

ANNO PRIMO & SECUNDO

VICTORIÆ REGINÆ.

****

CAP. XLII.

An Act to empower the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, to confirm the Titles to and to grant Leases of Encroachments in the Forest of *Dean* in the County of *Gloucester*. [27th *July* 1838.]

WHEREAS by an Act passed in the Twentieth Year of the Reign of His late Majesty King *Charles* the Second, intituled *An Act for the Increase and Preservation of Timber within the Forest of* Dean, it was enacted, that to the end the said Forest and Premises might be perpetually preserved and estated in the Crown for public Use, and might not be granted or disposed to any private Use or Benefit, in case any Person or Persons whatsoever should presume to take, or should obtain any Gift, Grant, Estate, or Interest of or in the Inclosures or Wastes of the said Forest, or any Wood or Trees growing thereon, or of or in any of the Mines or Quarries of or within the said Inclosures or any Part thereof, every such Gift, Grant, Estate, and Interest should *ipso facto* be null and void, and the Person or Persons so taking or obtaining the same should be and was thereby made and declared utterly disable and incapable to have, hold, or enjoy any such Gift, Grant, Estate, or Interest: And whereas, notwithstanding the Provisions in the said Act made and enacted, many Encroachments have been made and continued

20 Car. 2. c. 8.

continued on the Waste Lands of the said Forest: And whereas by virtue and under the Authority of an Act passed in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for ascertaining the Boundaries of the Forest of* Dean, *for inquiring into the Rights and Privileges claimed by the Free Miners of the Hundred of* St. Briavels, *and for other Purposes*, a Commission was issued under the Seal of Her Majesty's Court of Exchequer, bearing Date the Twenty-first Day of *January* One thousand eight hundred and thirty-two, directed to certain Commissioners therein named, with Authority to them to inquire of and ascertain and distinguish the Boundaries of the Forest of *Dean*, and of the Lands of Her Majesty's Subjects within the same, and to inquire of the Purprestures, Encroachments, and Trespasses on the Soil of the Crown within the Boundaries of the said Forest, and also to inquire of the Existence, Origin, and Particulars of the Rights and Privileges claimed by Persons born within the Hundred of *St. Briavels*, within the Boundary of the said Forest, calling themselves Free Miners, and the said Commissioners were by the said Commission directed to report on the aforesaid Matters to the Lord High Treasurer or Lords Commissioners of Her Majesty's Treasury as in the said Commission is mentioned: And whereas the said Commissioners so appointed as aforesaid proceeded to make the Inquiries so as aforesaid directed to be made, and by their Second Report to the Lords Commissioners of Her Majesty's Treasury, under their Hands and Seals, dated the First Day of *May* One thousand eight hundred and thirty-four, and which Report is stated by them to relate to the Boundaries of the Forest of *Dean* and of the Lands of Her Majesty's Subjects within the same, and the Rights and Interests of Persons occupying or claiming to be interested in Lands or Tenements within the Bounds of the said Forest, the Origin or alleged Origin of such Rights and Interests, and also the Dates, Value, and other Particulars of all other Purprestures, Encroachments, and Trespasses in and upon the Soil of Her Majesty within the said Forest, after stating, amongst other things in the said Report, that the said Commissioners had confined their Attention to Encroachments in the said Forest properly so called, and that they had found it necessary to have Maps prepared, in which the Encroachments described as such in a certain Map made in the Year One thousand seven hundred and eighty-seven, in pursuance of the Report of certain Commissioners, should be laid down distinct from those of a more modern Date; and also stating that in the Maps so prepared under the Direction of the said Commissioners, whose Report is now in recital, (and which Maps are annexed to the said Report,) the old Encroachments were coloured Red, those which were taken in between the Years One thousand seven hundred and eighty-seven and One thousand eight hundred and twelve Blue, and those inclosed since the Year One thousand eight hundred and twelve Yellow; that every Facility, by repeated Notices given generally and individually, had been afforded to the several Parties in Possession of Lands coloured Blue and Yellow to appeal against the Colour by which their Encroachments were distinguished, and nearly all of them appeared before the said Commissioners in Person or by Proxy; that the few who did not so appear received further Notice of the Day appointed for final Adjudication; that all Red Encroachments were included in One Class, because the

1 & 2 W. 4. c. 12.

the said Commissioners could not presume that any of them were inclosed before the said Act of the Twentieth Year of the Reign of King *Charles* the Second; but the Crown having had its Attention called by the Proceedings of the Commissioners appointed in One thousand seven hundred and eighty-seven, as in the said Report is mentioned, to the Existence of these Red Encroachments, and not having taken any effectual Steps to assert its Right, ought not to disturb the Possession; the said Commissioners by their said Report therefore recommended that the Lands coloured Red in the said Plans (amounting to One thousand five hundred and ten Acres Two Roods and Thirty-two Perches) should be declared to be Freehold of Inheritance, subject however to a Condition that no additional Dwelling Houses should be erected thereon without the Licence of the Crown, to be registered in the Court of Attachments; and that the Lands coloured Blue in the said Plans, containing Five hundred and seventy-three Acres and Ten and a Half Perches, should be granted to their present Possessors for Three Lives, not renewable except at the Pleasure of the Crown, and that the said Possessors should respectively pay Rents varying from One Shilling to Two Shillings *per* Acre; and that the Possessors of the Lands coloured Yellow, containing Twenty-four Acres Two Roods Nine and a Half Perches, should have Terms of Years varying from Fourteen to Twenty-one Years, as in the Appendix to the said Report is set forth, paying Rents varying from Four Shillings to Eight Shillings an Acre; and that the Condition as to building Dwelling Houses should apply to those Classes also; and the said Commissioners stated that the Extent of the Red, Blue, and Yellow Lands, the Name of the Person in Possession, the Terms on which the same were held, and the Rents severally reserved, were respectively described in the Appendix to their said Report; and further that the Lands given in Exchange under the Authority of an Act passed in the Tenth Year of the Reign of King *George* the Fourth, therein mentioned and partly hereafter recited, were coloured Green in the Maps of the said Commissioners; and that some of those last-mentioned Lands had been granted by Deed in Fee Simple, but the Remainder having been exchanged for old Encroachments, the same should be treated in the same Manner as the Red Lands; and that the said Lands coloured Green were also described in the Appendix to the said Report, and the Admeasurement of the same was included in the Red; and that the Advantage of ascertaining the Value of the Encroachments did not appear to the said Commissioners sufficient to justify the great Expence of employing a Surveyor for that Purpose; and that as Application to Parliament was necessary to carry into effect the said Provisions, the said Commissioners recommended that a Clause should be introduced enacting that any new Dwelling House thereafter erected without Licence and due Registration on any of the Encroachments in which Estates should have been created in pursuance of the Report now in recital should be deemed a Purpresture within the Meaning of the said Act passed in the Tenth Year of the Reign of King *George* the Fourth: And whereas the said Second Report of the said Commissioners of Inquiry was presented to the Commons House of Parliament in the Year One thousand eight hundred and thirty-five, and was soon afterwards printed by Order of the said House: And whereas it is expedient to make Provision for the carrying into effect the Recommendations contained in the said Report

Report in manner after mentioned, subject to such Modifications or Alterations as are after contained, and also to make Provision for preventing any further Encroachments on the Wastes of the said Forest: 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, That within One Calendar Month from the passing of this Act the said Second Report of the said Commissioners of Inquiry, with the Maps and Appendixes thereunto annexed, or which accompanied the said Report, after the same shall have been authenticated by the Signature of any Two of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, shall be deposited in the Office of Land Revenue Records and Enrolments, there to remain of Record for ever; and that the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall, within Three Calendar Months from the passing of this Act, make or cause to be made Three Copies of the said Plans and the Appendixes to the said Report, (which Copies shall be authenticated by the Signature of the Keeper of the Land Revenue Records and Enrolments Office), and one of which said Copies shall be transmitted by the last-mentioned Commissioners to the Clerk of the Peace for the County of *Gloucester*, and one other of the said Copies shall be deposited in the Office of the aforesaid Commissioners, and one other Copy shall be hung in the Speech House, or some other convenient Place within the said Forest, there to remain for the Perusal and Inspection at all seasonable Times of all Parties interested therein.

Second Report of the Dean Forest Commissioners of Inquiry, with Maps and Appendixes to be deposited in Land Revenue Record Office; and authenticated Copies of Plans to be deposited with the Clerk of the Peace for the County of Gloucester, in the Office of Woods, and in some Place within the Forest.

II. And be it enacted, That the said Copies when so deposited as aforesaid shall remain with and be kept by the said Clerk of the Peace for the said County of *Gloucester* and in the said Office of the aforesaid Commissioners; and all Persons claiming in any Manner to be interested in the Encroachments described in the said Maps or Plans shall have Liberty at all reasonable Times to inspect the said Maps or Plans and Appendixes respectively, paying for every Inspection the Sum of One Shilling, and for Copies or Extracts from the said Plans and Appendixes the Sum of Three Shillings for each Encroachment; and Copies of such Maps or Plans and the aforesaid Appendixes, or Extracts from the same respectively, certified by the said Clerk of the Peace, or any one of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere.

Copies of Plans to be open to Inspection, and to be Evidence.

III. And be it enacted, That as regards the said several Encroachments shown by the said Plans annexed to the said Report of the said Commissioners of Inquiry, or which accompanied the same, the said recited Act made and passed in the Twentieth Year of the Reign of King *Charles* the Second shall be and is hereby repealed; and that as regards the said Encroachments set forth on the said Plans, and thereon coloured respectively Red or Green, the said Encroachments so coloured Red and Green shall go and be held in all respects as if the said Act of the Twentieth Year of the Reign of

Encroachments coloured Red and Green to be held by the Possessors as if recited Act of 20 Car. 2. had never passed.

King *Charles* the Second had never been passed, and as if the said Encroachments coloured Red and Green had been made and continued without Interruption more than Sixty Years before the passing of this Act, and so as the same may be held and enjoyed freed from the Crown's Title thereto by reason of the same being Encroachments on the Wastes of the said Forest, or otherwise.

Commissioners of Woods empowered to grant Leases of the Encroachments coloured Blue for Three Lives.

IV. And be it enacted, That as regards the said Encroachments set forth on the said Plans and thereon coloured Blue the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, shall, on the Application of the Persons respectively claiming to be entitled thereto, grant Leases of the said several Encroachments to the Persons whose Names are mentioned (in the References to the said Plans annexed to or which accompanied the said Report) as the Holders thereof, or the Persons claiming under them or otherwise; such Leases to be granted to such Persons respectively, and their respective Heirs and Assigns, for and during the Lives of such Three Persons as shall be named by the respective Possessors of such Encroachments, and during the Lives and Life of the Survivors or Survivor of such Three Persons, and at such Rents as the said Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall think fit, not exceeding the Rate of Two Shillings *per* Acre.

The said Leases may be renewed from Time to Time.

V. And be it enacted, That it shall be lawful for the said Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, with the Consent and Approbation of the Lord High Treasurer or of any Three or more of the Commissioners for the Time being for executing the Office of Lord High Treasurer, either on the Expiration of any of the said Leases so to be granted as aforesaid, or on the Surrender thereof, and so on from Time to Time and for ever thereafter, to grant any renewed Lease of the said Encroachments respectively determinable on the dropping of One, Two, or Three Lives, at such Rents, and under such Covenants, Conditions, and Restrictions, as the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall think fit.

Commissioners of Woods to grant Leases of the Encroachments coloured Yellow for Fourteen or Twenty-one Years.

VI. And be it enacted, That as regards the said Encroachments set forth on the said Plans, and thereon coloured Yellow, the said Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, shall, on the Application of the Persons respectively claiming to be entitled thereto, grant Leases of the said several Encroachments to the Persons whose Names are mentioned in the aforesaid References to the said Plans as the Holders thereof, or the Persons claiming under them respectively, or otherwise; such Leases to be granted to such Persons respectively for the Terms of Fourteen Years or Twenty-one Years, as is set forth in the said References to the said Plans, and at such Rents as the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall think fit, not exceeding the Rate of Eight Shillings *per* Acre.

Leases to contain certain Covenants.

VII. And be it enacted, That every Lease to be granted in pursuance of this Act shall contain a Covenant on the Part of the Lessees to pay the Rent thereby reserved, and there shall be contained a Proviso in every such Lease for making the same void on any Default being made in the Performance of such Covenant therein contained; and all such Leases shall be made in the Form to be approved of by the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and shall be registered in the Office of Land Revenue Records and Enrolments within Three Calendar Months from the granting thereof.

Possessors of Encroachments coloured Blue and Yellow may purchase the Fee Simple thereof.

VIII. And be it enacted, That as regards the said Encroachments coloured Blue or Yellow it shall be lawful for any Person to whom any Lease thereof may have been granted under this Act, or who, in the Opinion of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, shall be entitled to have a Lease thereof granted under this Act, at any Time within Ten Years from the passing of this Act to purchase the Fee Simple of such Encroachments, at a Price not exceeding Twenty-five Years Purchase on the Amount of the Rent reserved by such Lease, where any Lease shall have been granted, or on the Rent which in the Opinion of the said Commissioners ought to be reserved in any Lease proposed to be granted, and thereupon the same Encroachments shall be conveyed by any Two of the said Commissioners to the Person entitled to the same, in such Manner and in such Form as the said Commissioners or any Two of them shall think fit; and the Monies to arise from the Sale thereof shall be applied in the same Manner as the Monies to arise from the Sale of the Land Revenues of the Crown are now applicable under or by virtue of the Act passed in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Management and Improvement of His Majesty's Woods, Forests, Parks, and Chases, of the Land Revenue of the Crown within the Survey of the Exchequer in* England, *and of the Land Revenue of the Crown in* Ireland; *and for extending certain Provisions relating to the same to the Isles of* Man *and* Alderney.

10 G. 4. c. 50.

Leases and Conveyances to be granted free.

IX. And be it enacted, That all Leases and Conveyances to be made in pursuance of this Act shall be made and granted to the Parties entitled thereto freed from all Cost, and that no Stamp Duty whatsoever shall be payable thereon.

If Leases not applied for within Five Years, the Holders may be summarily evicted.

X. Provided always, and be it enacted, That as regards the said Encroachments whereof Leases are hereby directed to be granted, that if the Persons respectively entitled thereto shall not apply to the said Commissioners for a Lease thereof in pursuance of this Act, and accept such Lease, and execute a Counterpart thereof, in such Form and Manner as the said Commissioners shall direct, within Five Years from the passing of this Act, then it shall be lawful for Her Majesty, Her Heirs or Successors, to enter on every such Encroachment whereof the Persons respectively entitled thereto shall neglect or refuse to take such Leases as aforesaid, and to hold the same freed from the Claim of all Persons whomsoever; and the Person or Per-

sons in possession of any such Encroachment may be evicted therefrom by an Order of Her Majesty's Court of Exchequer, to be obtained on a summary Application to the said Court by or on behalf of Her Majesty: Provided nevertheless, that when any Person entitled to such Lease, or to purchase as aforesaid, shall be under the Age of Twenty-one Years, or shall be under any other Disability, then any such Lease or Sale may be granted and made within Five Years from such Person attaining the Age of Twenty-one Years, or within Five Years from the Time of such Disability ceasing.

Plans if erroneous may be corrected.

XI. And be it enacted, That if it shall be made to appear to the Satisfaction of the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, that any Part of the said Plans of the said Encroachments are erroneous either as to the Extent of the Lands shown by the said Plans, or the Colour by which the same ought to be marked, or as regards the Occupier of any actual Encroachments subsisting at the Time of making such Reports, then it shall be lawful for the said Commissioners or any Two of them to direct the said Plans to be altered or amended, and such Alterations so authorized and directed shall be made in the said Maps and Appendixes to be deposited with the Keeper of Land Revenue Records and Enrolments, and also in the said Copies thereof so respectively to be deposited as aforesaid, and all such Alterations shall be valid to all Intents and as if the same had formed Part of the original Plans and Appendixes.

Disputes as to Leases to be referred to the Verderers, whose Decision shall be final.

XII. And be it enacted, That if any Dispute shall arise between Two or more Persons as to their Right to have a Lease or Conveyance of any of the aforesaid Encroachments granted to them in pursuance of this Act, then and in case such Dispute shall be notified in Writing to the said Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings within Twelve Calendar Months from the passing of this Act, but not otherwise, it shall and may be lawful for the said Commissioners to refer the Matter in dispute to the Verderers of the said Forest to inquire and determine who in the Opinion of the said Verderers are best entitled to have such Lease or Conveyance granted; and the Report in Writing of the said Verderers, or any Two of them, made to the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, shall be conclusive as to the Right of the Parties entitled; and for the Purposes aforesaid the said Verderers shall have Power, by their Warrant under the Hand of any One of them, to summon any Person or Persons before them to give Evidence, and such Persons shall be duly sworn or shall make Affirmation as by Law is required, and shall give Evidence with respect to the Matters inquired of, and shall, if they shall wilfully swear or affirm falsely, be guilty of Perjury.

Blue and Yellow Lands to be deemed within the Survey of the Exchequer.

XIII. And be it enacted, That all the said Encroachments so to be leased as aforesaid, and coloured Blue and Yellow on the said Plans respectively, shall, subject to any Leases which may respectively be granted in pursuance of this Act, henceforth be taken to be within the Survey of Her Majesty's Exchequer in *England*, and under the Management of the Commissioners for the Time being of Her Majesty's

Majesty's Woods, Forests, Land Revenues, Works, and Buildings, in such and the same Manner as the other Land Revenues of the Crown are now subject.

10 G. 4. c. 50.

XIV. And whereas by an Act passed in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Management and Improvement of His Majesty's Woods, Forests, Parks, and Chases; of the Land Revenue of the Crown within the Survey of the Exchequer of* England; *and of the Land Revenue of the Crown in* Ireland; *and for extending certain Provisions relating to the same to the Isles of* Man *and* Alderney, it was enacted, that from and after the passing of the Act all such unlawful Inclosures, Purprestures, Encroachments, and Trespasses which shall have been wilfully made or caused or procured to be made by any Person or Persons in and upon any of the Royal Forests, or should be wilfully held, occupied, and made use of by any Person or Persons subsequently occupying or claiming the same (save and except as therein is excepted), should and might be inquired of by the Verderers of the respective Forests within which such unlawful Inclosures, Purprestures, Encroachments, or Trespasses should have been made in the Courts of Attachment of the said Forest respectively; and the Person or Persons guilty of making, continuing, and renewing any such unlawful Inclosure, Purpresture, Encroachment, or Trespass, save as therein is mentioned, should and might be prosecuted for the same in the said Court or Courts, and upon Proof being made thereof on the Oath of One credible Witness the Verderers of the said respective Forests, or any Two of them, present at the said Court or Courts, should have Power and they were thereby authorized to fine any Person or Persons so offending, for every such Offence, any Sum not exceeding Twenty Pounds, to be recovered and applied in manner therein-after provided, and to order and direct every such unlawful Inclosure, Purpresture, Encroachment, and Trespass, save as aforesaid, to be abated by the Regarders, Under Foresters, Under Keepers, or other Officers of the said Forest respectively, who were thereby authorized and empowered to abate the same accordingly; and it was by the said Act provided nevertheless, that in case it should be insisted upon by any Person or Persons who should be proceeded against in any of the Attachment Court or Courts therein mentioned, as therein-before directed, that the Place wherein the Inclosure, Purpresture, Encroachment, or Trespass should have been or should be alleged to have been made was not within the Boundaries of any of the said Forests or within the Lands belonging to His Majesty within the same, the said Verderers should not proceed to Conviction, but should certify the Presentment of such Offence to His Majesty's Attorney General, to the end that such Proceeding might be had therein by Information of Intrusion or otherwise as by Law might have been had before the passing of the Act now in recital: And whereas the Provisions contained in the said last-recited Act have been the Means of preventing and suppressing Encroachments on the Wastes of the said Forest: And whereas it is expedient to extend and explain the aforesaid Provisions; be it therefore enacted, That so much of the said recited Act of the Tenth Year of the Reign of His late Majesty King

King *George* the Third as regards Purprestures in and upon the said Forest of *Dean* shall be and the same is hereby repealed: Provided nevertheless, that all the Provisions of the said recited Act as regards Encroachments or Trespasses made or hereafter to be made or continued in or upon the said Forest shall remain and be in full Force. Recited Act repealed.

XV. And be it enacted, That all unlawful Inclosures, Trespasses, and Encroachments within the said Forest of *Dean*, within the Provisions of the said Act of the Tenth Year of the Reign of His late Majesty King *George* the Fourth or of this Act, may be inquired of by any Two Verderers of the said Forest, and either at the Court of Attachment or not; and the said Verderers before whom any Person shall be informed against or convicted for or in respect of any such unlawful Inclosure, Trespass, and Encroachment, may cause the Information (whenever an Information shall be taken in Writing or Print) and the Conviction respectively to be drawn up according to the following Forms, or any other Forms to the same Effect, as the Case may require; (that is to say,) Purprestures may be inquired of by Verderers.

Form of Information.

'wit. } BE it remembered, That on the Day of *A.B.* of informeth us, *C.D.* and *E.F.* '(Two of the Verderers of Her Majesty's Forest of *Dean*) that *G.H.* 'of [*here describe the Offence*], whereby he hath committed Trespass and Encroachment, contrary to the Provisions of 'an Act passed in the Tenth Year of the Reign of His late Majesty 'King *George* the Fourth, and of an Act passed in the First and 'Second Year of the Reign of Her Majesty Queen *Victoria*, intituled '[*insert the Title of this Act*]. Taken before us,

'*C.D.*
'*E.F.*'

Form of Conviction.

'BE it remembered, That on the Day of 'in the Year of our Lord *G.H.* is convicted before 'us, *C.D.* and *E.F.* (Two of the Verderers of Her Majesty's Forest 'of *Dean*) of [*here describe the Offence*], whereby he has committed 'a Trespass and Encroachment, contrary to an Act passed in the 'Tenth Year of the Reign of His late Majesty King *George* the 'Fourth, and of an Act passed in the First and Second Year of the 'Reign of Her Majesty Queen *Victoria*, intituled [*here insert the* '*Title of this Act*], for which we do hereby fine the said *G.H.* in the 'Sum of Pounds.

'[*C.D. and E.F.*]'

XVI. And be it enacted, That all such Fines so inflicted as aforesaid shall be recovered and applied in such Manner as is by the said Act of the Tenth Year of the Reign of King *George* the Fourth declared with respect to Fines for Purprestures and Encroachments to be imposed by virtue of the said Act; and all the Provisions and Declarations in the said Act contained, with regard to the Penalties or Fines to be thereby imposed, shall apply to the Penalties or Fines to be imposed by virtue hereof. Application of Fines.

XVII. And be it enacted, That the Verderers for the Time being of Her Majesty's said Forest of *Dean* shall at the End of Three Calendar Verderers to transmit Copies of

their Proceedings to Commissioners of Woods every Three Months to be enrolled.

Calendar Months from the passing of this Act, and at the End of every succeeding Three Months thereafter, transmit to the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, Copies, under their Hands and Seals, of their Proceedings in the Court of Attachment of the said Forest, and of all Convictions by them in pursuance of this Act; and the said Commissioners shall cause such Proceedings to be enrolled in the Office of Land Revenue Records and Enrolments, and the said Copies so signed, or the Enrolments thereof, shall be received as Evidence in all Courts of Law or elsewhere.

The recited Act of 20 Car. 2. not repealed except as regards, the Encroachments shown on the Plans.

XVIII. And be it enacted, That nothing in this Act shall be construed to repeal the herein-before recited Act passed in the Twentieth Year of His late Majesty King *Charles* the Second, except so far as regards the Encroachments shown on the aforesaid Maps or Plans; and nothing herein contained shall be taken to prejudice the Rights of Her Majesty, Her Heirs or Successors, or the Claims of the Free Miners, to the Mines and Minerals under the said Encroachments to which this Act relates.

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