ANNO TRICESIMO NONO & QUADRAGESIMO

GEORGII III. REGIS.

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Soil of His Majeſty within the Boundaries of the ſaid Foreſt; for Remedy thereof, 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 it ſhall be lawful for His Majeſty to iſſue, or cauſe to be iſſued, One or more Commiſſion or Commiſſions under the Great Seal of *Great Britain*, and thereby to appoint *Nathaniel Bond* Eſquire, One of His Majeſty's Council learned in the Law, *John Lens* Eſquire, Serjeant at Law, and *James Burrough* Eſquire, Barriſter at Law, to be Commiſſioners for the Purpoſes of this Act, and to authorize and empower the ſaid Commiſſioners ſo to be appointed, or any Two of them, to aſcertain and diſtinguiſh the Boundaries of the ſaid Foreſt called the *New Foreſt*, and of the Lands of His Majeſty's Subjects within the ſame, and to enquire of Purpreſtures, Encroachments, and Treſpaſſes on the Soil of His Majeſty within the Boundaries of the ſaid Foreſt; and the ſaid Commiſſioners, or any Two of them, ſhall and may, and they are hereby authorized and empowered to meet at ſuch Time, and at ſuch Place within the ſaid County of *Southampton*, as they or any Two of them ſhall appoint, and then and there to proceed in a ſummary Way, and by the Teſtimony of Witneſſes upon Oath, (which Oath any One of the ſaid Commiſſioners is hereby empowered to adminiſter), and by the Inſpection and Examination of Records, Deeds, and Writings, or by any other legal Proof or Evidence, to enquire of and aſcertain the Boundaries of the ſaid Foreſt, and of the Lands and Grounds belonging to His Majeſty within the ſame, and the Boundaries between Lands belonging to His Majeſty and Lands of any of His Majeſty's Subjects, and in like Manner to enquire of and examine all Claims or Titles that ſhall or may be made to any Lands, Tenements, or Hereditaments which ſhall be claimed on behalf of His Majeſty as Purpreſtures, Encroachments, or Treſpaſſes in or upon the Soil of His Majeſty within the ſaid Foreſt.

His Majeſty may appoint Commiſſioners to aſcertain and diſtinguiſh the Boundaries of the *New Foreſt*, and of the Lands of His Majeſty's Subjects within the ſame, and to enquire of Purpreſtures, &c.

II. And be it further enacted, That if the ſaid Commiſſioners, in aſcertaining and ſettling the Matters aforeſaid, ſhall find any Lands, Tenements, or Hereditaments, or any Boundary, to be in Diſpute between His Majeſty and any other Perſon or Perſons, it ſhall be lawful for the ſaid Commiſſioners to receive Propoſals, from the Perſon and Perſons claiming againſt His Majeſty, for compromiſing ſuch Diſpute; and if the ſaid Commiſſioners ſhall approve of the Compromiſe propoſed, and the Value of ſo much of the Matter in Diſpute, as ſhall not be propoſed by ſuch Compromiſe to be yielded to His Majeſty, ſhall not in the Judgement of the ſaid Commiſſioners exceed the Sum of One thouſand Pounds, it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized to compromiſe ſuch Diſpute on Behalf of His Majeſty, and to ſettle and fix the Matter in Diſpute accordingly by Writing under their Hands and Seals; which Writing ſhall be inrolled in Manner herein-after directed, and ſhall be binding and concluſive on His Majeſty, His Heirs and Succeſſors, and on the Party or Parties propoſing ſuch Compromiſe, and all Perſons claiming under them; but if the Matter in Diſpute ſhall be of greater Value than the Sum of One thouſand Pounds beyond the Value of what ſhall be propoſed to be yielded to His Majeſty, then the ſaid Commiſſioners ſhall, as ſoon as conveniently may be, prepare and make a Report of the Matter ſo in Diſpute, and of the Value thereof, and alſo of the Propoſals which ſhall have been made to them for

The Commiſſioners may compromiſe Diſputes where the Value of ſo much of the Matter in Diſpute, as ſhall not be propoſed to be yielded to His Majeſty, ſhall not exceed 1000 *l.* but if it exceed that Sum, they ſhall tranſmit a Report of the Matter to the Treaſury, with their Opinion; and if the propoſed Compromiſe be approved, they may ſettle the Matter accordingly.

for compromiſing the ſame, and ſhall tranſmit ſuch Report to the Lord High Treaſurer, or Lords Commiſſioners of His Majeſty's Treaſury for the Time being, together with their Opinion whether ſuch Propoſals for Compromiſe ought to be accepted or refuſed, or whether the Matter ought to be otherwiſe diſpoſed of; and if the ſaid Lord High Treaſurer, or Lords Commiſſioners of His Majeſty's Treaſury, ſhall ſignify their Approbation of the Compromiſe propoſed, then it ſhall be lawful for the ſaid Commiſſioners to be appointed in purſuance of this Act, to accept ſuch Terms of Compromiſe, and to ſettle and fix the Matters in Diſpute accordingly, in the Manner herein-before directed with reſpect to ſuch Caſes, in which the ſaid Commiſſioners are hereby authorized to accept Terms of Compromiſe without making any ſuch previous Report as aforeſaid.

If a Claimant ſhall not make any Propoſal, or a Propoſal ſhall not be approved, the Commiſſioners ſhall aſcertain the Rights of His Majeſty; and if a Claimant ſhall ſignify his Submiſſion to the Matter being ſettled by their Award, their Deciſion ſhall be final; where Parties ſhall not ſubmit to the Judgement of the Commiſſioners, the Matter may be tried in the Court of Exchequer, &c.

III. And be it further enacted, That if the Perſon or Perſons claiming any Matter in Diſpute as aforeſaid ſhall not make any Propoſal to the ſaid Commiſſioners for ſettling ſuch Diſpute, or in caſe a Propoſal for ſuch Purpoſe ſhall be made which ſhall not be approved and accepted as aforeſaid, then and in any of the ſaid Caſes the ſaid Commiſſioners ſhall proceed to aſcertain, as far as they ſhall be able, the Rights of His Majeſty in the Matters ſo in Diſpute; and in caſe the Perſon or Perſons claiming againſt His Majeſty ſhall ſignify his or their Submiſſion that the Matters ſo in Diſpute ſhall be ſettled by the Award of the ſaid Commiſſioners, it ſhall be lawful for the ſaid Commiſſioners not only to proceed to examine the Matters in Diſpute, and to receive ſuch Evidence as the Nature of the Caſe ſhall admit, but alſo thereupon to decide upon the Rights of ſuch Perſon or Perſons and of His Majeſty reſpectively, and ſuch Commiſſioners ſhall make their Award accordingly, in Writing under their Hands and Seals, to be inrolled as herein-after mentioned, and ſuch Deciſion ſhall in ſuch Caſes be final; and if the Parties ſhall not think fit to ſubmit to the Judgement of the ſaid Commiſſioners, it ſhall be lawful for the ſaid Commiſſioners to direct any Matter which they ſhall be unable otherwiſe to adjuſt and ſettle between the ſeveral Claimants and His Majeſty, to be tried in an Action or Actions in His Majeſty's Court of Exchequer at *Weſtminſter*, upon any feigned Iſſue or Iſſues, to be ſettled by the ſaid Court, in caſe there ſhall be any Difference about the ſame, or by any Suit or Suits in Equity in the Court of Exchequer Chamber, or by making Entries or throwing open Incloſures, taking down Fences or removing Obſtructions, or by any other lawful Ways or Means as the ſaid Commiſſioners ſhall think fit, and beſt adapted to produce a fair and ſpeedy Deciſion of the Matters ſo in Diſpute as aforeſaid; and if any Perſon or Perſons claiming againſt His Majeſty, ſhall be deſirous of trying his or their Rights in an Action at Law, or upon a feigned Iſſue or Iſſues, and ſhall ſignify his or their Intention ſo to do to the ſaid Commiſſioners, it ſhall be lawful to make the ſaid Commiſſioners Defendants in ſuch Action or Iſſue for that Purpoſe; and the ſaid Commiſſioners ſhall, and they are hereby required to appear to ſuch Action, and defend the ſame in their own Names, and to accept a Declaration and plead to Iſſue therein: Provided always, That the Venue in ſuch Action or Iſſue, ſhall be laid in the County of *Southampton*; and that the Plaintiff therein ſhall proceed in ſuch Action ſo as that the ſame may be tried at the Firſt or Second Aſſizes to be holden for the ſaid County next after the Defendants therein ſhall have pleaded to Iſſue.

In Actions the Venue ſhall be laid in the County of *Southampton*, and ſhall be tried at the Firſt or Second Aſſizes after the Defendants ſhall have pleaded to Iſſue.

IV. And

If Timber, &c. not exceeding the Value of 1000 *l.* be ſtanding upon any Lands in Diſpute, the Commiſſioners may agree with the Claimant for the Application thereof, though the ſame, with the Land, ſhall exceed that Value.

IV. And be it further enacted, That in caſe any Timber, or other Trees or Wood, not exceeding the Value of One thouſand Pounds, ſhall be ſtanding or being on any Lands in Diſpute between His Majeſty and any other Perſon or Perſons, it ſhall be lawful for the ſaid Commiſſioners to receive Propoſals from the Perſon or Perſons claiming againſt His Majeſty, for the Diſpoſition or Application of ſuch Timber, or other Tree or Wood, not exceeding the Value aforeſaid; and it ſhall be lawful for the ſaid Commiſſioners on the Behalf of His Majeſty, to enter into any Agreement with ſuch Perſon or Perſons for the felling, cutting down, Diſpoſition and Application of ſuch Timber, and other Trees and Wood, although the ſame, together with the Land whereon the ſame ſhall be ſtanding, ſhall exceed the Value of One thouſand Pounds; which Agreement, ſo to be made by the ſaid Commiſſioners on Behalf of His Majeſty, ſhall be binding on Him, His Heirs and Succeſſors.

Bodies Politick, *etc.* may compromiſe Diſputes with the Commiſſioners.

V. And be it further enacted, That it ſhall be lawful for all Bodies Politick, and Corporations Aggregate or Sole, and all Truſtees for charitable or publick Purpoſes, and all Huſbands on Behalf of their Wives, and all Committees of Lunaticks, and all Guardians of Infants, and all Perſons having Authority to act for Perſons incapable of acting for themſelves, to make Propoſals to the ſaid Commiſſioners for compromiſing any Diſpute between His Majeſty and ſuch Bodies Politick, Corporations, Truſtees, married Women, Lunaticks, Infants, and other Perſons incapable of acting for themſelves, reſpecting any Lands, Tenements, or Hereditaments, within or adjoining to the ſaid Foreſt, or any Timber or other Trees or Wood ſtanding or growing thereon, and to compromiſe all or any of ſuch Diſputes with the ſaid Commiſſioners on Behalf of His Majeſty; and every ſuch Compromiſe, if made, ſhall be binding and concluſive on all ſuch Bodies Politick and Corporations, and all Perſons having any beneficial Intereſt in any ſuch Lands, Tenements, and Hereditaments, Timber, Trees, and Wood, held in Truſt, and all ſuch married Women, Lunaticks, Infants, and other Perſons incapable of acting for themſelves, in ſuch and the ſame Manner as if the Perſons making ſuch Compromiſe had been ſeiſed in Fee Simple of and entitled to ſuch Lands, Tenements, or Hereditaments, Timber, Trees, and Wood, for his and their own Uſe and Benefit reſpectively.

Timber Trees cut down and allotted to Corporations, *etc.* not entitled to cut Timber, ſhall be ſold under the Direction of the Commiſſioners, and the Money diſpoſed of as herein directed.

VI. And be it further enacted, That in caſe any Timber Trees hereby authorized to be cut down for the Purpoſe of any ſuch Compromiſe as aforeſaid, ſhall be claimed in reſpect of any Land belonging to any Corporation, Truſtees, or Feoffees, or other Perſons who ſhall not be entitled to cut down Timber, then and in ſuch Caſe ſo much of ſuch Timber Trees as ſhall be conſidered by the ſaid Commiſſioners as to be allotted to ſuch Corporation, Truſtees, Feoffees, or other Perſons not entitled to cut Timber as aforeſaid, ſhall be ſold by or under the Direction of the ſaid Commiſſioners, or any Two of them, in ſuch Manner as they ſhall appoint, and the Money ariſing from ſuch Sale ſhall, in caſe the ſame ſhall amount to the Sum of Two hundred Pounds, with all convenient Speed, be inveſted in the Purchaſe of Lands or Hereditaments, which ſhall be conveyed in and ſettled upon, and ſubject to the like Uſes, Truſts, and Limitations as the Lands, in reſpect whereof ſuch Timber Trees ſhall be claimed, were ſettled or limited; and in the mean Time and until ſuch Purchaſe can be made, ſuch Money ſhall be paid into the Bank of

England, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there, *ex parte* the ſaid Commiſſioners, to the Intent that ſuch Money ſhall be applied under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon Application, to be preferred in a ſummary Way, by the Perſon or Perſons claiming an Intereſt in ſuch Timber Trees, either in or towards the Purchaſe of Land Tax, or towards the Diſcharge of Debts or Incumbrances affecting Lands or Hereditaments ſettled to the ſame Uſes to which the Lands in reſpect of which ſuch Timber ſhall be claimed ſhall be ſettled; or until the ſame ſhall, upon the like Application, in a ſummary Way, be laid out by Order of the ſaid Court, in the Purchaſe of Lands or Hereditaments to be ſettled as aforeſaid; and in the mean Time, and until ſuch Order can be made, ſuch Money may, by Order of the ſaid Court, be laid out in ſome of the publick Funds, or on Government or Real Securities, and the Dividends or Intereſt ariſing therefrom ſhall, by Order of the ſaid Court, be paid to ſuch Perſon or Perſons as would, for the Time being, be entitled to the Rents and Profits of ſuch Lands, Tenements, and Hereditaments ſo to be purchaſed, conveyed, and ſettled.

If the Commiſſioners ſhall find any Land belonging to His Majeſty which has been for 15 Years incloſed, and enjoyed without Interruption, and has been improved, they may grant a Leaſe thereof: But if they ſhall direct the Incloſure to be thrown open, they may direct a Compenſation to be made for the Improvements.

VII. And be it further enacted, That if the ſaid Commiſſioners ſhall find that any Land within the ſaid Foreſt, which ſhall appear to them to belong to His Majeſty, hath been for Fifteen Years or more incloſed and enjoyed by the Perſons in Poſſeſſion thereof, or thoſe under whom they claim, without any Interruption by or on the Part of His Majeſty, and that ſuch Lands have been conſiderably improved ſince the Incloſure thereof, at the Expence of the Perſons in Poſſeſſion thereof, or thoſe under whom they claim, and if the Perſon or Perſons in Poſſeſſion of ſuch Land, or claiming Title thereto, ſhall ſignify a Deſire to accept a Leaſe thereof from His Majeſty, upon reaſonable Terms, it ſhall be lawful for the ſaid Commiſſioners, if they ſhall be of Opinion that the Continuance of ſuch Incloſures will not be prejudicial to the Growth, Increaſe, or Preſervation of the Timber Trees and Wood in the ſaid Foreſt, to order and direct that ſuch Lands ſhall continue incloſed, and ſhall be demiſed for ſuch Term of Years as ſhall appear to the ſaid Commiſſioners a reaſonable Compenſation for the Expence of Improvement; but nevertheleſs upon Payment of ſuch annual Rent or Rents to His Majeſty, His Heirs and Succeſſors, as the ſaid Commiſſioners ſhall in their Judgement think proper and reaſonable; and a Leaſe ſhall be made accordingly, without any Fine, Fee, or Reward to be paid for the ſame; and ſuch Leaſe ſhall not be ſubject to any Stamp Duty: But if in any ſuch Caſe the ſaid Commiſſioners ſhall order or direct any ſuch Incloſure to be thrown open, and at the ſame Time ſhall be of Opinion that a Compenſation ought to be made to the Perſon or Perſons in Poſſeſſion thereof, or claiming Title thereto, for the Improvements made thereon, it ſhall be lawful for the ſaid Commiſſioners to aſcertain the Compenſation which in their Opinion ought to be made for the ſame, although it ſhall appear to the ſaid Commiſſioners, that the ſaid Incloſure was originally a Treſpaſs on the Soil of His Majeſty, and made without any lawful Authority, and the Compenſation which the ſaid Commiſſioners ſhall ſo direct to be made, ſhall be paid out of the Firſt Money which ſhall be raiſed by Sale of Timber and Wood within the ſaid Foreſt.

The Commiſſioners ſhall give Notice of their Meetings in the *London Gazette*, and certain Newſpapers.

VIII. And, to the Intent that no Perſon may have any juſt Cauſe or Pretence for not appearing before the ſaid Commiſſioners at their Meetings, to be held for the Purpoſe of carrying this Act into Execution, be it further enacted, That the ſaid Commiſſioners ſhall give publick Notice of the Time and Place of every intended Meeting, by Publication of ſuch Notice Fourteen Days at leaſt before ſuch Meeting, in the *London Gazette*, and in Two or more publick Newſpapers publiſhed daily in *London* or *Weſtminſter*, and in Two or more of the publick Newſpapers publiſhed in the ſaid County of *Southampton*, and in One or more of the publick Newſpapers publiſhed in the County of *Wilts*: Provided always, That the ſaid Commiſſioners, or any One of them, ſhall and may, from Time to Time, adjourn their Meetings to any future Day, and to any Place within the ſaid County of *Southampton* as they ſhall think proper, and meet accordingly, without giving any publick Notice thereof in any Newſpaper.

Adjourned Meetings may be held without Publick Notice.

Two Commiſſioners may appoint and hold Meetings, and the Majority preſent may do all Acts.

IX. And be it further enacted, That any Two of the Commiſſioners ſo to be appointed as aforeſaid, ſhall have full Power and Authority to appoint and hold Meetings for the Purpoſe of carrying this Act into Execution; and that at all Meetings of the ſaid Commiſſioners under the Authority of this Act, or the ſaid Commiſſion or Commiſſions, the major Part of the Commiſſioners then preſent ſhall have full Power and Authority to do, exerciſe, and perform all ſuch Acts, Powers, Authorities, Matters, and Things, as in and by this Act, or the ſaid Commiſſion or Commiſſions to be iſſued in purſuance thereof, are or ſhall be directed, authorized, or empowered to be done, exerciſed, or performed by the ſaid Commiſſioners.

The Proceedings of the Commiſſioners to be entered in Books, which ſhall be returned into the Office of the Auditor of the Land Revenue.

X. And be it further enacted, That the ſaid Commiſſioners acting under the ſaid Commiſſion, ſhall and they are hereby required to cauſe all their Enquiries, Examinations, and Proceedings under this Act, to be fairly entered in Books to be kept for that Purpoſe; all which Books, duly ſigned and certified by the ſaid Commiſſioners, or any Two of them, ſhall be returned into the Office of the Auditor of the Land Revenue, there to remain and be kept; and all Contracts and Agreements by Way of Compromiſe or otherwiſe, under the Authority of this Act, ſhall be inrolled, by Warrant ſigned by One or more of the ſaid Commiſſioners, with the Auditor of the Land Revenue.

If Boundaries cannot be aſcertained by ſufficient Marks or Deſcriptions in Writing, the Commiſſioners ſhall cauſe them to be marked with Stones placed at proper Diſtances.

XI. And be it further enacted, That if any of the Boundaries of the ſaid Foreſt, or of any Lands of the Crown within the ſame, ſhall be ſo ſituate that the ſaid Commiſſioners ſhall not be able fully to aſcertain them by permanent, plain, and ſufficient Marks, or Deſcriptions in Writing, ſo that the ſame may thereby be fully known at all Times, the ſaid Commiſſioners ſhall cauſe all ſuch Boundaries to be marked with Stones, to be placed at proper Diſtances from each other; and if the Land whereon ſuch Boundary Stones ſhall be placed ſhall not be the Soil of the Crown, although within the Boundaries of the ſaid Foreſt, ſhall cauſe the Letters N. F. in large Roman Characters, and the Date of the Year in which ſuch Stones ſhall be put up, and alſo a Number (in numerical Order) to be cut or engraven on each of the ſaid Stones; and if the Land whereon ſuch Boundary Stones ſhall be placed ſhall be Land of the Crown, the Letters C. L. N. F. in large Roman Characters,

ſhall

ſhall be cut or engraven on ſuch Stones; and if any Perſon ſhall wilfully or wantonly pull up, break down, remove, or damage any of the ſaid Mark Stones, or deſtroy, ſpoil, or deface any of the Letters, or other Marks engraven or cut thereon by Order of the ſaid Commiſſioners, ſuch Perſon ſhall be guilty of an Offence, and ſhall for every ſuch Offence, being lawfully convicted thereof, forfeit and loſe any Sum not exceeding Ten Pounds nor leſs than Forty Shillings; to be recovered and applied in Manner herein-after mentioned.

Penalty on Perſons pulling up ſuch Stones or defacing the Marks thereon.

XII. And be it further enacted, That when and ſo ſoon as the ſaid Commiſſioners ſhall have aſcertained and ſettled the Boundaries of the ſaid Foreſt, and the Lands within the ſame which belong to His Majeſty, they ſhall cauſe a Map or Plan to be made of the ſaid Foreſt, in which Map or Plan the Boundaries of the ſaid Foreſt, and the Lands within the ſame belonging to His Majeſty, as aſcertained and ſettled by the ſaid Commiſſioners, ſhall be accurately and diſtinctly marked, ſet out, and diſtinguiſhed, and the Lands within the Bounds of the ſaid Foreſt belonging to other Perſons, ſhall alſo be marked and diſtinguiſhed in the ſaid Map or Plan, ſo far as the ſaid Commiſſioners ſhall be able to aſcertain the ſame; and the ſaid Commiſſioners ſhall cauſe Two Parts to be made of ſuch Map or Plan, and they or any Two of them ſhall atteſt and certify the Truth and Accuracy of both ſuch Parts, by ſigning their Names thereto; and One Part of the ſaid Map or Plan ſo certified by the ſaid Commiſſioners, or any Two of them, ſhall be tranſmitted by them to the Steward of the ſaid Foreſt, or his Under Steward, to be depoſited amongſt and kept with the Records of the Court of Attachments of the ſaid Foreſt, held at *Lyndhurſt* in the ſaid County of *Southampton*, and the other Part of the ſaid Map or Plan, certified as aforeſaid, ſhall be tranſmitted to the Auditor of the Land Revenue, to be kept in his Office.

When the Commiſſioners ſhall have aſcertained the Boundaries, they ſhall cauſe a Map to be made, in which the Boundaries of the Foreſt and the Lands therein belonging to His Majeſty ſhall be diſtinguiſhed, as alſo the Lands of other Perſons, as far as can be aſcertained; and one certified Copy ſhall be tranſmitted to the Steward of the Foreſt, and the other to the Auditor of the Land Revenue.

XIII. And be it further enacted, That when and ſo ſoon as the ſaid Commiſſioners ſhall have aſcertained and ſettled the Boundaries of any Part of the ſaid Foreſt, or of any Lands within the ſame, which have been diſputed, they ſhall, if requeſted ſo to do by any Perſon or Perſons intereſted therein, certify in Writing under their Hands and Seals, or under the Hands and Seals of Two of them, in what Manner ſuch diſputed Boundaries ſhall have been ſo aſcertained and ſettled, and return ſuch Certificate to the Auditor of the Land Revenue, to be filed in his Office, and ſhall alſo, at the Requeſt of any Perſon or Perſons ſo intereſted, deliver a Copy of ſuch Certificate to ſuch Perſon or Perſons, he, ſhe, or they paying for the ſame, to the Clerk of the ſaid Commiſſioners, at and after the Rate of Three-pence *per* Sheet and no more.

The Commiſſioners on Requeſt ſhall certify in what Manner diſputed Boundaries ſhall have been ſettled, and return ſuch Certificate to the Auditor of the Land Revenue, and alſo deliver a Copy to the Party intereſted, he paying for the ſame.

XIV. And be it further enacted, That after the ſaid Map or Plan of the ſaid Foreſt ſhall have been made and completed, and One Part thereof ſigned and certified by the ſaid Commiſſioners ſhall have been depoſited amongſt the Records of the ſaid Court of Attachments of the ſaid Foreſt as aforeſaid, all unlawful Incloſures, Purpreſtures, Encroachments, and Treſpaſſes whatſoever within the ſaid Foreſt, ſhall and may be enquired of by the Verderers of the ſaid Foreſt, in the Court of Attachments of the ſaid Foreſt; and the Perſon or Perſons guilty of any ſuch Incloſure, Purpreſture,

After one Part of the Map ſhall have been depoſited amongſt the Records of the Court of Attachments of the Foreſt, all unlawful Incloſures, &c. ſhall be inquir-

ed of by the Verderers in the said Court, who may fine Offenders, and order the Inclosures to be abated.

Purpresture, Encroachment, or Trespass, shall and may be prosecuted for the same in the said Court; and upon Proof being made thereof by the Oath of One credible Witness, the Verderers of the said Forest, or any Two of them present at the said Court, shall have Power, and they are hereby authorized, to fine any Person or Persons so offending, for every such Offence, in any Sum not exceeding Ten Pounds, to be recovered and applied in Manner herein-after provided for; and to order and direct every such Inclosure, Purpresture, Encroachment, and Trespass, to be abated by the Regarders, Under Keepers, or other Officers of the said Forest, who shall abate the same accordingly.

If any Question shall arise respecting the Boundaries of the Forest, &c. they shall be decided by the Map, which shall be admitted as conclusive Evidence.

XV. And be it further enacted, That after the said Map or Plan shall have been made and completed, and One Part thereof, signed and certified by the said Commissioners, shall have been deposited amongst the Records of the said Court of Attachments of the said Forest as aforesaid, if any Question shall arise or be made respecting the Boundaries of the said Forest or any Part thereof, or whether any Piece or Parcel of Land is within the said Forest, or whether any Piece or Parcel of Land being within the said Forest belongs to His Majesty, or to any Person or Persons claiming against him, all such Questions shall be tried and decided by the said Map or Plan, and either Part thereof being produced shall be admitted and received in all Actions, Suits, and Proceedings, brought, commenced, or had in any Court of Law or Equity, or before any Justice of the Peace or other summary Jurisdiction, as conclusive Evidence of the Boundaries of the said Forest and of the local Situation of such Lands, as to the said Forest and the Right of Property to or in the same as between His Majesty and any of His Majesty's Subjects.

If any Person shall retain Possession of any Inclosure or Building ordered to be thrown open or taken down by the Court of Attachments, or again inclose such Land, or set up such Building, or shall obstruct any Officer obeying such Order, he shall be punished by Fine or Imprisonment, at the Discretion of the Court.

XVI. And be it further enacted, That if after the said Map or Plan shall have been made and completed, and One Part thereof shall have been deposited as aforesaid, any Order shall be made by the Verderers, at any Court of Attachments or Swainmote Court to be holden for the said Forest, for the Abatement of any unlawful Inclosure, and pulling down the Fences thereof, or for pulling down any Building or Erection thereon, by the proper Officer or Officers of the said Court or Forest, if any Person or Persons shall retain, or attempt to retain, the Possession of any such Inclosure or Building so ordered to be thrown open or taken down by the said Court, or again to inclose any Land so ordered to be, and actually thrown open, or again to set up or erect any Fence or Building ordered to be, and actually pulled down, removed, or abated, or shall obstruct, oppose, or molest any Officer of the said Court or Forest in throwing open any such Inclosure, or in pulling down, removing, or abating any Fence, Building, or Erection, pursuant to any such Order, such Person or Persons shall be guilty of an Offence, and shall and may be prosecuted for every such Offence by Indictment or Information, and being thereof duly convicted, shall and may be punished for the same by Fine or Imprisonment at the Discretion of the Court before whom he or they shall be tried.

The Verderers at any Court of Attachments may appoint Officers for

XVII. And be it further enacted, That it shall be lawful for the Verderers of the said Forest, or any Two of them, at any Court of Attachments holden for the said Forest, by Warrant or Warrants under the Hands and Seals of them, or any Two of them, to nominate and ap-

point any Perſon or Perſons to be the Officer or Officers of the ſaid Court and Foreſt, for the Purpoſe of executing the Judgements and Orders of the ſaid Court from Time to Time given and made; and the Perſon or Perſons ſo appointed ſhall, during the Time mentioned in ſuch Warrants, or until the ſame be recalled, or their Appointment revoked by the Officer or Officers of the ſaid Court and Foreſt, have full Power and Authority to execute the Judgements and Orders of the ſaid Court within the ſaid Foreſt, in ſuch and the ſame Manner, and by ſuch and the ſame Means, as any Conſtable or other Peace Officer can or may by Law execute the Warrant of any Juſtice of the Peace for any County; and the ſaid Verderers, or any Two of them, ſhall and may fix and allow proper Fees to be paid to or taken by ſuch Officer and Officers, as the ſaid Verderers ſhall in their Diſcretion think fit.

executing the Orders of the Court, who ſhall have the Authority of Peace Officers.

The Verderers to fix the Fees to be taken by the Officers.

XVIII. And be it further enacted, That every Under Foreſter and Groom Keeper of the ſaid Foreſt ſhall, within the Space of One Calendar Month next before the holding of the Firſt Court of Attachments in each Year, and within a reaſonable Time before the holding any other Court of Attachments for the ſaid Foreſt, carefully ſurvey ſuch Part thereof as lies or is ſituate within his Walk, and take an Account of all Incloſures, Purpreſtures, Encroachments, and Treſpaſſes whatever, made, done, or committed within the ſame ſince the preceding Survey of the ſame Walk, or which were not noticed in ſuch preceding Survey; and every ſuch Under Foreſter and Groom Keeper ſhall, at every Court of Attachments holden for the ſaid Foreſt, make and deliver to the Verderers thereof then preſent, a true Return and Preſentment of all the Incloſures, Purpreſtures, Encroachments, and Treſpaſſes which ſuch Under Foreſter or Groom Keeper ſhall find to have been made, done, or committed within his Walk ſince the laſt Survey of the ſame Walk, or which he ſhall not have returned or preſented at the preceding or ſome former Court, or which, having been made before ſuch laſt Survey, ſhall not have been abated, and at what Time or Times, and in what particular Part or Parts of the Walk, and by whom, all ſuch Incloſures, Purpreſtures, Encroachments, and Treſpaſſes have been made, done, or committed, ſo far as ſuch Under Foreſter or Groom Keeper hath been able to aſcertain the ſame; and every ſuch Under Foreſter or Groom Keeper ſhall, at the Time of making or delivering in his ſaid Return or Preſentment, make Oath before the ſaid Verderers (which Oath they or any One of them is hereby authorized to adminiſter) that, to the beſt of his Knowledge, Information, and Belief, no Incloſure, Purpreſture, Encroachment, or Treſpaſs, hath been made, done, or committed, or then exiſts, within his Walk, other than ſuch as are contained and deſcribed in the Return or Preſentment then made, and delivered in by him, or made or delivered in at the preceding or ſome former Court, ſpecifying the Time at which the ſame was held.

Under Foreſters and Groom Keepers ſhall, before the holding of Courts of Attachments, ſurvey ſuch Parts of the Foreſt as lie within their Walks, and take an Account of all Incloſures, &c. ſince their laſt Survey, and ſhall deliver to the Verderers at the Court Preſentments of Incloſures, &c. and make Oath as to certain Particulars.

XIX. And whereas the Quantity of Land which hath been incloſed for the planting of Timber Trees under the Authority of the ſaid Act of the Ninth and Tenth Years of the Reign of His ſaid late Majeſty King *William*, doth not amount to more than Three thouſand three hundred Acres; and it would probably be highly advantageous to the Growth of Timber in the ſaid Foreſt, if a proper Quantity of Land were incloſed and cultivated for the Purpoſe of ſupplying the Deer of the ſaid Foreſt with

Quantity of Land incloſed for planting Timber Trees under Authority of recited Act of 9 and 10 *Gul.* III.

with Food during the Winter Seaſon, in order to prevent the Deſtruction of Timber by the cutting of Browſe Wood; and that, after a Time to be limited, the Practice of cutting Browſe Wood ſhould be wholly aboliſhed: Be it enacted, That it ſhall be lawful for His Majeſty to cauſe ſuch Quantities of Land within the ſaid Foreſt as His Majeſty ſhall think fit, not exceeding in the Whole Four hundred Acres, to be incloſed and perpetually preſerved for the Purpoſe of producing Hay for the Uſe of the Deer kept within the ſaid Foreſt; which Land ſo to be incloſed ſhall be deemed and taken to be Part of the Land authorized to be incloſed by the ſaid Act of the Ninth and Tenth Years of the Reign of His ſaid late Majeſty King *William*, notwithſtanding the ſame ſhall be cultivated and uſed for the Production of Hay as aforeſaid; and the ſame ſhall be continually kept in His Majeſty's Hands, for the Purpoſe of producing Hay for the Deer, and ſhall not be let or occupied in any other Manner, or for any other Purpoſe; and ſuch Land ſo to be incloſed ſhall be taken in ſuch Parcels and in ſuch Places as ſhall be found to be moſt convenient to be incloſed, and to be moſt fit for the Purpoſe, and which may be ſpared from the Commons and Highways of the County.

His Majeſty may cauſe 400 Acres of Land within the Foreſt to be incloſed for producing Hay for the Deer, which ſhall be deemed Part of the Land authorized to be incloſed by recited Act, and ſhall be continually kept in His Majeſty's Hands for that Purpoſe.

XX. And be it further enacted, That the Under Foreſters or Groom Keepers of the ſeveral Walks within the ſaid Foreſt ſhall, at every Court of Attachments or Swainmote Court holden for the ſaid Foreſt for the Space of Three Years after the paſſing of this Act, deliver to the Verderers of the ſaid Foreſt, at the Firſt Attachment Court in each Year, an Account in Writing of the Number or Head of Deer then being within their reſpective Walks, and of the Quantity of Browſe Wood which will be wanted for the Uſe of the ſaid Deer for the enſuing Seaſon, and in what Places or Parts of the ſaid Foreſt they the ſaid Under Foreſters or Groom Keepers propoſe to take the ſaid Browſe Wood; and the ſaid Court, upon examining the Accounts and Propoſals, and alſo the ſaid Under Foreſters or Groom Keepers, (if it ſhall be thought neceſſary or expedient ſo to do), ſhall aſſign and ſet out, and make Orders in Writing reſpecting the Quantity of Browſe Wood to be taken and cut by each of the ſaid Under Foreſters or Groom Keepers, for the Uſe of the Deer within his Walk for the enſuing Seaſon, and the particular Kind of Wood to be taken for Browſe, and the particular Part or Place within the ſaid Foreſt from which the ſame ſhall be taken; and from and after the Expiration of the ſaid Term of Three Years after the paſſing of this Act, no Wood ſhall be cut for Browſe under any Authority or Pretence whatever; and if, during the ſaid Term of Three Years, any Under Foreſter or Groom Keeper ſhall cut or take, or cauſe or procure to be cut or taken, any Limb or Branch of any Tree, or any other Wood within the ſaid Foreſt, which, either in Quantity, Kind, or Locality, ſhall not have been aſſigned or ſet out and ordered by the ſaid Court to be taken or cut by ſuch Under Foreſter or Groom Keeper as Browſe Wood for the Uſe of the Deer within his Walk, or ſhall ſell, or in any Manner apply to his own Uſe or Benefit, any Wood aſſigned or ſet out as aforeſaid to be taken or cut for Browſe Wood, or if, after the Expiration of the ſaid Term of Three Years, any ſuch Under Foreſter or Groom Keeper ſhall cut or take any Wood or Browſe Wood under any Authority or Pretence whatever, every ſuch Under Foreſter or Groom Keeper ſhall be deemed and taken to offend againſt this Act, and being thereof lawfully convicted by or in the ſaid Court,

The Under Foreſters or Groom Keepers for Three Years after paſſing this Act, ſhall deliver to the Verderers at the Firſt Attachment Court in each Year, an Account of the Number of Deer within their reſpective Walks, &c. and the Court, if thought expedient, ſhall aſſign the Quantity, &c. of Browſe Wood to be cut by each for the enſuing Seaſon, and after that Term no Browſe Wood ſhall be cut. If during that Term any Under Foreſter or Groom Keeper ſhall cut or take any Wood not ſo aſſigned, or ſhall apply to his own Uſe any Wood ſo aſſigned, or after that Term ſhall cut or take any Wood or Browſe Wood, he ſhall forfeit every Office

Court, he shall for every such Offence forfeit and be deprived of his Office of Under Forester or Groom Keeper, and every other Office which he shall have within the said Forest, or in the Courts thereof: Provided always, That it shall be lawful for His Majesty, or the Person entitled to appoint to the Office of Under Forester, Groom Keeper, or other Office so forfeited, to re-appoint or restore such Under Forester or Groom Keeper to such Office, if His Majesty or the Person entitled to the Appointment shall think fit.

within the Forest or the Courts thereof.

His Majesty or the Person entitled to appoint may re-appoint.

XXI. And be it further enacted, That during so long Time as Browse Wood shall be allowed to be cut or taken under the Authority of this Act, every Under Forester or Groom Keeper of the said Forest shall, at every Court of Attachments holden for the said Forest, make and deliver in to the Verderers then present, upon Oath to be administered by One of such Verderers, a true Return and Account of all the Wood cut or taken by such Under Forester or Groom Keeper as Browse Wood for the Deer within his Walk, since the holding of the preceding Court of Attachments, and the Quantities and Kinds thereof, and in what particular Parts of the said Forest the same was cut or taken, and whether any and what Quantity of the Wood assigned or set out, and ordered or allowed by or at such preceding Court to be cut or taken by him as Browse Wood, remains uncut or not actually taken, consumed, or used for that Purpose, and where the same is situate; and if any Under Forester or Groom Keeper shall refuse or neglect to make and deliver in such Return and Account at every such Court of Attachments, or shall fraudulently or wilfully make or deliver in any false or untrue Return or Account of such Browse Wood, he shall for every such Offence, being thereof duly convicted by or in the said Court of Attachments, forfeit and lose any Sum not exceeding the Sum of Twenty Pounds; to be recovered and applied in Manner herein-after directed.

While Browse Wood shall be allowed to be cut, every Under Forester or Groom Keeper shall at every Court of Attachments deliver to the Verderers an Account of the Browse Wood cut and taken by him since the preceding Court, &c.

Penalty not exceeding 20*l.* for neglecting to make such Return, or for making a false one.

XXII. And be it further enacted, That if any Forester, Keeper, Under Keeper, or other Officer of the said Forest, or any other Person, shall at any Time after the passing of this Act, unlawfully cut down, top, lop, or browse, or wilfully destroy, spoil, or damage, any Tree or any Branch or Limb thereof, or any Hawthorn or Whitethorn, or other Wood or Shrub within the said Forest, such Forester, Under Keeper, and other Officer or Person, shall for every such Offence, being thereof lawfully convicted by or in the Court of Attachment for the said Forest, forfeit and be deprived of all and every Offices and Office which he shall have or hold within the said Forest, or in the Courts thereof; but nevertheless he shall be capable of being re-appointed or restored to his Offices by His Majesty, or such other Person as herein-before mentioned; and in case any such Forester, Keeper, or other Officer, having been convicted of any such Offence as aforesaid, shall be again convicted of such Offence, he shall forfeit and lose any Sum not exceeding the Sum of Twenty Pounds, to be recovered and applied in Manner herein-after directed; and shall also forfeit and be deprived of all and every Offices and Office which he shall have or hold within the said Forest or in the Courts thereof, and shall be incapable of being re-appointed or restored to such Offices or any of them, or of being appointed to any other Office within the said Forest, or in the Courts thereof, or in any Manner relating thereto.

If any Forester, &c. shall unlawfully cut down, top, browse, &c. any Tree, &c. he shall forfeit his Offices, but may be restored; and for a Second Offence shall forfeit not exceeding 20*l.* and his Offices, and be incapable of holding any Office within the Forest or the Courts thereof.

The Verderers at any Court of Attachments may enquire into the Conduct of the Under Foresters and Groom Keepers, and for Neglect of Duty may fine them 10*l.* for the First Offence; for a Second Offence they shall forfeit their Offices, but may be restored, but if again convicted shall be incapable of holding any Office within the Forest.

XXIII. And be it further enacted, That it shall be lawful for the Verderers of the said Forest, or any of them, at any Court of Attachments to be holden for the said Forest, to enquire into the Conduct and Behaviour of the Under Foresters and Groom Keepers of the said Forest in their said Offices; and if the said Verderers shall find that any Under Forester or Groom Keeper hath wilfully given or delivered in to the Verderers of the said Forest any untrue Return or Presentment, or hath concealed or wilfully omitted to insert in such Return or Presentment any Inclosure, Purpresture, Encroachment, or other Trespass which ought to have been described or noticed therein, or hath wilfully and without good Cause neglected to make such Survey of his Walk as herein-before directed, or hath been guilty of any wilful Neglect in the Care of the Timber or other Trees, Woods, Thorns, or Bushes, situate within his Walk, or in any other Respect hath wilfully omitted or neglected to perform the Duty of his Office, it shall be lawful for the Verderers of the said Forest, or any Two of them (having due Proof made before them on Oath of any such wilful Act, Neglect, Omission, or Default), and they are hereby authorized, to set and impose a Fine, not exceeding the Sum of Ten Pounds, on such Under Forester or Groom Keeper, for every such his wilful Act, Neglect, Omission, or Default, to be recovered and applied as herein-after mentioned; and for the Second Offence, such Under Forester or Groom Keeper shall forfeit and be deprived of his Office, and shall not at any Time afterwards be restored to such Office, unless the Verderers of the said Forest, or any Two of them, shall, by Order to be made by them at a Court of Attachments of the said Forest, signify that in their Judgement such Under Forester or Groom Keeper may properly be re-appointed or restored to his said Office; and if any such Officer shall be again convicted of a like Offence whereby his Office shall become forfeited, he shall be incapable of being again appointed to such Office, or of holding any Office or Employment whatsoever within the said Forest.

Penalties not directed to be recovered before the Verderers or in the Court of Attachments, may be recovered before a Justice. If any Penalty or Fine, shall not be paid, it may be levied by Distress; and if not to be had, the Offender may be committed for Six Months.

XXIV. And be it further enacted, That all pecuniary Penalties imposed by this Act, and not herein-before directed to be recovered before the Verderers of the said Forest, or in the said Court of Attachments, shall and may be recovered in a summary Way before any Justice or Justices of the Peace for the County of *Southampton*, or for any County, Riding, Division, or Place, in which the Person having incurred the same shall happen to be; and in case any Penalty recovered before any Justice or Justices of the Peace, or before the Verderers of the said Forest, or any Two of them, or in the said Court of Attachments, or any Fine set or imposed by the said Verderers, or any Two of them, or the said Court, either in pursuance of this Act, or of the said Act made in the Ninth and Tenth Years of the Reign of His late Majesty King *William* shall not be paid forthwith, it shall be lawful for the Justice or Justices, or Verderers, or the said Court by whom such Fine shall be set or imposed, or before whom such Penalty shall be recovered, by Warrant under his Hand and Seal, or their Hands and Seals, and directed by such Justice or Justices to any Constable or other Peace Officer, and by the said Verderers to the proper Officer or Officers to be appointed for the said Forest, to cause such Fine or Penalty to be levied by Distress and Sale of the Offenders Goods and Chattels, together with all Costs and Charges attending such Distress and Sale; and in case no sufficient Distress can be had

or

or made, ſuch Juſtice or Juſtices, Verderers or Court, ſhall, if he or they ſhall think proper, commit the Offender to the Common Gaol for, or ſome Houſe of Correction within, the ſaid County of *Southampton*, or for ſuch other County, Riding, Diviſion, City, Town, or Place as aforeſaid, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months.

Act not to infringe any Right under Letters Patent.

XXV. Provided always, and it is hereby declared, That nothing in this Act contained ſhall extend, or be deemed or conſtrued to extend, to defeat, alter, or infringe all or any the Rights, Privileges, or Advantages which may be enjoyed or claimed under any Letters Patent granted by His ſaid Majeſty of any Bailiwick, Walk, or Lodge within the ſaid Foreſt.

Limitation of Actions.

XXVI. And be it further enacted, That if any Action or Suit ſhall be brought or commenced againſt any Perſon or Perſons for any Thing by him, her, or them done or executed in purſuance of this Act, or for any Cauſe, Matter, or Thing herein contained, ſuch Action or Suit ſhall be commenced within Three Calendar Months next after the Matter or Thing done, and ſhall be laid in the proper County; and the Defendant or Defendants in ſuch Action may plead the General Iſſue, and give the Special Matter in Evidence for his or their Defence; and if upon Trial a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs become nonſuited, or diſcontinue his, her, or their Action or Proſecution, or Judgement ſhall be given againſt him, her, or them, upon Demurrer or otherwiſe, then ſuch Defendant or Defendants ſhall have Treble Coſts awarded to him or them againſt ſuch Plaintiff or Plaintiffs.

General Iſſue.

Treble Coſts.

Penalties to be paid over to the Steward of the Foreſt.

XXVII. And be it further enacted, That all Penalties recovered, and all Fines impoſed by virtue or in purſuance of this Act, or of the ſaid Act, made in the Ninth and Tenth Years of the Reign of His ſaid late Majeſty King *William*, ſhall be, by the Juſtice or Juſtices, Verderers, or other Perſon or Perſons receiving the ſame, forthwith paid over to the Steward of the ſaid Foreſt, to be applied in defraying the Expences attending the Execution of this Act, or any other Laws concerning the ſaid Foreſt, as the Verderers of the ſaid Foreſt, or any Two or more of them, ſhall, at a Court of Attachments of the ſaid Foreſt, direct.

The Commiſſioners may treat for the Sale of ſmall Parcels of Land belonging to or claimed by the Crown, which are intermixed with the Lands of Individuals and are not valuable for the Purpoſe of the Foreſt.

XXVIII. And whereas there may be in various Parts of the ſaid Foreſt many ſmall Parcels of Land belonging to or claimed by the Crown, which are intermixed with the Lands of Individuals, and are of little Value to the Crown for any Purpoſe of the Foreſts, and it may conduce to the readier and clearer marking the Boundaries of the ſaid Foreſt, and of the Lands of His Majeſty's Subjects within the ſame, and to the more eaſy Care of the Rights of the Crown, as well as to the Convenience of His Majeſty's Subjects, if ſuch ſmall Parcels of Land were alienated from the Crown: Be it therefore enacted, That if it ſhall appear to the ſaid Commiſſioners that any ſmall Parcels within the ſaid Foreſt, belonging to or claimed by the Crown, and intermixed with the Lands of Individuals, are not valuable to the Crown for the Purpoſe of raiſing Timber, or any other Purpoſe of the ſaid Foreſt, it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized, to treat, on the Part of the

the Crown, for the Sale of ſuch ſmall Parcels of Land ſo intermixed, and to make good and effectual Conveyances thereof, for ſuch Prices as they ſhall think juſt and reaſonable, ſuch Prices to be applied for defraying the Expences of this Act: Provided always, That the Land of the Crown ſo to be ſold ſhall not exceed, in Value, in any Inſtance, the Sum of Five hundred Pounds.

Land to be ſold not to exceed in any Inſtance the Value of 500 *l.*

XXIX. And whereas it might alſo be of mutual Advantage to the Crown and to His Majeſty's Subjects, if Exchanges of Land to a limited Extent ſhould be permitted between the Crown and Owners of Land within the ſaid Foreſt, be it therefore enacted, That it ſhall be lawful for the Commiſſioners of His Majeſty's Treaſury, at any Time before the Expiration of Ten Years after the paſſing of this Act, to contract and agree on the Behalf of His Majeſty, His Heirs and Succeſſors, with any Perſon or Perſons, Bodies Politick or Corporate, for granting in Exchange any of the Waſte Lands of the Crown within the ſaid Foreſt, for any other Lands within the ſaid Foreſt, whereof ſuch Perſon or Perſons, Bodies Politick or Corporate, ſhall or may be ſeiſed in Fee Simple, or abſolutely entitled to an Eſtate of Copyhold, or Cuſtomary or Leaſehold Tenure, the Reverſion thereof being in the Crown, and not being more than Two Miles diſtant from the Waſte belonging to the Crown, to be given in Exchange, and at the leaſt of equal Value to ſuch Lands, and fit and proper for the Growth of Timber, or to be encloſed for the Purpoſe of producing Hay for the Deer, and conveniently ſituated for thoſe Purpoſes reſpectively, and that all and every Exchange and Exchanges ſo made ſhall be good, valid, and effectual in Law to all Intents and Purpoſes whatſoever, any Infancy, Coverture, or other Diſability in the Parties intereſted in ſuch Exchange, or any Law or Statute to the contrary in anywiſe notwithſtanding; and that all Deeds for ſuch Exchanges, together with a Map or Plan of the Lands ſo exchanged, ſhall be enrolled in the Office of the Auditor of the Land Revenue; and that, from and after ſuch Inrollment, His Majeſty, His Heirs and Succeſſors, in Right of the Crown, ſhall be deemed and taken to be in the actual and lawful Seiſin and Poſſeſſion of the Lands ſo agreed to be taken in Exchange, and that the Party with whom ſuch Agreement of Exchange ſhall be ſo made, ſhall have, hold, and enjoy the Lands and Premiſes ſo given in Exchange, as Lands within the ſaid Foreſt, of the ſame Tenure as the Land taken in Exchange was before ſuch Exchange, but freed and diſcharged from any other Right, Title, or Claim of the Crown to the Soil, than ſuch as ſhall be incident to the Nature of ſuch Tenure, and from all Common of Paſture, and other Rights of Common: Provided always, That the Land of the Crown to be exchanged ſhall not exceed, in any Inſtance, the Value of Five hundred Pounds; and in order to ſecure a true and juſt Price being ſet on the Lands of the Crown, and of thoſe of Individuals to be given in Exchange, the ſame ſhall in every Inſtance be valued by able and practical Surveyors of Land, on their Oaths, which Oaths may be adminiſtered by any One of His Majeſty's Juſtices of the Peace in and for the ſaid County of *Southampton*; and that all ſuch other cautionary Proceedings ſhall be had for aſcertaining the true Value thereof as are required by an Act, paſſed in the Thirty-fourth Year of His preſent Majeſty's Reign, for the better Management of the Land Revenue of the Crown.

The Treaſury, before the Expiration of Ten Years after paſſing this Act, may contract for exchanging any Waſte Lands of the Crown within the Foreſt, for any other Lands therein, not more than Two Miles from ſuch Waſtes, fit for the Growth of Timber, or to be encloſed for producing Hay for the Deer.

Deeds for ſuch Exchanges with a Map of the Lands exchanged ſhall be enrolled in the Office of the Auditor of the Land Revenue, &c.

Land of the Crown to be exchanged ſhall not exceed in any Inſtance the Value of 500 *l.* Lands to be exchanged ſhall be valued by able Land Surveyors on Oath, and all other cautionary Proceedings ſhall be had as required by 34 *Geo.* III, Cap. 75.

XXX. And be it further enacted, That this Act ſhall be adjudged, deemed, and taken to be a Publick Act, and ſhall be judicially taken Notice of as ſuch, by all Judges, Juſtices, and other Perſons, without ſpecially pleading the ſame. Publick Act.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1800.