



Land Clauses Consolidation Act 1845

1845 CHAPTER 18 8 and 9 Vict

Recovery of penalties

And with respect to the recovery of forfeitures, penalties, and costs, be it enacted as follows:

136 Penalties to be summarily recovered before two justices.

Every penalty or forfeiture imposed by this or the special Act, or by any byelaw made in pursuance thereof, the recovery of which is not otherwise provided for, may be recovered by summary proceeding before two justices . . . ^{F1}

Textual Amendments

F1 Words repealed by [Statute Law Revision Act 1892 \(c. 19\)](#)

137 ^{F2}

Textual Amendments

F2 S. 137 repealed by [Statute Law Revision Act 1892 \(c. 19\)](#)

^{F3}**138**

Textual Amendments

F3 S. 138 repealed (N.I.) by [Statute Law Revision \(Northern Ireland\) Act 1980 \(c. 59\)](#), s. 1, **Sch. Pt. IV**; s. 138 wholly repealed (5.11.1993) by [1993 c. 50](#), s. 1(1), **Sch. 1 Pt. XIV** Group 1

Changes to legislation: There are currently no known outstanding effects for the Land Clauses Consolidation Act 1845, Cross Heading: Recovery of penalties. (See end of Document for details)

139 F4

Textual Amendments
F4 S. 139 repealed by [Compulsory Purchase Act 1965 \(c. 56\)](#), s. 39(4), [Sch. 8 Pt. II](#)

140 Distress against the treasurer.

... F5

Textual Amendments
F5 S. 140 repealed by [Statute Law \(Repeals\) Act 1974 \(c. 22\)](#), s. 1, [Sch. Pt. III](#)

[^{F6}**141 Distress not unlawful for want of form.**

No distress levied by virtue of this or the special Act, or any Act incorporated therewith, shall be deemed unlawful, nor shall any party making the same be deemed a trespasser, on account of any defect or want of form in the summons, conviction, warrant of distress, or other proceeding relating thereto, nor shall such party be deemed a trespasser ab initio on account of any irregularity afterwards committed by him, but all persons aggrieved by such defect or irregularity may recover full satisfaction for the special damage in an action upon the case.]

Textual Amendments
F6 S. 141 repealed (E.W.) (5.11.1993) by [1993 c. 50](#), s. 1(1), [Sch. 1 Pt. XIV](#) Group 1

142 F7

Textual Amendments
F7 S. 142 repealed by [Statute Law Revision Act 1892 \(c. 19\)](#)

143 F8

Textual Amendments
F8 S. 143 repealed by [Compulsory Purchase Act 1965 \(c. 56\)](#), s. 39(4), [Sch. 8 Pt. II](#)

144 F9

Changes to legislation: There are currently no known outstanding effects for the Land Clauses Consolidation Act 1845, Cross Heading: Recovery of penalties. (See end of Document for details)

Textual Amendments

F9 S. 144 repealed by [Statute Law Revision Act 1892 \(c. 19\)](#)

145 **F10**

Textual Amendments

F10 S. 145 repealed (E.W.) by [Compulsory Purchase Act 1965 \(c. 56\)](#), s. 39(4), [Sch. 8 Pt. II](#) and repealed as it applies to Northern Ireland by Statute Law (Repeals) Act [1993 c. 50](#) Sch. 1 Pt. XIV Gp. 1

146 † **Parties allowed to appeal to quarter sessions, on giving security.**

If any party shall feel aggrieved by any determination or adjudication of any justice with respect to any penalty or forfeiture under the provisions of this or the special Act, or any Act incorporated therewith, such party may appeal to the general quarter sessions . . . ^{F11}

Textual Amendments

F11 Words repealed by [Summary Jurisdiction Act 1884 \(c. 43\)](#), s. 4, [Sch.](#)

Modifications etc. (not altering text)

- C1** A dagger appended to a marginal note means that it is no longer accurate.
- C2** S. 146 amended with the substitution of a reference to the Crown Court for the reference to a court of quarter sessions by [Courts Act 1971 \(c. 23\)](#), s. 56(2), [Sch. 9 Pt. I](#)

147 **F12**

Textual Amendments

F12 Ss. 145, 147 repealed by [Compulsory Purchase Act 1965 \(c. 56\)](#), s. 39(4), [Sch. 8 Pt. II](#)

148 **F13**

Textual Amendments

F13 S. 148 repealed by [Administration of Justice Act 1964 \(c. 42\)](#), [Sch. 5](#)

149 **F14**

Changes to legislation: There are currently no known outstanding effects for the Land Clauses Consolidation Act 1845, Cross Heading: Recovery of penalties. (See end of Document for details)

Textual Amendments

F14 S. 149 repealed by [Perjury Act 1911 \(c. 6\)](#), s. 17, **Sch.**

Changes to legislation:

There are currently no known outstanding effects for the Land Clauses Consolidation Act 1845,
Cross Heading: Recovery of penalties.