ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 99.

An Act for altering and amending an Act of the Fifty-second Year of His present Majesty's Reign, for inclosing the Forest of *Delamere*, in the County of *Chester*. [17th *June* 1814.]

WHEREAS by an Act passed in the Fifty-second Year of the Reign of His present Majesty, intituled, *An Act for inclosing the Forest of* Delamere, *in the County of* Chester, certain Commissioners were thereby appointed, for dividing, allotting and inclosing the said Forest, and for carrying into Execution the several other Purposes of the said Act; and it was thereby enacted, That the first Award of the said Commissioners should be made within Two Years next after receiving the Survey from the Surveyor appointed by the said Act, and that the final Award of the said Commissioners should be made within Three Years next after the passing of the said Act: And whereas the said Commissioners have proceeded in the Execution of the Powers and Authorities vested in them by the said Act recited, and have made considerable Progress in the Completion of several of the public Highways in and over the said Forest, and in draining the same: And whereas the said Commissioners have separated and set apart a Portion of the said Forest, of the Yearly Value of Two hundred Pounds, to be allotted to His Majesty, His Heirs and Successors, for the Purpose of erecting a Church, endowing the same, building a Parsonage House, with suitable Out-buildings and Curtilage thereto belonging, and a Cemetery or Burial Ground

52 G. 3. c. cxxxvi.

Ground for the ſaid Church; but owing to various Claims and Objections having been made, and to ſeveral Iſſues at Law to be tried, to determine the Rights of ſeveral of the Parties intereſted in ſuch Diviſion and Incloſure, it will be impracticable for the ſaid Commiſſioners for executing the ſaid recited Act, to make their ſeveral Awards within the Times preſcribed by the ſaid recited Act; it is therefore expedient that the Times by the ſaid recited Act limited for the ſaid Commiſſioners to make their ſeveral Awards, ſhould be extended, and that the ſaid Act ſhould in ſome other Reſpects be altered and amended; but the ſame cannot be effected without the Aid and Authority of Parliament: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King'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 the ſaid recited Act, and all and every the Clauſes, Powers, Proviſions, Penalties, Articles, Matters, and Things, therein contained (ſave and except ſuch Parts thereof as are hereby altered, varied or repealed) ſhall be and remain in full force and virtue, and ſhall be as good, valid and effectual for carrying the ſaid recited Act and this Act into Execution, as if the ſame had been repeated and re-enacted in the Body of this Act.

Powers of 52 G. 3. extended to this Act.

Part of former Act repealed.

II. And be it further enacted, That ſo much of the ſaid recited Act as enacts, That the firſt Award of the ſaid Commiſſioners ſhall be made within Two Years next after receiving the Survey of the ſaid Foreſt from the Surveyor, and that the final Award of the ſaid Commiſſioners ſhall be made within Three Years next after the paſſing of the ſaid Act, ſhall be and the ſame is hereby repealed and declared to be null and void, to all Intents and Purpoſes whatſoever.

At what Period Awards ſhall be made.

III. And be it further enacted, That in lieu and ſtead thereof, the Firſt Award of the ſaid Commiſſioners ſhall be made and executed within the Period of Two Years from the Firſt Day of *January* next, and that the final Award of the ſaid Commiſſioners ſhall be made and executed within the Period of Three Years from the ſaid Firſt Day of *January* next.

No Fern, &c. to be taken away after the paſſing of this Act, under Penalty of 5 l.

IV. And be it further enacted, That if any Perſon or Perſons ſhall, after the paſſing of this Act, cut, get, remove, or take away any Fern, Heath, Gorſe, or other Article of the like Nature or Quality, from or off any of the Lands or Grounds to be incloſed by virtue of the ſaid recited Act or this Act, for any Uſe or Purpoſe whatſoever, or under any Right, Privilege, or Claim, or Pretence of Right, Privilege, or Claim whatever, upon Proof made before the ſaid Commiſſioners on Oath (which Oath the ſaid Commiſſioners are hereby empowered to adminiſter) ſuch Perſon or Perſons ſo offending in the Premiſes, ſhall forfeit and pay any Sum of Money not exceeding Five Pounds; and in caſe ſuch Perſon or Perſons ſhall refuſe or neglect to pay the ſaid Penalty on Demand made thereof by the ſaid Commiſſioners, then and in ſuch caſe the ſaid Commiſſioners ſhall, and they are hereby required, by Warrant under their Hands and Seals directed to any Perſon or Perſons whomſoever, to cauſe the ſaid Penalty to be levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons ſo offending in the Premiſes, rendering the Overplus (if any) on Demand, to the

Perſon or Perſons whoſe Goods and Chattels ſhall be ſo diſtrained and ſold, after deducting the Coſts and Charges attending ſuch Diſtreſs and Sale; and the Money ſo to be levied as aforeſaid ſhall be applied towards the Payment of the Coſts, Charges and Expences of executing the ſaid recited Act and this Act.

Public Act.

V. And be it further enacted, That this Act ſhall be deemed and taken to be a Public Act, and ſhall be judicially taken Notice of as ſuch, by all Judges, Juſtices and others, without being ſpecially pleaded.

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