



# Pound-breach Act 1843

1843 CHAPTER 30 6 and 7 Vict

An Act to amend the Law relating to Pound-breach and Rescue in certain Cases. [12th July 1843]

## Modifications etc. (not altering text)

- C1 Short title given by [Short Titles Act 1896 \(c. 14\)](#)
- C2 Preamble omitted under authority of [Statute Law Revision Act 1891 \(c. 67\)](#)

## [1.] **Persons releasing or attempting to release cattle impounded, or damaging any pound, &c., upon conviction before two justices, to forfeit 5*l.* and expenses, and in default of payment to be imprisoned.**

In case any person or persons shall release or attempt to release any horse, ass, sheep, swine, or other beast or cattle, which shall be lawfully seized for the purpose of being impounded, in consequence of having been found wandering, straying, or lying or being depastured on any inclosed land without the consent of the owner or occupier of such inclosed land, from the pound or place where the same shall be so impounded, or on the way to or from any such pound or place, or shall pull down, damage, or destroy the same pound or place, or any part thereof, or any lock or bolt belonging thereto or with which the same shall be fastened, every person so offending shall, upon conviction thereof, before any two of her Majesty's justices of the peace, forfeit and pay any sum not exceeding [<sup>F1</sup>£20], together with reasonable charges and expenses, or in default thereof be committed by such justices, by warrant under their hands and seals, to the house of correction of the county wherein the said offence shall have been committed, . . . <sup>F2</sup>[<sup>F3</sup>and it shall be lawful for the said justices to award the whole or any portion of such penalty to the person or persons on whose behalf such cattle were distrained.]

## Textual Amendments

- F1 Words substituted by [Criminal Justice Act 1967 \(c.80\)](#), s. 92, [Sch. 3 Pt. I](#)

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Pound-breach Act 1843 (repealed 5.11.1993). (See end of Document for details)*

- F2** Words omitted by virtue of (E.W.) [Criminal Justice Act 1948 \(c. 58\), s. 1\(2\)](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\), s. 221\(2\)](#) and repealed by [Statute Law Revision Act 1892 \(c. 19\)](#)
- F3** Words repealed (E.W.) by [Justices of the Peace Act 1949 \(c. 101\), Sch. 7 Pt. III](#)

**2 Justices not to hear cases where questions of title arise, or as to any bankruptcy, &c.**

Provided always, that nothing herein contained shall authorize any justices of the peace to hear and determine any case of pound-breach or rescue in which any question shall arise as to the title to any lands, tenements, or hereditaments, or any interest therein or accruing therefrom, or as to any bankruptcy . . . <sup>F4</sup>, or any execution under the process of any court of justice, or as to the obligation of maintaining, repairing, or keeping in repair any wall, hedge, paling, ditch, sunk fence, or fence whatsoever.

**Textual Amendments**

- F4** Words repealed by [Statute Law Revision \(No. 2\) Act 1874 \(c. 96\)](#)

**3, 4.** <sup>F5</sup> .....

**Textual Amendments**

- F5** [Ss. 3, 4](#) repealed by [Statute Law Revision Act 1892 \(c. 19\)](#)

**Status:**

Point in time view as at 01/02/1991.

**Changes to legislation:**

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