



# Inclosure Act 1845

## 1845 CHAPTER 118

### **CLIX Penalties and Forfeitures, how recoverable.**

And be it enacted, That all Penalties and Forfeitures imposed by this Act, or which shall be imposed by the Commissioners or Assistant Commissioner acting in the Matter of any Inclosure or other Proceeding under or by virtue of the Authority of this Act, shall be levied and recovered before any Two Justices of the Peace for the County in which the Land subject to be inclosed, or to which such other Proceeding shall relate, shall be situate, and not interested in the Matter in question, for which Purpose it shall be lawful for any such Justices of the Peace, upon Complaint made to them, to summon the Party accused and the Witnesses on both Sides, and upon the Appearance or Contempt of the Party accused to examine such Witnesses upon Oath (which Oath such Justices are hereby empowered to administer), and upon such Evidence to give Judgment accordingly, and to condemn the Party accused (Proof of the Accusation being made by One or more Witness or Witnesses as aforesaid) in such Penalties and Forfeitures as the Offender shall have incurred, and to levy such Penalties and Forfeitures by Distress, together with reasonable Costs ; all which Penalties and Forfeitures the Application whereof is not particularly directed by this Act shall, and so soon as the same shall be levied, be paid and applied to and for such Uses, Intents, or Purposes as the Commissioners in and by any Writing under their Hands and Seal shall order, direct, or appoint.