Anno ſecundo

Georgii III. Regis.

CAP. XIX.

An Act for the better Preſervation of the Game in that Part of *Great Britain* called *England*.



FOR the better Preſervation of the Game in this Kingdom, May it pleaſe your moſt Excellent Majeſty, that it may be enacted; and be it enacted by the King'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, That no Perſon or Perſons, after the Firſt Day of June, Preamble.

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After 1 *June*, 1762, no Person may take, kill, buy, or sell, or have in his Custody, any Partridge, between 12 *Feb.* and 1 *Sep.* or Pheasant, between 1 *Feb.* and 1 *Oct.* or Heath Fowl, between 1 *Jan.* and 20 *Aug.* or Grouse, between 1 *Dec.* and 25 *July*, in any Year;

June, One thousand seven hundred and sixty two, shall, upon any Pretence whatsoever, take, kill, destroy, carry, sell, buy, or have in his, her, or their Possession, or Use, any Partridge, between the Twelfth Day of February and the First Day of September, in any Year; or any Pheasant, between the First Day of February and the First Day of October, in any Year; or any Heath Fowl, commonly called Black Game, between the First Day of January and the Twentieth Day of August, in any Year; or any Grouse, commonly called Red Game, between the First Day of December and the Twenty fifth Day of July, in any Year.

Pheasants taken in the proper Season, and kept in Mews, or Breeding-places, excepted.

Provided always, That nothing in this Act shall extend to any Pheasant which shall be taken in the Season allowed by this Act, and kept in any Mew or Breeding-place.

This Act not to extend to *Scotland*.

Provided also, That nothing in this Act contained shall extend, or be construed to extend, to that Part of Great Britain called Scotland.

Persons offending in any of the Cases aforesaid, forfeit 5 *l. per* Bird, to the Prosecutor,

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall transgress this Act in any of the aforesaid Cases, and shall be lawfully convicted thereof by the Oath of One or more credible Witness or Witnesses, every such Person shall, for every Partridge, Pheasant, Heath Fowl, or Grouse, so taken, killed, destroyed, carried, sold, bought, or found in his, her, or their Possession or Use, contrary to the true Intent and Meaning of this Act, forfeit and pay the Sum of Five Pounds to the Person or Persons who shall inform or sue for the same: And it shall and may be lawful to and for any Person or Persons to sue and prosecute for, and recover, the said Penalty of Five Pounds, with Full Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at Westminster; and in such Action or Suit, no Essoin, Wager of Law, or more than One Imparlance, shall be allowed.

to be recovered, with Full Costs, in any of the Courts at *Westminster*.

And whereas by an Act passed in the Eighth Year of the Reign of His late Majesty King George the First, intituled, An Act for the better Recovery of the Penalties inflicted upon Persons who destroy the Game; it was enacted, That whersoever any Person shall, for any Offence to be hereafter committed against any Law now in being for the better Preservation of the Game, be liable or subject to any pecuniary Penalty or Sum of Money, upon Conviction before any Justice or Justices of the Peace, it shall and may be lawful for any other Person whatsoever, either to proceed to recover the said Penalty by Information and Conviction, before a Justice or Justices of the Peace, in such Manner as is in such Law contained, or to sue for the same by Action of Debt, or on the Case, Bill, Plaint, or Information, in any of his Majesty's Courts of Record: And whereas, a Moiety or Portion of the said pecuniary Penalty is, by several Acts of Parliament, directed to be applied to and for the Use of the Poor of the Parish wherein such Offence shall be committed, by reason whereof Inhabitants of the said Parish have been disallowed to give Evidence touching such Offences: And whereas Suits by Action of Debt, or on the Case, Bill, Plaint, or Information, are often attended with great Costs and Charges to the Prosecutor, by Means whereof the End or Intentions of the said Act have been, in a great Measure, frustrated; for Remedy whereof, be it enacted by the Authority aforesaid, That from and after the passing of this Act, it shall and may be lawful for any Person whatsoever, to sue for and recover the Whole of such Penalty for his own Use, by Action of Debt or on the Case, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at Westminster, wherein no Essoin, Wager of Law, or more than One Imparlance, shall be allowed; and wherein the Plaintiff, if he recovers, shall have his Double Costs; and that no Part of the said Penalty, recovered in any such Suit or Action, shall be

Recital of Clause in Act 8 Geo. I.

The Whole of the pecuniary Penalties under the said Act, may be sued for, and recovered to the sole Use of the Prosecutor,

with Double Costs;

and no Part thereof to go to the Uſe of the Poor of the Pariſh.

paid or applied to or for the Uſe of the Poor of the Pariſh wherein ſuch Offence ſhall be committed; any Law or Uſage to the contrary notwithſtanding.

Proſecutions to be within 6 Months after the Fact committed.

Provided always, and be it enacted, That no ſuch Action, Suit, Bill, Plaint, or Information, ſhall be brought or exhibited, but within the Space of Six Months next after the Matter or Thing done, for which the ſame ſhall be commenced or exhibited as aforeſaid.

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FINIS.

Anno Regni GEORGII III.

REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

SECUNDO.

At the Parliament begun and holden at *Weſtminſter*, the Nineteenth Day of *May*, *Anno Dom.* 1761, in the Firſt Year of the Reign of our Sovereign Lord *GEORGE* the Third, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Third Day of *November* following; being the Firſt Seſſion of the Twelfth Parliament of *Great Britain.*



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