



## Game (Scotland) Act 1832

### 1832 CHAPTER 68

#### **II Such Trespassers may be required to quit the Land, and to give their Names and Abodes; and in case of Refusal may be arrested. Penalty. Party arrested must be discharged, unless brought before a Justice with 12 Hours.**

And be it enacted, That where any Person shall be trespassing on any Land, in the Day-time, in search or pursuit of Game, or Woodcocks, Snipes, Quails, Landrails, Wild Ducks, or Conies, it shall be lawful for any Person having the Right of killing the Game upon such Land, or for the Occupier of the Land, or for any Gamekeeper or Servant of either of them, or for any Person authorized by either of them, to require the Person so trespassing forthwith to quit the Land whereon he shall be so trespassing, and also to tell his Christian Name, Surname, and Place of Abode and in case such Person shall, after being so required, offend by refusing to tell his real Name or Place of Abode, or by giving such a general Description of his Place of Abode as shall be illusory for the Purpose of Discovery, or by wilfully continuing or returning upon the Land, it shall be lawful for the Party so requiring as aforesaid, and also for any Person acting by his Order and in his Aid, to apprehend such Offender, and to convey him, or cause him to be conveyed, as soon as conveniently may be, before a Justice of the Peace; and such Offender (whether so apprehended or not), upon being summarily convicted of any such Offence before a Justice of the Peace, at the Instance of the Owner or Occupier of such Land, or of the Procurator Fiscal for the County, on Proof on Oath by One or more credible Witness or Witnesses, or Confession of the Offence, or upon other legal Evidence, shall forfeit and pay such Sum of Money, not exceeding Five Pounds, as to the convicting Justice shall seem meet, together with Expences of Process: Provided always, that no Person so apprehended shall on any Pretence whatsoever be detained for a longer Period than Twelve Hours from the Time of his Apprehension until he shall be brought before some Justice of the Peace; and that if he cannot, on account of the Absence or Distance of the Residence of any such Justice of the Peace, or owing to any other reasonable Cause, be brought before a Justice of the Peace within such Twelve Hours as aforesaid, then the Person so apprehended shall be discharged at the End of that Time, but may nevertheless be proceeded against for his Offence by Summons or Warrant, according to the Provisions herein-after mentioned, as if no such Apprehension had taken place.