



Night Poaching Act 1844

1844 CHAPTER 29

An Act to extend an Act of the Ninth Year of King George the Fourth, for the more effectual Prevention of Persons going armed by Night for the Destruction of Game. [4th July 1844]

WHEREAS an Act was passed in the Ninth Year of the Reign, of His Majesty King George the Fourth, intituled *An Act for the more effectual Prevention of Persons going armed by Night for the Destruction of Game*, whereby it is enacted, that if any Person shall, after the passing of the said Act, by Night, unlawfully take or destroy any Game or Rabbits in any Land, whether open or inclosed, such Offender should, upon Conviction thereof before Two Justices of the Peace, be liable to be punished, and to find Security for good Behaviour, as in the said Act specified ; and it was further thereby enacted, that if any Person should be found upon any Land committing any such Offence as is hereinbefore mentioned such Person might be seized and apprehended, and committed to Custody, and in case of any Assault or Violence should be punished as in the said Act is set forth : And whereas the Provisions of the said Act have of late Years been evaded and defeated, by the Destruction, by armed Persons at Night, of Game or Rabbits, not upon open or inclosed Lands, as described in the said Act, but upon public Roads and Highways, and other Roads and Paths leading through such Lands, and also at the Gates, Outlets, and Openings between such Lands, and Roads, Highways, and Paths, so that not only has the Destruction of Game or Rabbits not been prevented, but the Risk of Murder and other grievous Offences contemplated by the said Act has been increased, and great Danger and Alarm occasioned to Persons using such Roads, Highways, and Paths ; and it is expedient that the Remedies provided by the said Act against such Offences as herein-before mentioned should be extended and applied to the like Offences committed upon such Roads, Highways, and Paths :

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,

Status: This is the original version (as it was originally enacted).

Punishments and Forfeitures imposed by the recited Act on Persons by Night destroying Game or Rabbits in any open or inclosed Land to apply to Persons by Night destroying Game or Rabbits on any public Road, &c.

That from and after the passing of this Act all the Pains, Punishments, and Forfeitures imposed by the said Act upon Persons by Night unlawfully taking or destroying any Game or Rabbits in any Land, open or inclosed, as therein set forth, shall be applicable to and imposed upon any Person by Night unlawfully taking or destroying any Game or Rabbits on any public Road, Highway, or Path, or the Sides thereof, or at the Openings, Outlets, or Gates from any such Land into any such public Road, Highway, or Path, in the like Manner as upon any such Land, open or inclosed ; and it shall be lawful for the Owner or Occupier of any Land adjoining either Side of that Part of such Road, Highway, or Path where the Offender shall be, and the Gamekeeper or Servant of such Owner or Occupier, and any Person assisting such Gamekeeper or Servant, and for all the Persons authorized by the said Act to apprehend any Offender against the Provisions thereof, to seize and apprehend any Person offending against the said Act or this Act; and the said Act, and all the Powers, Provisions, Authorities, and Jurisdictions therein or thereby contained or given, shall be as applicable for carrying this Act into execution as if the same had been herein specially set forth.

II Act may be amended this Session.

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