the Chief Justice or Justice appointed or so ordained as aforesaid by Grant contained in Letters Patent of any Authority or Jurisdiction to try Issues from the Superior Courts at *Westminster* and other Issues in the said County Palatine of *Lancaster*, and that all Trials of such Issues heretofore had or to be had before such Chief Justice or Justice constituted or ordained as aforesaid shall be deemed to have been and to be tried by competent Authority, and that the acting Prothonotary for the Time being of the Court of Common Pleas at *Lancaster* shall continue to officiate as Associate in the said County Palatine of *Lancaster*, as heretofore, and shall accordingly be named in such Commissions of Association and other Writs and Proceedings.

CAP. XLVI.

An Act for disafforesting the Forest of *Woolmer*. [16th *July* 1855.]

'WHEREAS the Queen's most Excellent Majesty in right of Her Crown is seised to Herself, Her Heirs and Successors, of and in *Woolmer Forest* in the County of *Southampton*, and of and in the Soil thereof, and the Timber and other Trees, Bushes, and Underwood standing and growing thereon, subject to divers Claims of Rights of Common and other Rights and Interests of Her Majesty and of divers of Her Majesty's Subjects in and over the same or some Portions thereof: And whereas by an Act passed in the Session of Parliament held in the Fifty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better Cultivation of Navy Timber in the Forest of* Woolmer *in the County of* Southampton, it was enacted, that it should be lawful for His Majesty, His Heirs and Successors, from Time to Time to inclose, sever, and improve, within and out of the Waste Lands of the said Forest, any Quantity of the said Lands not exceeding in the whole Two thousand Acres, to be inclosed and held in Severalty at One and the same Time, and that such Inclosure should remain in Severalty in the actual Possession of His Majesty, His Heirs and Successors, freed and discharged of and from all manner of Rights, Titles, Pretences, and Privileges or Claims whatsoever, (other than and except as therein stated,) during the Period of the same remaining so inclosed for the Growth and Preservation of Timber, and until the same or any Part thereof should be laid open, under the Provisions of the now-reciting Act: And whereas, in pursuance of the Powers in the said Act contained, certain Parts of the Waste Lands of the said Forest, containing in all One thousand seven hundred Acres or thereabouts, were inclosed for the Purposes of the said Act, and continue inclosed: And whereas the Lands in the said Forest might be made more valuable and productive if the said Forest were disafforested: And whereas Her Majesty has been graciously pleased to signify Her Consent that the said Forest should be disafforested, and that the Officers of Her Majesty of or for the said Forest should be discharged, and that such Allotment should be made to Her Majesty in respect of Her Estate, Rights, and Interests in and over the said Forest, and that such Compensation should be made to the Officers of the said Forest, as herein-after provided:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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, as follows:

52 G. 3. c. 71.

Recited Act (in part) repealed.

I. So much of the said recited Act as is inconsistent with any Part of this Act shall be and the same is hereby repealed.

Appointment of Commissioners for ascertaining Boundaries of the Forest, and for carrying this Act into execution.

II. The Provisions of this Act shall be carried into execution by Commissioners to be appointed as herein-after mentioned; and for the Purpose of ascertaining the Boundaries of the said Forest, the Commissioners for carrying this Act into execution shall be Three in Number, One of whom shall be appointed in Writing by the Commissioners for the Time being of Her Majesty's Treasury, One other shall be appointed by the Inclosure Commissioners for *England* and *Wales* for the Time being, and the Third shall be appointed by the Lord Chief Justice of the Court of Queen's Bench for the Time being; and for carrying all the other Requirements of this Act into execution there shall be but One Commissioner,

to

to be appointed as aforesaid, who shall be the Commissioner appointed by the Inclosure Commissioners for *England* and *Wales;* and so often as any Vacancy shall occur, by Death, Resignation, or Incapacity, a new Commissioner shall be appointed, in like Manner as the Commissioner whose Vacancy is to be supplied was appointed; and all such Commissioners, or such sole Commissioner, when appointed respectively, shall be the Commissioners or the sole Commissioner for carrying this Act into execution respectively, and all Acts and Powers to be performed by or given to the said Three Commissioners under the Provisions herein contained may be performed or exercised by any Two of such Three Commissioners.

Commissioners to make and subscribe Declaration before entering upon Execution of Office.

III. Every Commissioner shall, before he enters upon the Execution of his Office, make and subscribe the following Declaration before One of the Judges of Her Majesty's Court of Queen's Bench or Common Pleas, or One of the Barons of the Court of Exchequer; that is to say,

'I DO solemnly declare, That I will faithfully, impartially, and honestly, according to the best of my Skill and Judgment, execute the Powers and Duties of a Commissioner under an Act passed in the Year of the Reign of Queen Victoria, intituled "An Act," *&c.* [*here set forth the Title of this Act*].'

And every such Declaration shall, when made and perfected, be deposited in the Office of Land Revenue Records and Inrolments.

Commissioners to employ a Land Surveyor and Valuer.

IV. It shall be lawful for the said Commissioners and sole Commissioner from Time to Time to employ a Land Surveyor and Valuer in such Manner as they respectively shall think necessary.

Land Surveyor and Valuer to make and subscribe Declaration of Fidelity.

V. Every Land Surveyor and Valuer so to be employed shall, before entering upon the Duties of his Office, make and subscribe, before the Commissioners of this Act, or before One of such Commissioners, (who are hereby severally authorized to administer or receive the same,) the Declaration following:

'I DO solemnly declare, That I will faithfully, impartially, and honestly, according to the best of my Skill and Judgment, perform all the Duties which may devolve upon me as a Land Surveyor and Valuer in the Matter of an Act passed in the Year of the Reign of Queen Victoria, intituled "An Act," *&c.* [*here set forth the Title of this Act*].'

And every such Declaration shall, when made and perfected, be deposited in the Office of Land Revenue Records and Inrolments.

The Commissioners of Woods to pay the Commissioners of this Act the Expenses incurred in the Performance of their Duties.

VI. The Commissioners of Her Majesty's Woods, Forests, and Land Revenues, with the Consent of the Commissioners of Her Majesty's Treasury, shall, out of the Land Revenues of the Crown, pay and allow to the Commissioners and sole Commissioner of this Act such Sum not exceeding the Sum of Seven hundred and fifty Pounds as shall be thought sufficient and in Proportion to the Time and Labour which may be bestowed by them respectively in carrying this Act into execution (such Proportion, in the Event of any Difference of Opinion with regard thereto, to be conclusively determined by the Commissioners of Her Majesty's Treasury), and shall also allow to the said Commissioners and sole Commissioner of this Act respectively all Costs and Expenses of employing any such Land Surveyor and Valuer as aforesaid, and all other reasonable Expenses incurred by them respectively in the Performance of their respective Duties under this Act.

The Three Commissioners to ascertain the Boundaries of the Forest, which, when ascertained, to be the true Boundaries for Purposes of Act.

VII. The said Three Commissioners of this Act shall forthwith proceed to ascertain the Boundaries of the said Forest, and to determine all Claims relating thereto, and for that Purpose shall or may make use of any existing Maps, Plans, or Surveys, at their Discretion; and the said Commissioners shall by their Award in Writing, executed in Duplicate within One Year from the passing of this Act, certify and determine the Boundaries of the said Forest, and the Boundaries as ascertained and determined by the said Commissioners shall be held to be the true Boundaries of the said Forest for all the Purposes of this Act.

All Lodges and Lands held therewith, and

VIII. So soon as the Boundaries of the said Forest shall have been ascertained as aforesaid, all and every Parts and Part of the said Forest of which Her Majesty is seised in

all Inclosures made under the Authority of the 52 G. 3. c. 71., to be vested in Her Majesty as Part of the Hereditary Possessions of the Crown, freed from all Rights.

in right of Her Crown, discharged of all Common and other Rights, and also all and every the Lodges and Lands inclosed and held therewith by the Keepers or other Officers of Her Majesty (being certain Parts of the said Forest of which Her Majesty is also seised in right of Her Crown, to Herself, Her Heirs and Successors, discharged of all Common and other Rights), and also all the said Pieces of Land, amounting in the whole to One thousand seven hundred Acres, so inclosed under the Authority of the said recited Act, shall become and be vested in Her Majesty, Her Heirs and Successors, as Part and Parcel of the Hereditary Possessions and Land Revenues of Her Crown, freed and discharged from all Rights of Common and other Rights, and from all Claims and Demands whatsoever.

Allotment to Her Majesty in satisfaction of Her Rights.

IX. The said sole Commissioner shall thereupon proceed to set out and allot to Her Majesty, Her Heirs and Successors, such Part or Parts of the remaining Part of the said Forest as with the said Pieces of Land amounting together to One thousand seven hundred Acres, and so inclosed as aforesaid, he shall think a full, fair, and sufficient Compensation to Her Majesty for all Her forestal and other Rights in and over the said Forest, and also for all the Rights which Her Majesty, Her Heirs or Successors, is or may be entitled to exercise and enjoy in and over the said Forest or any Part or Parts thereof, under the Authority of the said recited Act, or otherwise howsoever; and such Allotment or Allotments, when made, shall thereupon become and be absolutely vested in Her Majesty, Her Heirs and Successors, in Her and their Demesne, as of Fee and as Part and Parcel of the Hereditary Possessions and Land Revenues of Her Crown, freed and discharged from all Rights and Claims of Common and all other Rights and Claims whatsoever.

Allotment to be made where most convenient to other Lands vested in Her Majesty.

X. In making such Allotment or Allotments as aforesaid, the said sole Commissioner shall and he is hereby required to set out and allot such Part or Parts of the said Forest as shall be conveniently situated for Occupation with the said Pieces of Land amounting to One thousand seven hundred Acres, hereby vested in Severalty in Her Majesty, Her Heirs and Successors, as aforesaid.

On the making of Award, Forest to be disafforested.

XI. On the making of such Award by the sole Commissioner as herein-after directed, the said Forest of *Woolmer* shall be for ever disafforested, and the Residue of the said Forest shall thereupon become and be the Property of the several Persons entitled to Rights of Common in and over the said Forest, as they are now entitled to the same, freed and discharged of and from all Right of Soil or other Right or Claim of Her Majesty, Her Heirs and Successors, in, to, or over the said Residue of the said Forest.

Commissioners of Woods to produce Evidence in support of the Rights of the Crown, to enable the sole Commissioner to make his Award.

XII. And for enabling the said sole Commissioner to make his Award, it shall be lawful for the said Commissioners of Woods, on behalf of Her Majesty, to produce and give to and before the said sole Commissioner Evidence in support of Her Majesty's Rights or any of them, and of the Value thereof; and it shall be lawful for any Person or Persons who, in the Opinion of the said sole Commissioner, shall be interested in the Premises, to appear before the said sole Commissioner, and to adduce such Evidence as in the Opinion of the said sole Commissioner shall be admissible, for the Purpose of controverting any Statement or Evidence made or offered to the said sole Commissioner in support of the Claims or Rights of Her Majesty, or of the Value thereof respectively.

Award of Commissioner to be made within Two Years.

XIII. The said sole Commissioner shall make his Award in Writing within Two Years from the passing of this Act; and such Award shall be executed in Duplicate, and One Part (together with One Part of the Award determining the Boundaries of the said Forest) shall be deposited in the Office of Land Revenue Records and Inrolments, and the other Part thereof (together with the other Part of the said Award determining the Boundaries) shall be deposited with the Clerk of the Peace for the said County of *Southampton*, there to remain, and to be examined by all Persons, at all reasonable Times, on Payment of a Fee of One Shilling for each Examination.

Commissioners of Woods to exercise same Powers over Lodges, &c. as over other Lands, &c.

XIV. It shall be lawful for the Commissioners of Woods to exercise all the same Powers over and in respect of the Lands, Lodges, and other the Hereditaments respectively hereby vested in or to be allotted to Her Majesty as aforesaid as they are or at any Time hereafter shall be by Law enabled to exercise over and in respect of other Lands of Her Majesty in right of Her Crown, not being Royal Forests, Parks, or Chases.

XV. The

The Commissioner may make Roads over any Part of the Forest, and (with the Owner's Consent) through inclosed Lands.

XV. The sole Commissioner of this Act may, if he shall think fit, set out and allot such Roads and Ways through and over the said Forest as he shall consider proper and necessary, and, with the Consent of the Owners, through and over any inclosed Lands adjoining thereto, as the said Commissioner shall think fit, and may agree to make Compensation to such Owners or Owner for making such Roads or Ways over such adjoining Lands; and such Roads shall become and be public Highways, and be kept and maintained as such, without any Notice or other Proceeding whatsoever; and, after setting out the same, all other Roads or Ways over the said Forest shall be shut up and discontinued.

The Expenses of such Roads to be defrayed by the Sale of Parts of the Forest.

XVI. The sole Commissioner of this Act shall cause such of the said Roads to be made as he in his sole Discretion shall think necessary, and shall for the Purpose of defraying the Expenses thereof, and also for the Purpose of making such Compensation (if any) as he may agree to give to any such Owner or Owners of the adjoining inclosed Lands as aforesaid, sell so much of the Waste Lands of the said Forest not hereby vested or directed to be vested in Her Majesty as he shall find necessary for these Purposes, for which Purposes his Conveyances shall vest an indefeasible Estate of Inheritance in Fee Simple in the Purchaser or Purchasers, and the Receipt of the said Commissioner shall be a sufficient Discharge for the Purchase Money; and if there shall be any Surplus of any Monies which arose from any such Sale after answering the aforesaid Purposes, the said Commissioner shall apply the same towards defraying any of the Expenses by this Act directed to be paid.

After Award, all Letters Patent, &c., to cease, and Compensation made therefor out of the Land Revenues of the Crown.

XVII. Immediately after the Award of such sole Commissioner shall have been made as herein-before directed all and every Letters Patent, Grants, Appointments, and Warrants of any Officers, Bailiwicks, Walks, or Lodges in or for the said Forest of Woolmer, and all Salaries, Gratuities, and Fees lawfully payable or allowed in respect of the same, shall thenceforth cease, and Compensation shall be made by the Commissioners of Her Majesty's Woods out of the Land Revenues of the Crown to the several Officers of the said Forest of *Woolmer* (whether holding Lodges and Land within the said Forest by virtue of the several Offices, or not), in consideration of the Cessation of the said several Offices, and on their relinquishing and giving up the Possession of the said Lodges and Land respectively, and all Claim and Interest therein or thereto under any Grant, Letters Patent, Appointment, or Warrant as aforesaid, which Compensation shall in every distinct and separate Case be referred to and ascertained by the Commissioners of Her Majesty's Treasury, or by such Person as they shall for that Purpose appoint, on the Part of Her Majesty, and by such indifferent Person as shall be appointed on the Part of each and every Officer of the said Forest interested or concerned in the Premises, and which said Commissioners of Her Majesty's Treasury, or other the Person or Persons so to be appointed as aforesaid, are hereby empowered to send for Persons and Papers, and to examine the Parties and Witnesses upon Oath, if necessary (which Oath any One of the said Commissioners of the Treasury, or the Person or Persons so to be appointed as aforesaid, is hereby authorized and empowered to administer); provided that, in case any Difference of Opinion shall arise on any Matter or Question touching or concerning such Compensation, then the said Referees shall from Time to Time forthwith appoint any proper and competent Person or Persons to act as an Umpire or Umpires concerning the Premises, to whom all and every such Differences shall be referred, and whose Judgment shall be binding, to all Intents and Purposes whatsoever.

Provision as to Costs.

XVIII. All the Costs, Charges, and Expenses herein-before directed to be defrayed out of the Land Revenues of the Crown, and all other Costs, Charges, and Expenses incurred by the Commissioners of Woods in and about the Execution of this Act, shall be borne and paid by them as Part of the Costs of Management of the Land Revenues of Her Majesty.

Commissioners may, if they think fit, examine Witnesses upon Declaration.

XIX. The Commissioners or sole Commissioner of this Act may examine upon Declaration all such Persons as they or he may think fit, who attend before them or him for the Purpose of giving Evidence upon any Matter or Proceeding under the Authority of this Act, and for that Purpose may administer or receive Declarations, which Declarations may be in the following Form:

'I *A.B.* do solemnly declare, That the Evidence I shall give before you touching the Matter in Question shall be the Truth, the whole Truth, and nothing but the Truth.'

Persons giving false Evidence guilty of Misdemeanor.

XX. If any Person, under the Provisions of this Act, shall wilfully give false Evidence, or shall make or subscribe a false Declaration for the Purposes of this Act, he shall be deemed guilty of a Misdemeanor.

CAP. XLVII.

An Act to continue an Act of the Eighteenth Year of Her present Majesty, for charging the Maintenance of certain poor Persons in Unions in *England* and *Wales* upon the Common Fund. [16th *July* 1855.]

17 & 18 Vict. c. 43.

'WHEREAS by the Act of the Eighteenth Year of Her Majesty, Chapter Forty-three, certain Provisions made by the several Acts therein referred to, for charging upon the Common Fund of the Union the Costs of the Relief and of the Burial of certain poor Persons in those several Acts described, and the Costs of removing and maintaining certain Lunatic Paupers, were continued until the Thirtieth Day of *September* in this present Year, and to the End of the then next Session of Parliament; and it is expedient that such Provisions should be further continued for a limited Time:" Be it therefore enacted by the Queen'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,

Provisions in recited Act further continued.

I. That all the said several temporary Provisions continued by the said Act of the Eighteenth Year of Her Majesty, Chapter Forty-three, shall further continue in full Force until the Thirtieth Day of *September* One thousand eight hundred and fifty-six, and to the End of the then next Session of Parliament.

CAP. XLVIII.

An Act for the better Administration of Justice in the Cinque Ports. [16th *July* 1855.]

'WHEREAS it would conduce to the better Administration of Justice in the Cinque Ports if the Jurisdiction and Authority of the Lord Warden of the Cinque Ports and Constable of *Dover Castle* in relation to Civil Suits and Proceedings were abolished; and it is expedient that the Parishes or Places of *Saint John the Baptist* (called *Margate*), *Saint Peter the Apostle, Birchington, Acol* otherwise the *Ville of Wood, Beakesbourne,* and *Grange* otherwise *Grench* which are Members or Liberties of *Dover,* or some other of the said Cinque Ports, should be severed therefrom:' Be it therefore enacted by the Queen'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, as follows:

Jurisdiction of Lord Warden in Civil Proceedings abolished.

I. From and after the Thirtieth Day of *September* One thousand eight hundred and fifty-five all Jurisdiction and Authority of the Lord Warden of the Cinque Ports and Constable of *Dover Castle* in or in relation to the Administration of Justice in Actions, Suits, or other Civil Proceedings at Law or in Equity, or the Execution of Judgments, Writs, and Process therein or connected therewith, shall cease and determine: Provided always, that the said Lord Warden and Constable shall have and retain Jurisdiction, Power, and Authority to execute all Writs of Fieri Facias directed to and received by him on or before the said Thirtieth Day of *September* One thousand eight hundred and fifty-five, as fully, to all Intents and Purposes, as if this Act had not passed.

Writs and Judgments to be directed and executed in the Cinque

II. From and after the Thirtieth Day of *September* One thousand eight hundred and fifty-five Her Majesty's Writs in or in relation to all Actions, Suits, and Civil Proceedings shall be directed and obeyed, and the Jurisdiction of Her Majesty's Courts of Law and Equity, and of the Judges thereof, and the Judgments and Process thereof in relation to such