United Kingdom called *England and Wales*.

IX Act may be amended, &c.

And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

Status: This is the original version (as it was originally enacted).

SCHEDULE

I *A. B.* do authorize *C. D.* to kill Hares on [“my Lands,” or “the
Lands occupied by me,” *as the Case may be*], within the
of [here insert the Name of the Parish or other Place,
as the Case may be]. Dated this Day of [here
insert the Day, Month, and Year].

A. B.

Witness.