



# Night Poaching Act 1828

1828 CHAPTER 69

**II Owners or Occupiers of Land, Lords of Manors, or their Servants, may apprehend Offenders. Offenders assaulting or offering Violence deemed guilty of Misdemeanor, and liable to be transported for Seven Years, or imprisoned for 2 Years.**

And be it enacted, That where any Person shall be found upon any Land committing any such Offence as is herein-before mentioned, it shall be lawful for the Owner or Occupier of such Land, or for any Person having a Right or reputed Right of Free Warren or Free Chase thereon, or for the Lord of the Manor or reputed Manor wherein such Land may be situate, and also for any Gamekeeper or Servant of any of the Persons herein mentioned, or any Person assisting such Gamekeeper or Servant, to seize and apprehend such Offender upon such Land, or in case of Pursuit being made, in any other Place to which he may have escaped therefrom, and to deliver him, as soon as may be, into the Custody of a Peace Officer, in order to his being conveyed before Two Justices of the Peace; and in case such Offender shall assault or offer any Violence with any Gun, Crossbow, Fire Arms, Bludgeon, Stick, Club, or any other offensive Weapon whatsoever, towards any Person hereby authorized to seize and apprehend him, he shall, whether it be his First, Second, or any other Offence, be guilty of a Misdemeanor, and being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond Seas for Seven Years, or to be imprisoned and kept to hard Labour in the Common Gaol or House of Correction for any Term not exceeding Two Years; and in *Scotland*, whenever any Person shall so offend, he shall be liable to be punished in like Manner.