



# Poaching Prevention Act 1862

## 1862 CHAPTER 114

### **2 Power to Constables to search Persons without Warrant, in certain Cases.**

It shall be lawful for any Constable or Peace Officer in any County, Borough, or Place in *Great Britain* and *Ireland*, in any Highway, Street, or public Place, to search any Person whom he may have good Cause to suspect of coming from any Land where he shall have been unlawfully in search or pursuit of Game, or any Person aiding or abetting such Person, and having in his Possession any Game unlawfully obtained, or any Gun, Part of Gun, or Nets or Engines used for the killing or taking Game, and also to stop and search any Cart or other Conveyance in or upon which such Constable or Peace Officer shall have good Cause to suspect that any such Game or any such Article or Thing is being carried by any such Person, and should there be found any Game or any such Article or Thing as aforesaid upon such Person, Cart or other Conveyance, to seize and detain such Game, Article, or Thing; and such Constable or Peace Officer shall in such Case apply to some Justice of the Peace for a Summons citing such Person to appear before Two Justices of the Peace assembled in Petty Sessions, as provided in the Eighteenth and Nineteenth of Her present Majesty, Chapter One hundred and twenty-six, Section Nine, as far as regards *England* and *Ireland*, and before a Sheriff or any Two Justices of the Peace in *Scotland*; and if such Person shall have obtained such Game by unlawfully going on any Land in search or pursuit of Game, or shall have used any such Article or Thing as aforesaid for unlawfully killing or taking Game, or shall have been accessory thereto, such Person shall, on being convicted thereof, forfeit and pay any Sum not exceeding Five Pounds, and shall forfeit, such Game, Guns, Parts of Guns, Nets, and Engines, and the Justices shall direct the same to be sold or destroyed, and the Proceeds of such Sale, with the Amount of the Penalty, to be paid to the Treasurer of the County or Borough where the Conviction takes place; and no Person who, by Direction of a Justice in Writing, shall sell any Game so seized shall be liable to any Penalty for such Sale; and if no Conviction takes place, the Game or any such Article or Thing as aforesaid, or the Value thereof, shall be restored to the Person from whom it had been seized.