

ANNO QUADRAGESIMO SEXTO

GEORGII III. REGIS.

CAP. CXLII.

An Act for the better Regulation of the Office of Surveyor General of Woods and Forests.

[22d *July* 1806.]

WHEREAS an Act was passed in the Forty-third Year of His present Majesty's Reign, intituled, *An Act for establishing certain Regulations in the Office of Surveyor General of His Majesty's Woods, Forests, Parks, and Chases:* And whereas it is expedient that some further and more effectual Provisions should be made for that Purpose; be it therefore 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Parliament assembled, and by the Authority of the same, That the said recited Act shall be and the same is hereby repealed. 43 G. 3. c. 31. Recited Act repealed.

Officers appointed by or under the Surveyor General to take the following Oath.

II. And be it enacted, That from and after the passing of this Act, every Officer appointed to any Office by or under the Surveyor General of His Majesty's Woods, Forests, Parks, and Chases, shall take the following Oath, to be administered to him by the said Surveyor General, or by any Justice of the Peace or Magistrate, if the said Surveyor General shall direct that any such Officer shall be sworn before any Justice of the Peace or Magistrate, and which Oath may in any such case be administered by any Justice of the Peace or Magistrate; (that is to say),

Oath.

'I *A. B.* do swear, that I will truly, honestly, faithfully, and diligently execute the Duties of the Office to which I have been appointed, by (or under) the Surveyor General of the Woods, Forests, Parks, and Chases; and that I will not, for the Execution thereof or on any other Account or Pretext whatsoever, receive, take, or accept in respect of the said Office at any Time, any Perquisite of any Description, or any Emolument, pecuniary or other, except or beyond the Salary and Allowances (if any) specified in the written Instrument by which I have been appointed.

'So help me GOD.'

Returns and Estimates of the Quantity and Value of Timber, &c. and Accounts of Sales of Timber, and of Inclosures, &c. shall be subscribed and verified on the Oath of the Officer.

III. And be it further enacted, That, from and after the passing of this Act, all Returns and Estimates of the Quantity, Quality, and Value of Timber Trees, Coppice and Underwood, and of or concerning Inclosures, Buildings, Repairs, Plantations, and other Works, to be done and executed by and under the Authority and Directions of His Majesty's Surveyor General of the said Woods, Forests, Parks, and Chases, and also all Accounts of Monies received and expended for or on Account of the Sale of any such Timber Trees, Coppice or Underwood, and for or on Account of any such Inclosure, Buildings, Repairs, Plantations, or other Works, and for or on Account of any Matter or Thing which shall be made or rendered by any Officer under His Majesty's said Surveyor General, or by any other Person employed by or under him, shall, within a convenient Time after the same shall be completed, be subscribed with the Name, and in the Hand-writing, and verified by the Oath of such Officer or other Person; such Oath to be administered and certified in Writing, upon such Report, Estimate, or Account, either by some Justice of the Peace, or by the said Surveyor General, at the Discretion of the said Surveyor General; which Oath such Surveyor General is hereby authorized and required to administer or direct to be administered by such Justice of the Peace.

Returns, &c. before Verification on Oath, to be transmitted to the Surveyor General, who may examine the Parties on Oath.

IV. And be it further enacted, That all such Estimates, Returns, and Accounts shall be transmitted by the Officer or Person making or rendering the same, subscribed with the Name and in the Hand-writing of such Officer or other Person, to the said Surveyor General previous to such Verification thereof as aforesaid, to require the Officer or other Person making or rendering the same to attend him, and be examined upon Oath, to be administered to such Officer or other Person by the

ſaid Surveyor General, and which Oath the ſaid Surveyor General is hereby authorized to adminiſter, touching and concerning all or any of the Particulars and Items contained in ſuch Eſtimates, Returns, or Accounts, and touching and concerning the Conduct of ſuch Officer or other Perſon in the Execution of their Duty in reſpect to the Matters to which ſuch Eſtimates, Returns, or Accounts ſhall relate, which Examination, or the Subſtance and Effect thereof, the ſaid Surveyor General, when he ſhall think proper, ſhall cauſe to be reduced into Writing and ſigned by ſuch Officer or other Perſon; and if upon ſuch Examination it ſhall appear that any unintentional Error or Errors ſhall have been committed by ſuch Officer or other Perſon in the Return, Eſtimate, or Account, concerning which ſuch Examination ſhall be had and taken, it ſhall be lawful for ſuch Officer or other Perſon to correct ſuch Error in the ſame previous to the Verification thereof, upon Oath, in Manner aforeſaid, in which caſe ſuch Correction or Corrections ſhall be certified by the ſaid Surveyor General in Writing upon the Return, Eſtimate, or Account intended to be verified upon Oath as aforeſaid.

Unintentional Errors may be rectified previous to Verification.

V. And be it further enacted, That if any ſuch Officer or other Perſon as aforeſaid, ſhall in any ſuch Verification upon Oath, or on Examination as aforeſaid, be guilty of wilful and corrupt Perjury, ſuch Officer or other Perſon ſo offending ſhall be liable to be puniſhed in ſuch Manner as is provided by the different Laws and Statutes now in force for the Puniſhment of wilful and corrupt Perjury.

Perjury to be puniſhed according to Law.

VI. And whereas the Privilege of ſending and receiving Letters and Packets free from the Duty of Poſtage, is not extended to the Surveyor General of His Majeſty's Woods, Foreſts, Parks, and Chaſes, who by virtue of his Office neceſſarily ſends and receives many Letters and Packets relating to the publick Service of this Kingdom; be it therefore enacted, That from and after the paſſing of this Act, the ſaid Surveyor General of His Majeſty's Woods, Foreſts, Parks, and Chaſes for the Time being, ſhall and may ſend and receive Letters and Packets free from the Duty of Poſtage, in ſuch Manner and under ſuch Reſtrictions as other Officers mentioned in an Act made in the Fourth Year of the Reign of His preſent Majeſty, intituled, *An Act for preventing Frauds and Abuſes in relation to the ſending and receiving Letters and Packets free from the Duty of Poſtage;* and alſo in another Act made in the Forty-ſecond Year of the Reign of His preſent Majeſty, intituled, *An Act to authorize the ſending and receiving of Letters and Packets, Votes, Proceedings in Parliament, and printed Newſpapers, by the Poſt, free from the Duty of Poſtage, by the Members of the Two Houſes of Parliament of the United Kingdom, and by certain publick Officers therein named; and for reducing the Poſtage of ſuch Votes, Proceedings, and Newſpapers when ſent by any other Perſons*; are thereby permitted, in reſpect of their Offices, to ſend and receive the ſame in purſuance of the ſaid Acts; any Law or Statute to the contrary notwithſtanding.

Surveyor General of Woods, &c. may ſend and receive Letters and Packets free from the Duty of Poſtage agreeably to 4 Geo. 3. c. 24. 42 G. 3. c. 63.

VII. And whereas it is expedient that Regulations ſhould be eſtabliſhed by Law in the Office of Surveyor General of Woods and Foreſts, that all

Money received on account of the Revenue un-

der the Management of the Surveyor General of Woods, &c. ſhall be paid into the Bank the Day after it is received:

all Monies, Bills, and Drafts received on Account of the Revenue under the Management of the Surveyor General of Woods and Foreſts, ſhould be lodged in the Bank of *England*, and that Payments, previous to its being carried into the Exchequer, ſhould be made by Drafts on the Bank; be it therefore further enacted, That, from and after the paſſing of this Act, all Sums of Money, Bills, and Drafts received by ſuch Surveyor General on Account of the Revenue under his Management, ſhall, the Day after the ſame ſhall have been received, or the Day after any Bill ſhall have been accepted, if the ſame was not accepted at the Time it was received by the Receiver General, be paid by him into the Hands of the Governor and Company of the Bank of *England*, for which the Receipt of the Caſhier or Caſhiers of the ſaid Governor and Company ſhall be a ſufficient Diſcharge; and all ſuch Monies, Bills, and Drafts, ſo to be paid to the Governor and Company of the Bank of *England*, ſhall be placed to an Account to be raiſed in the Books of the ſaid Governor and Company, and to be intituled, *The Account of the Publick Monies of the Surveyor General of the Woods and Foreſts*, inſerting the Name of ſuch Surveyor General for the Time being.

But the Surveyor General may retain in his Hands 3000l. for ordinary Payments, &c.

VIII. Provided nevertheleſs, and be it further enacted, That it ſhall and may be lawful for ſuch Surveyor General to reſerve for caſual and ordinary Payments in his own Hands, or in the Hands of any private Banker, or other Perſon on his Account, a Sum not exceeding Three thouſand Pounds, or any larger Sum, which the Lords Commiſſioners of His Majeſty's Treaſury, or any Three or more of them, ſhall direct; and if at any Time the Sum ſo reſerved ſhould be reduced below Three thouſand Pounds, then it ſhall and may be lawful for ſuch Surveyor General, from Time to Time, to make up the ſame to the Sum of Three thouſand Pounds by Drafts upon the Fund ſo depoſited in the Hands of the Governor and Company of the Bank of *England*.

Payments into the Exchequer to be made in Manner herein mentioned.

XI. And be it further enacted, That the Payments into the Exchequer of the Monies ariſing by the Revenue under the Management of ſuch Surveyor General purſuant to Law, ſhall be made in Manner following, (that is to ſay), the ſaid Surveyor General ſhall make an Order upon the Governor and Company of the Bank of *England* to write off from his Account the Sum deſired, and the ſaid Governor and Company, or ſome Perſon duly authorized in that Behalf, ſhall upon Receipt of ſuch Order write off ſuch Sum and deliver a ſpoiled or cancelled Note for the Amount to the Surveyor General or his Clerk, who ſhall pay the ſame into the Exchequer; and the Bank Clerks attending there ſhall receive it as ſo much Caſh.

Other Payments to be made by Drafts on the Bank, ſpecifying the particular Service,

X. And be it further enacted, That the Surveyor General ſhall make all other Payments required to be made, out of the Monies to be depoſited in the Bank of *England*, by Drafts on the ſaid Bank, and ſhall ſpecify the particular Service, Salary, or other Charge or Expence, for the Payment whereof the ſaid Draft was given; and every ſuch Draft ſhall alſo have marked in the Margin thereof a Figure corre-

ſponding

ſponding to the Page in a Book to be kept by the ſaid Surveyor General, wherein Entry ſhall be made of the particular Service, Salary, or other Charge or Expence, for the Payment of which ſuch Draft ſhall be given.

which ſhall be ſufficient Authority to the Bank.

XI. And be it further enacted, That all Drafts drawn purſuant to the Directions of this Act, but not otherwiſe, ſhall be ſufficient Authority to the Bank of *England* to pay the Amount thereof to the Perſons mentioned in ſuch Drafts, or to the Bearer of them.

On Death or Reſignation, &c. of the Surveyor General, Caſh at the Bank to veſt in the Succeſſor.

XII. And be it further enacted, That upon the Death, Reſignation, or Removal, of the preſent and of every other Surveyor General of the Woods and Foreſts hereafter to be appointed, the Balance of Caſh for which he ſhall at that Time have Credit on his Account, as Surveyor General with the Governor and Company of the Bank of *England*, ſhall, as ſoon as a Succeſſor ſhall be appointed to the ſaid Office, actually veſt in ſuch Succeſſor in Truſt for the Publick Service, and be forthwith transferred, carried over, and placed to the Account of ſuch Succeſſor, to be applied to the ſaid Service in purſuance of the like Drafts and Orders as aforeſaid; and the Surveyor General of the Woods and Foreſts for the Time being ſhall, and he is hereby directed and required to iſſue his Drafts and Orders as aforeſaid, for all unſatisfied Charges and Demands on Account of the Publick Service, although the ſame ſhall have accrued in the Time of any former Surveyor General.

Surveyor General not to be anſwerable for the Money paid into the Bank.

XIII. And be it further enacted, That, from and after the paſſing of this Act, the Surveyor General for the Time being ſhall keep the Account with the Bank of all Monies iſſued on his Account for the Service of the Publick; and the ſaid Surveyor General, obſerving the Rules and Regulations hereby preſcribed, ſhall not be anſwerable for any Money which he ſhall have ſo paid into the Bank of *England*; and the Governor and Company of the Bank of *England* ſhall be anſwerable for all the Monies which ſhall be actually received by them from ſuch Surveyor General as aforeſaid.

Puniſhing Forgery.

XIV. And be it further enacted, That if any Perſon or Perſons ſhall knowingly and wilfully forge or counterfeit, or cauſe or procure to be forged or counterfeited, or knowingly and wilfully act or aſſiſt in forging or counterfeiting the Name or Hand-writing of the Surveyor General of the Woods and Foreſts for the Time being, or his Deputy, to any Draft, Inſtrument, or Writing whatſoever, for or in order to the receiving or obtaining any of the Money in the Hands or Cuſtody of the Governor and Company of the Bank of *England*, on Account of the Surveyor General of the Woods and Foreſts, or ſhall forge or counterfeit, or cauſe or procure to be forged or counterfeited, or knowingly and wilfully act or aſſiſt in the forging or counterfeiting any Draft, Inſtrument, or Writing in Form of a Draft, made by ſuch Surveyor General or his Deputy, or the Perſon or Perſons authorized as aforeſaid, or ſhall utter or publiſh any ſuch, knowing the ſame to be forged or counterfeited, with an Intent to defraud any Perſon whomſoever,

ſoever, every ſuch Perſon or Perſons ſo offending, being thereof lawfully convicted, ſhall be, and is and are hereby declared and adjudged to be guilty of Felony, and ſhall ſuffer Death as in Caſes of Felony, without Benefit of Clergy.

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