



Malicious Damage Act 1861

1861 CHAPTER 97

Injuries to Ponds

32 Breaking down the Dam of a Fishery, &c. or Milldam, or poisoning Fish.

Whosoever shall unlawfully and maliciously cut through, break down, or otherwise destroy the Dam, Floodgate, or Sluice of any Fishpond, or of any Water which shall be private Property, or in which there shall be any private Right of Fishery, with Intent thereby to take or destroy any of the Fish in such Pond or Water, or so as thereby to cause the Loss or Destruction of any of the Fish, or shall unlawfully and maliciously put any Lime or other noxious Material in any such Pond or Water, with Intent thereby to destroy any of the Fish that may then be or that may thereafter be put therein, or shall unlawfully and maliciously cut through, break down, or otherwise destroy the Dam or Floodgate of any Millpond, Reservoir, or Pool, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.