ANNO DECIMO TERTIO

Georgii III. Regis.

CAP. XXXIII.

An Act to extend the Provisions of an Act, made in the Sixth Year of His present Majesty's Reign, (intituled, *An Act for the better Preservation of Timber Trees, and of Woods and Underwoods; and for the further Preservation of Roots, Shrubs, and Plants*), to Poplar, Alder, Maple, Larch, and Hornbeam.

WHEREAS by an Act, passed in the Sixth Year of His present Majesty's Reign, (intituled, An Act for the better Preservation of Timber Trees, and of Woods and Underwoods; and for the further Preservation of Roots, Shrubs, and Plants), it was enacted, That every Person who should wilfully cut or break down, bark, burn, pluck up, lop, top, crop, or otherwise deface, damage, spoil, or destroy, or carry away, any Timber Tree or Trees, likely Preamble. Act 6 Geo. III.

to become Timber, or any Part thereof, or the Lops or Tops thereof, without the Consent of the Owner or Owners thereof first had and obtained, or in any of His Majesty's Forests or Chases, without the Consent of the Surveyor or Surveyors, or his or their Deputy or Deputies, or Person or Persons intrusted with the Care of the same, and should be thereof convicted, upon the Oath of One or more credible Witness or Witnesses, before any One or more of His Majesty's Justices for the County, City, Riding, Division, District, or Place, wherein such Offence should be committed, should, for the First Offence, forfeit and pay such Sum of Money, not exceeding Twenty Pounds, as to such Justice or Justices should seem meet, together with the Charges previous to and attending such Conviction, to be ascertained by such Justice or Justices who should convict the Offender; and, upon Nonpayment thereof, such Justice or Justices should commit the Offender to the Common Gaol of the County or Place where the Offence should be committed, there to remain without Bail or Mainprize, for any Time not exceeding Twelve Months, nor less than Six Months, or until the Penalty and Charges should be paid; and if any Person so convicted should be guilty of the like Offence a Second Time, and should be thereof convicted in like Manner, such Person should forfeit and pay such Sum of Money, not exceeding Thirty Pounds, as to such Justice or Justices should seem meet, together with the Charges previous to and attending such Conviction, to be ascertained by such Justice or Justices who should convict the Offender; and, upon Nonpayment thereof, such Justice or Justices should commit the Offender to the Common Gaol of the County or Place where the Offence should be committed, there to remain without Bail or Mainprize, for any Time not exceeding Eighteen Months, nor less than Twelve Months, or until the Penalty and Charges should be paid; and if any Person so convicted should be guilty of the like Offence a Third Time, and should be thereof convicted in like Manner, such Person should be deemed guilty of Felony, and the Court by and before whom such Person should be tried, should and thereby had Au-

thority to transport such Person or Persons, for the Space of Seven Years, to any of His Majesty's Plantations in America, in like Manner as other Felons are directed to be transported by the Laws and Statutes of this Realm: And by the said Act it was enacted, That all Oak, Beech, Chesnut, Walnut, Ash, Elm, Cedar, Fir, Asp, Lime, Sycamore, and Birch Trees, should be deemed and taken to be Timber Trees, within the true Meaning and Provision of the said Act: And whereas Doubts have arisen since the passing the said Act, whether any Trees shall be deemed and taken to be Timber Trees, other than such as are declared so to be in the said Act: Now, for the better Preservation of the several useful and valuable Timber Trees hereafter mentioned, casually omitted to be mentioned in the said Act, 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 Trees called Poplar, Alder, Larch, Maple, and Hornbeam, shall also be deemed and taken to be Timber Trees, immediately after the First Day of May, One thousand seven hundred and seventy-three: And all and every Person or Persons who shall after the said First Day of May, One thousand seven hundred and seventy-three next, wilfully cut or break down, bark, burn, pluck up, lop, top, crop, or otherwise deface, damage, spoil, or destroy, or carry away any Poplar, Alder, Larch, Maple, and Hornbeam, or any Part thereof, or the Lops or Tops thereof, without the Consent of the Owner or Owners thereof first had and obtained, or of some Person intrusted with the Care of such Tree or Trees, such Person or Persons shall, if found guilty of any Offence or Offences, be convicted in like Manner as Persons are directed so to be, for Offences of the like Kind, concerning Trees deemed Timber Trees, in the above in-part recited Act; and upon such Conviction or Convictions shall be liable to all and every the Penalties, Forfeitures, and Punishments therein inflicted for any such like Offence or Offences; and all and every

After *May* 1. 1773, Paplar, Alder, Larch, Maple, and and Hornbeam, to be deemed Timber Trees.

Penalty on destroying any of these Trees the same as for other Timber Trees.

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Justice and Justices of the Peace is and are hereby authorized, on Complaint made to him or them of any Offence or Offences, to administer Oaths, and to proceed in like Manner to Conviction and Punishment of every Offender against this Act, as fully and effectually as if the said Trees hereby declared, deemed, and taken to be Timber Trees, had been expressly so deemed and declared to be in the said Act passed in the Sixth Year of His present Majesty's Reign; and such Conviction and Convictions shall be certified by the Justice or Justices before whom the same shall be made to the next Quarter-sessions of the Peace to be holden for the County wherein such Offence or Offences were committed, in the Form of Words, or to that Effect, directed by the said Act; and all and every the Forfeitures for Offences against this Act shall be paid and applied in the Manner Forfeitures are directed to be paid in the said recited Act.

FINIS.