'the said Commissioners have by a Special Report certified their Opinion that such 'proposed Inclosures would be expedient; but the same cannot be proceeded with without 'the previous Authority of Parliament:' 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,

Inclosures to be proceeded with.

I. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Short Title.

II. In citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use either the Expression "The Second Annual Inclosure Act, 1854," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Queenborough Common	Kent	4th April 1850.
Sutton	York	22d December 1853.
Chalford	Oxford	2d February 1854.
Wanwood Pasture	Cumberland	22d July 1853.
Stanmore	Berks	2d March 1854.
Buriton	Southampton	16th March 1854.
Snettisham Warren	Norfolk	16th March 1854.
Woodmancote	Gloucester	30th March 1854.
Hatfield Forest	Essex	6th April 1854.
Haverhill	Suffolk	6th April 1854.
South Weston, Wheatfield, and Stoke Talmage	Oxford	23d June 1853.
Hutton	Somerset	4th May 1854.
Drungewick	Sussex	4th May 1854.
Benhill Wood	Surrey	8th June 1854.
Cusop	Hereford	16th May 1854.
Elstead	Surrey	27th June 1854.
Gamblesby and Biglands	Cumberland	26th June 1854.
Cove	Southampton	25th May 1854.

CAP. XLIX.

An Act for the Settlement of Claims upon and over the *New Forest*.

[24th *July* 1854.]

14 & 15 Vict. c. 76.

'WHEREAS under the Provisions of the Act Fourteenth and Fifteenth *Victoria*, Chapter Seventy-six, "to extinguish the Right of the Crown to Deer in the *New* "*Forest*, and to give Compensation in lieu thereof, and for other Purposes relating to the said "Forest," as amended by the Ninth Section of the Act Fifteenth and Sixteenth *Victoria*, Chapter Sixty-two, and by the Act Sixteenth *Victoria*, Chapter Nineteen, certain Claims of Common and other Rights in and over the said Forest, exceeding One thousand and two hundred in Number, have been preferred and delivered to the Verderers of the said Forest: And whereas, in pursuance of the Provisions of the said Acts, certain of the said Claims have been objected to: And whereas the Validity or Invalidity of large Classes of the said Claims depends on the Settlement of certain disputed Points as to the Existence or Nature of the Rights preferred by such Claims, and it is expedient that Commissioners should be appointed for the Purpose of deciding on the Claims in manner herein-after mentioned, and

'to

'to make Provision for the speedy Trial of certain of the said Claims before the whole 'Objections shall be delivered, to afford an Opportunity to Claimants to withdraw their 'Claims and prefer amended Claims in lieu thereof, and to make such other Provisions with 'regard to Claims and Objections, and the hearing and determining the same, as herein-'after provided:' Be it therefore 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, as follows:

Appointment of Commissioners.

I. The Judge of the County Court of *Southampton*, and Two Persons, being Barristers-at-Law, to be appointed in Writing by the Lord Chief Justice of Her Majesty's Court of Queen's Bench at *Westminster*, within Two Months from the passing of this Act, (and herein-after designated as "The Commissioners") shall be the Commissioners for the Purposes of this Act.

Power to fill up Vacancies in case of Death, &c. of Commissioners.

II. In case of the Death, Resignation, or Removal of any of the Commissioners appointed by the Chief Justice, other Commissioners shall in like Manner be from Time to Time appointed in their Places by the Chief Justice aforesaid.

Commissioners to make Declaration before acting.

III. Every Commissioner shall, before he enters upon the Execution of his Office, make and subscribe the following Declaration before One of the Judges of Her Majesty's Court of Queen's Bench or Common Pleas, or One of the Barons of the Court of Exchequer; that is to say,

'I DO solemnly declare, That I will faithfully and impartially, according to the best of my 'Judgment, execute the Powers and Duties of a Commissioner under an Act passed in 'the Session of Parliament holden in the Seventeenth and Eighteenth Years of the Reign of 'Queen Victoria, intituled "An Act [*here set forth the Title of this Act*]:"'

And every such Declaration shall, when made, be deposited in the Office of Land Revenue Records and Inrolments.

Payment of Commissioners.

IV. Every Commissioner shall (out of the Fund herein-after directed to be raised) be paid for his Services such a Sum as the Commissioners of Her Majesty's Treasury shall direct.

Commissioners to hear and determine Claims.

V. The Commissioners shall hear and determine all Claims to Common and other Rights in and over the said Forest, made either in pursuance of the said Acts or this Act, in manner after mentioned; and, subject as after mentioned, their Decision in the Premises shall be final, and bind all Parties and Rights whatsoever; and all Claims not objected to shall be allowed by the said Commissioners.

Decisions of any Two of the Commissioners to be final; Provision in case they differ.

VI. All Acts and Decisions of any Two of the Commissioners shall be taken as the Acts of the Commissioners; except that in case they shall differ in Opinion on any Point of Law brought before them affecting any Claim, they shall, on the Application of the Party objecting, or of the Party claiming, prepare a Case to be submitted to Her Majesty's Court of Common Pleas, to be argued before and decided on by the said Court, and the Judgment and Determination of such Court shall be taken as the Judgment of the Commissioners.

Power to allow, disallow, or amend Claims.

VII. The Commissioners may allow or disallow any Claim, in whole or in part, and may amend any Claim in whole or in part.

Commissioners may make Rules as to their Proceedings,

VIII. The Commissioners may from Time to Time make such Rules and Orders as to their Mode of proceeding (not inconsistent with the Provisions of this Act) as they may think fit.

Commissioners may award Costs.

IX. The Commissioners, if they shall think fit, may direct and award that any Party claiming shall pay Costs to the Party objecting, or that the Party objecting shall pay Costs to the Party claiming.

Costs may be recovered in County Court.

X. Any Costs so awarded may be recovered in the County Court of *Wiltshire* held at *Salisbury* as a Debt due to the Party to whom they are directed to be paid; and the Certificate under the Hand of any One of the Commissioners shall be Evidence of the Fact of such Costs having been awarded, and such Certificate shall state the Names of the Party directed to pay Costs, and the Amount thereof, and the Party to whom the same shall be paid.

All Rights to go, &c. with Lands in respect of which they are claimed.

XI. All Rights of Common claimed and allowed shall go and be held with the Lands or Hereditaments in respect of which the same are claimed and allowed, and as appurtenant thereto.

Commissioners to hold Meetings for the Purposes of this Act.

XII. The Commissioners shall hold Meetings for the Purposes of this Act at such Times as they may think fit, and at such Place or Places in or in the Vicinity of the said Forest as shall appear to them most convenient, of which Meetings Notice shall be given by Advertisement in some Newspaper usually published or circulated in the County of *Southampton*, and otherwise as the Commissioners may direct, such Notice to be given at least Twenty-eight Days before the holding of any such Meeting; and any such Meeting may be continued by Adjournment, either from Day to Day, or otherwise, as the Commissioners may think fit.

Commissioners to publish List of Claims and Objections to be heard.

XIII. At the Time of giving Notice the Commissioners shall prepare a List showing what particular Claims and Objections are to be heard, which List shall also, in like Manner, be advertised Twenty-eight Days at least before the holding of any such Meeting.

Commissioners to decide on Questions arising on Claims.

XIV. The Commissioners shall, by the Examination of Witnesses, the Inspection of Maps, Records, and Documents, and by such other Means as they in their sole Discretion shall think fit, decide the several Questions arising on the said Claims, such Decisions to be reduced into Writing, and signed by the Commissioners or any Two of them.

Appointment and Remuneration of Clerk.

XV. The Clerk for the Time being of the Verderers shall be the Clerk of the Commissioners, and shall have such Remuneration as the Commissioners of Her Majesty's Treasury shall direct; and all the Expenses of the Commissioners relating to the carrying this Act into effect which shall be allowed by the Commissioners of the Treasury shall be paid as after mentioned.

Existing Claims to be delivered to Commissioners.

XVI. All Claims and Objections made previous to the passing of this Act, together with the Entry Book or Register thereof, shall be delivered by the Verderers to the Commissioners.

As to future Claims and Objections.

XVII. All Claims and Objections made after the passing of this Act shall be made in such Form and delivered to such Persons as the Commissioners may direct.

Register of Claims and Objections to be kept and open to Inspection, &c.

XVIII. A Register of all Claims and Objections shall be kept, and Memorandums of Objections entered on Claims, and the Particulars of an Abstract of Claims not already published shall be published in the "*London Gazette*," and Certificates furnished, and Inspection of such Entry Books or Registers allowed by the said Clerk, in all respects as by the said first-recited Act is provided with respect to the Matters and Things in the Premises to be done by the Verderers and their Clerk.

Claims may be withdrawn, and new Claims substituted.

XIX. Any of the said Claims so made as aforesaid may, with the Assent of the Commissioners, be withdrawn (either before or after the same shall have been objected to), and any new Claim may be made in lieu thereof as after provided.

Time for Allowance of new Claims.

XX. The Commissioners may, in their Discretion, allow any new Claims to be made, provided the same be made within Six Months from the passing of this Act.

Time for making Objections to Claims extended.

XXI. The Time for making Objections to Claims already made is hereby extended to One Year from the passing of this Act, and such Objections as aforesaid shall be made and served in such Manner as by the said Acts is provided; and in case of new Claims allowed to be preferred by the Commissioners, Objections may be made within Six Months from the Publication of such Claims in the Gazette.

Claims, &c. authorized by recited Acts may be made under this Act, &c.

XXII. All Persons by the said Acts authorized to make Claims or Objections may make Claims and Objections under this Act; and in case of Death or any Incapacity after any such Claims or Objections made, the same may be proceeded with by any Parties claiming to be interested in the Premises, or otherwise, as the Commissioners may direct.

Decision to be entered on Register.

XXIII. The Commissioners shall, when and as they shall hear and determine on any of the said Claims, amend or alter the same in accordance with their Decision, and enter on such Register of Claims their Decision thereon.

XXIV. When

XXIV. When all the said Claims shall have been decided on and determined, then a Register thereof, as amended or altered by the Commissioners, shall be signed and sealed by them in duplicate, and one Part thereof shall within One Month after their Signatures have been affixed thereto be deposited in the Office of Land Revenue Records and Inrolments, and the other with the Clerk of the Peace for the County of *Southampton*; and such Register of the said Claims so amended or altered shall be final and binding on all Parties, and shall for all Purposes be the Evidence of Title to the Rights claimed and allowed.

Register of Claims, as amended, to be signed and sealed by the Commissioners in duplicate, and to be deposited.

XXV. It shall not be necessary, except as last aforesaid, to deposit a Book containing the Claims made or to be made, either in the Office of Land Revenue Records and Inrolments, or with the said Clerk of the Peace, as by the said first-mentioned Act is provided.

Deposit of Book of Claims dispensed with.

XXVI. It shall be lawful for any Person to demand from the Keeper of the Land Revenue Records and Inrolments, or from the Clerk of the Peace, a certified Copy or Extract from the said Register so to be made and signed by the Commissioners, on Payment of a Sum not exceeding Twopence *per* Folio of Seventy-two Words; and before the said Register shall be completed it shall be lawful for any Person to demand from the Clerk of the Commissioners a certified Copy of any of the said Claims, and the Decisions thereon of the Commissioners; and any Person may inspect the Register so deposited as aforesaid, on Payment of One Shilling.

Copies or Extracts from the Register to be furnished when required.

XXVII. Any such Certificate or certified Copy shall be admitted in Evidence in all Courts of Justice; and any Person forging any Copy of any Claim or Objection or Certificate aforesaid, or who shall utter any such Copy or Certificate knowing the same to be forged, shall be deemed to be guilty of a Misdemeanor, and liable to be imprisoned, at the Discretion of the Court, for any Term not exceeding Three Years, with or without Hard Labour.

Certified Copies to be Evidence, and Parties forging same guilty of a Misdemeanor.

XXVIII. All Claims made or which shall be made under the Provisions of the said Acts or this Act of Rights of Common of Pasture, Pannage, or Turbary, which shall be proved to the Satisfaction of the Commissioners to have been enjoyed or exercised as of Right, without Interruption, by the Claimant or Persons through or under whom he claims, as from any Time in the Year One thousand eight hundred, shall be allowed by the Commissioners; but such Rights shall be held and enjoyed according to the Laws and Assize of the said Forest, and such Rights of Common of Pasture shall be enjoyed and allowed only in respect of the Cattle of the Claimant levant and couchant on the Lands in respect of which the Claim is made; and no Claim of Common of Turbary shall be allowed other than in respect of a Messuage erected in or prior to the Year One thousand eight hundred; and such Turbary shall be allowed only for the necessary Fuel of such Messuage, to be therein burnt and expended as belonging and appertaining to such Messuage.

Claims enjoyed since the Year 1800 to be allowed under certain Circumstances.

XXIX. For the Purpose of defraying the Expenses after mentioned, the Commissioners of Her Majesty's Woods, Forests, and Land Revenues shall, on behalf of Her Majesty, in addition to the Sales already made or agreed to be made, from Time to Time sell and dispose of by Public Auction or Tender such Parts of the open Waste Lands of the said Forest as they and any Two Verderers may deem most convenient; and the Receipt of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues for the Time being shall be a sufficient Discharge for the Purchase Money to all Persons purchasing, and who shall not be bound to see to the Application of the Purchase Money, nor to inquire whether the Sale was made with the Assent of the Verderers as aforesaid.

Waste Lands of the Forest to be sold to defray the Expenses incidental to the Act.

XXX. The Money to be raised by Sale as aforesaid shall be paid to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and shall be applied by them in discharge of the Remuneration to be made to the Commissioners and to their Clerk, and in Payment of all Costs, Charges, and Expenses which shall become payable or be incurred by or on the Behalf of the Commissioners or their Clerk, under or in performance of the Provisions of this Act, and also all the Payments, Costs, Charges, and Expenses which have already become payable or been incurred or may be incurred under or in the Performance of the Provisions of the said Acts, and the Surplus, if any, of the Monies to arise from any Sale as aforesaid,

Produce of Sales to be paid to the Commissioners of Woods, and applied by them in Payment of Expenses.

aforesaid, shall be applied as the Monies arising from the Sale of the open Waste Lands of the Forest are by the Act of the Tenth *George* the Fourth, Chapter Fifty, directed to be applied.

Power to send for Persons and Papers.

XXXI. It shall be lawful for the Commissioners, by a Summons under the Hands of any One of them, to require the Attendance before them, at a Place and Time to be mentioned in the Summons, of any Person whomsoever, and to require all Persons to bring before them such Books, Papers, and Writings as are necessary for arriving at the Truth of the Matters to be inquired into by the Commissioners, which Persons shall attend the Commissioners, and shall answer all Questions put to them touching the Matters to be inquired into, and shall produce all Books, Papers, and Writings required of them, and in their Custody or under their Control, according to the Tenor of the Summons.

Commissioners to examine on Oath, &c.

XXXII. It shall be lawful for the Commissioners or any One of them to administer an Oath, or an Affirmation where an Affirmation would be admitted in a Court of Justice on the Ground of Religious Scruples, to all Persons who are examined before them, touching the Things to be inquired into by them under this Act.

Penalty for Non-attendance or refusing to give Evidence.

XXXIII. If any Person on whom any Summons shall have been served by the Delivery thereof to him, or by the leaving thereof at his usual Place of Abode, fail to appear before the Commissioners at the Time and Place specified in such Summons, it shall be lawful for the Commissioners to certify such Default under their Hands or under the Hand of any One of them to any of Her Majesty's Superior Courts, and thereupon such Court or Judge shall proceed against the Person so failing to attend in the same Manner as if the said Person had failed to obey any Writ of Subpœna or any Process issuing out of the said Court; and if any Person so summoned to attend as aforesaid, and having appeared before the Commissioners, shall refuse to be sworn, or to make Answers to such Questions as are put to him touching the Matters in question by the Commissioners, or to produce and show to the Commissioners any Papers, Books, or Writings being in his Possession or under his Control which the Commissioners may deem necessary to be produced, or if any Person shall be guilty of any Contempt of the Commissioners or their Office, the Commissioners shall have such and the same Powers, to be exercised in the same Way, as any Judge of any of Her Majesty's Superior Courts sitting under any Commission may now by Law exercise in that Behalf; and all Headboroughs, Gaolers, Constables, and Bailiffs shall and they are required to give their Aid and Assistance to the Commissioners in the Execution of their Office.

Penalty for false swearing.

XXXIV. Every Person who upon Examination upon Oath or Affirmation before the Commissioners wilfully gives false Evidence shall be liable to the Pains and Penalties of Perjury.

Protection of Commissioners.

XXXV. The Commissioners shall have such and the like Protection and Privileges, in case of any Action brought against them for any Act done or omitted to be done in the Execution of their Duty, as is now by Law given by any Act or Acts now or hereafter to be in force to Justices acting in execution of their Office.

Limitation of Actions.

XXXVI. No Action shall be brought against any Commissioners appointed under this Act, or any other Person whomsoever, for anything done or omitted to be done in the Execution of this Act, unless such Action shall be brought within Six Calendar Months next after the doing of or Omission to do such Thing.

Limitation of Proceedings on Claims, &c.

XXXVII. After the passing of this Act, no further Proceedings shall be taken for the making Claims or objecting thereto, and the deciding thereon, except under or by virtue of the Provisions herein contained.

Woodmen's Cottages may remain after the Inclosures have been thrown out, but

XXXVIII. 'And whereas in the Inclosures made or to be made in the said Forest under 'the Authority of the Act Forty-eighth of *George* the Third, Chapter Seventy-two, and of the 'Act Fourteenth and Fifteenth of *Victoria*, Chapter Seventy-six, small Portions of Land have 'been and may be appropriated by the Crown for Cottages and Buildings for Woodmen, with

'with Gardens attached thereto, and it may not be expedient that such small Portions of 'Land should in all Cases be liable to be thrown open with the rest of the Inclosures in 'which they are situate:' Be it enacted, That, notwithstanding anything in the said Acts or either of them contained, Cottages or Buildings erected or to be erected for Woodmen in any Inclosure within the said Forest, and the Sites thereof, with a Garden and Orchard attached to each of such Cottages, not exceeding in each Case Two Acres in Extent, may, if and so long as the Commissioners of Her Majesty's Woods, Forests, and Land Revenues shall think fit, remain, and be held in Severalty in the actual Possession of the Crown, freed and discharged from all Rights of Common and other Rights, Titles, or Claims whatsoever: Provided always, that the total Quantity of Land within the said Forest which Her Majesty, Her Heirs and Successors, are by the said Acts or either of them authorized to hold and keep inclosed and in Severalty shall not be thereby increased, and that the Cottage and Garden shall be situated within a Quarter of a Mile of some Inclosure.

the total Quantity of inclosed Land not to be thereby increased.

XXXIX. All Acts, Matters, and Things to be done or authorized to be done by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, in pursuance of this Act or of the said recited Acts or any of them, may be done by the Commissioner or other Officer for the Time being of Her Majesty in charge of the said Forest.

Commissioner may do all Acts done by Commissioners of Woods.

CAP. L.

An Act to continue an Act of the Twelfth Year of Her present Majesty, for amending the Laws relating to Savings Banks in *Ireland*, and to authorize Friendly Societies to invest the whole of their Funds in Savings Banks.

[24th *July* 1854.]

'WHEREAS an Act was passed in the Twelfth Year of the Reign of Her Majesty, intituled *An Act to amend the Laws relating to Savings Banks in* Ireland: And 'whereas the said Act was continued in force by another Act passed in the Fifteenth and 'Sixteenth Years of the Reign of Her Majesty until the First Day of *January* One 'thousand eight hundred and fifty-four, and until the End of the then next ensuing Session of 'Parliament: And whereas it is expedient that the said first-recited Act should be further 'continued:' Be it therefore 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,

11 & 12 Vict. c. 133.

I. That the said Act should be further continued until the First Day of *January* One thousand eight hundred and fifty-eight, and until the End of the then next ensuing Session of Parliament.

Act further continued.

II. It shall be lawful for the Trustees of Savings Banks duly established according to Law to receive from the Trustees or other proper Officers of Friendly Societies, duly enrolled, registered, or certified in the Manner required by the Acts in force relating to Friendly Societies, any Sum of Money the Property of such Societies, without Restriction as to Amount, under such Regulations as shall be prescribed by the Commissioners for the Reduction of the National Debt, or the Comptroller General acting under them.

Funds of Friendly Societies may be deposited in Savings Banks to any Amount.

III. Provided always, That nothing contained in this Act respecting Savings Banks shall render it necessary to have the Rules and Regulations of Savings Banks again enrolled, if the same have been before enrolled according to Law.

If Savings Banks Rules are already enrolled they need not be again enrolled.