



Conspiracy, and Protection of Property Act 1875

1875 CHAPTER 86 38 and 39 Vict

An Act for amending the Law relating to Conspiracy, and to the Protection of Property,
and for other purposes. [13th August 1875]

Modifications etc. (not altering text)

- C1 Act (except s. 5) extended by [Merchant Shipping Act 1970 \(c. 36\), s. 42\(1\)](#)
This Act is not necessarily in the form in which it has effect in Northern Ireland.

Commencement Information

- II Act wholly in force at 1.9.1875 by s. 2 (now repealed).

1 Short title.

This Act may be cited as “The Conspiracy, and Protection of Property Act 1875.”

2^{F1}

Textual Amendments

- F1 S. 2 repealed by [Statute Law Revision \(No. 2\) Act 1893 \(c. 54\)](#)

Conspiracy, and Protection of Property

[^{F2}3] **Amendment of law as to conspiracy in trade disputes.**

An agreement or combination by two or more persons to do or procure to be done any act in contemplation or furtherance of [^{F3}a trade dispute] . . . ^{F4} shall not be indictable as a conspiracy if such act committed by one person would not be punishable as a crime.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Conspiracy, and Protection of Property Act 1875 (repealed). (See end of Document for details)

F5

Nothing in this section shall exempt from punishment any persons guilty of a conspiracy for which a punishment is awarded by any Act of Parliament.

Nothing in this section shall affect the law relating to riot, unlawful assembly, breach of the peace, or sedition, or any offence against the State or the Sovereign.

A crime for the purposes of this section means an offence punishable on indictment, or an offence which is punishable on summary conviction, and for the commission of which the offender is liable under the statute making the offence punishable to be imprisoned either absolutely or at the discretion of the court as an alternative for some other punishment.

Where a person is convicted of any such agreement or combination as aforesaid to do or procure to be done an act which is punishable only on summary conviction, and is sentenced to imprisonment, the imprisonment shall not exceed three months, or such longer time, if any, as may have been prescribed by the statute for the punishment of the said act when committed by one person.]

Textual Amendments

- F2 S. 3 repealed (E.W.) by [Criminal Law Act 1977 \(c. 45\)](#) Sch. 13 and repealed (N.I.) by [S.I. 1983/1120 \(N. I. 13\)](#), [art. 13\(12\)\(b\)](#), Sch.
- F3 Words substituted by [Trade Union and Labour Relations Act 1974 \(c. 52\)](#), [Sch. 3 para. 1](#)
- F4 Words repealed by [Trade Disputes Act 1906 \(c. 47\)](#), [s. 5\(1\)](#)
- F5 Words repealed by [Industrial Relations Act 1971 \(c. 72\)](#), [Sch. 9](#)

4

F6

Textual Amendments

- F6 S. 4 repealed (E.W.S.) by [Industrial Relations Act 1971 \(c. 72\)](#), [Sch. 9](#), and repealed (N.I.) (1.7.1992) by [S.I. 1992/807 \(N.I. 5\)](#), [art. 108\(3\)](#), [Sch.6](#); [S.R. 1992/212 art.2\(3\)](#) (with [art. 3\(2\)](#), Sch.)

5

Breach of contract involving injury to persons or property.

Where any person wilfully and maliciously breaks a contract of service or of hiring, knowing or having reasonable cause to believe that the probable consequences of his so doing, either alone or in combination with others, will be to endanger human life, or cause serious bodily injury, or to expose valuable property whether real or personal to destruction or serious injury, he shall on conviction thereof by a court of summary jurisdiction, . . . ^{F7} be liable either to pay a penalty not exceeding [^{F8}level 2 on the standard scale], or to be imprisoned for a term not exceeding three months, . . . ^{F9}

Textual Amendments

- F7 Words repealed by [Criminal Law Act 1977 \(c. 45\)](#), [Sch. 13](#)
- F8 Words substituted (E.W.S.) by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 46](#), and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), [s. 289G](#)

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Changes to legislation: There are currently no known outstanding effects for the Conspiracy, and Protection of Property Act 1875 (repealed). (See end of Document for details)

F9 Words omitted by virtue of (E.W.) [Criminal Justice Act 1948 \(c. 58\), s. 1\(2\)](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\), s. 221\(2\)](#)

Miscellaneous

6 Penalty for neglect by master to provide food, clothing, &c., for servant or apprentice.

Where a master, being legally liable to provide for his servant or apprentice necessary food, clothing, medical aid, or lodging, wilfully and without lawful excuse refuses or neglects to provide the same, whereby the health of the servant or apprentice is or is likely to be seriously or permanently injured, he shall on summary conviction be liable either to pay a penalty not exceeding [^{F10}level 2 on the standard scale], or to be imprisoned for a term not exceeding six months, . . . ^{F11}

Textual Amendments

F10 Words substituted (E.W.S.) by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\), s. 46](#), and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\), s. 289G](#)

F11 Words omitted by virtue of (E.W.) [Criminal Justice Act 1948 \(c. 58\), s. 1\(2\)](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\), s. 221\(2\)](#)

7 Penalty for intimidation or annoyance by violence or otherwise.

Every person who, with a view to compel any other person to abstain from doing or to do any act which such other person has a legal right to do or abstain from doing, wrongfully and without legal authority,—

- (1) Uses violence to or intimidates such other person or his wife or children, or injures his property; or,
- (2) Persistently follows such other person about from place to place; or
- (3) Hides any tools, clothes, or other property owned or used by such other person, or deprives him of or hinders him in the use thereof; or
- (4) Watches or besets the house or other place where such other person resides, or works, or carries on business, or happens to be, or the approach to such house or place; or,
- (5) Follows such other person with two or more other persons in a disorderly manner in or through any street or road,
... [^{F12}shall be liable on summary conviction to imprisonment for a term not exceeding 6 months or a fine not exceeding level 5 on the standard scale or both.]

[^{F13}A constable may arrest without warrant anyone he reasonably suspects is committing an offence under this section.]

Textual Amendments

F12 Words substituted by [Public Order Act 1986 \(c. 64, SIF 39:2\), s. 40\(2\), Sch. 2 para. 1\(1\)](#)

F13 Words inserted by [Public Order Act 1986 \(c. 64, SIF 39:2\), s. 40\(2\), Sch. 2 para. 1\(2\)](#)

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Changes to legislation: There are currently no known outstanding effects for the Conspiracy, and Protection of Property Act 1875 (repealed). (See end of Document for details)

8 Reduction of penalties

Where in any Act relating to employers or workmen a pecuniary penalty is imposed in respect of any offence under such Act, and no power is given to reduce such penalty, the justices or court having jurisdiction in respect of such offence may, if they think it just so to do, impose by way of penalty in respect of such offence any sum not less than one-fourth of the penalty imposed by such Act.

Legal Proceedings

9 ^{F14}

Textual Amendments
F14 S. 9 repealed by [Criminal Law Act 1977 \(c. 45\)](#), [Sch. 13](#)

10, 11. ^{F15}

Textual Amendments
F15 Ss. 10, 11 repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), [Sch. 1 Pt. I](#)

12 ^{F16}

Textual Amendments
F16 S. 12 repealed by [Courts Act 1971 \(c. 23\)](#) Sch. 11 Pt. IV

Definitions

13 ^{F17}

Textual Amendments
F17 Ss. 13, 19, 20 repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), [Sch. 1 Pt. I](#)

14 ^{F18}

Textual Amendments
F18 S. 14 repealed (E.W.S.) by [Industrial Relations Act 1971 \(c. 72\)](#), [Sch. 9](#), and repealed (N.I.) (1.7.1992) by [S.I. 1992/807 \(N.I. 5\)](#), art. 108(3), Sch.6; [S.R. 1992/212](#), [art.2\(3\)](#) (with [art. 3\(2\)](#), [Sch.](#))

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Changes to legislation: There are currently no known outstanding effects for the Conspiracy, and Protection of Property Act 1875 (repealed). (See end of Document for details)

15 “Maliciously” in this Act construed as in Malicious Injuries to Property Act.

The word “maliciously” used in reference to any offence under this Act shall be construed in the same manner as it is required by the fifty-eighth section of the ^{M1}Malicious Damage Act 1861, to be construed in reference to any offence committed under such last-mentioned Act.

Marginal Citations

M1 1861 c. 97.

Saving Clause

[^{F19}16 Saving as to sea service.

Section 5 of this Act does not apply to seamen].

Textual Amendments

F19 S. 16 substituted by Merchant Shipping Act 1970 (c. 36), Sch. 3 para. 1

Repeal

17 Repeal of Acts.

..... ^{F20} Any order for wages or further sum of compensation in addition to wages made in pursuance of section sixteen of the ^{M2}Summary Jurisdiction (Ireland) Act 1851, may be enforced in like manner as if it were an order made by a court of summary jurisdiction in pursuance of the ^{M3}Employers and Workmen Act 1875, and not otherwise. ^{F20}

Textual Amendments

F20 Words repealed by Statute Law Revision Act 1883 (c. 39)

Marginal Citations

M2 1851 c. 92.

M3 1875 c. 90.

Application of Act to Scotland

18 Application to Scotland.

This Act shall extend to Scotland, with the modifications following; that is to say,

(1) ^{F21}

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Changes to legislation: There are currently no known outstanding effects for the Conspiracy, and Protection of Property Act 1875 (repealed). (See end of Document for details)

(3) The expression “the court of summary jurisdiction” means the sheriff of [^{F22}the sheriffdom] or any one of his substitutes.

Textual Amendments

- F21** S. 18(1)(2) repealed by [Industrial Relations Act 1971 \(c. 72\)](#), [Sch. 9](#) and [Statute Law Revision \(No. 2\) Act 1893 \(c. 54\)](#) respectively
- F22** Words substituted by virtue of [Sheriff Courts \(Scotland\) Act 1971 \(c. 58\)](#), [Sch. 1 para. 1](#)

19, 20. ^{F23}

Textual Amendments

- F23** [Ss. 13, 19, 20](#) repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), [Sch. 1 Pt. I](#)

Application of Act to Ireland

21 Application to Ireland

This Act shall extend to Ireland, with the modifications following; that is to say,

..... ^{F24}

The expression “municipal authority” shall be construed to mean the town council of any borough for the time being subject to the ^{M4}Municipal Corporations (Ireland) Act 1840, and any commissioners invested by any general or local Act of Parliament, with power of improving, cleansing, lighting, or paving any town or township.

Textual Amendments

- F24** Words repealed by [Statute Law Revision \(No. 2\) Act 1893 \(c. 54\)](#) and [Northern Ireland Act 1962 \(c. 30\)](#), [Sch. 4 Pt. IV](#)

Modifications etc. (not altering text)

- C2** Reference to Ireland to be construed as exclusive of Republic of Ireland: S.R. & O. 1923/405 (Rev. X, p. 298: 1923, p. 400), art. 2.

Marginal Citations

- M4** 1840 c. 108.

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Conspiracy, and Protection of Property Act 1875 (repealed).