



Duchy of Lancaster Act 1812

1812 CHAPTER 161

VIII Treasury or the Surveyor General, may make Compensations, or grant Leases to Persons relinquishing Parts of Forest.

And whereas many Purprestures, Encroachments, and Trespasses have been made and continued in and upon the Soil of His Majesty, within the Boundaries of the Royal Forests, feme of them contiguous, and similar in Soil, Situation and Exposure to Parts of the said Forests well calculated for the Growth of Timber for the Use of the Navy, and some in particular within the Parts of the New Forest and Forest of *Dean* which have been already set out for that Purpose under the Statutes in that case made and provided ; and it is expedient that more effectual Provision that has hitherto been obtained, should be made for dealing with all such Purprestures and Encroachments in such Manner as shall best answer the Purpose of preserving and maintaining His Majesty's Rights over the same; be it further enacted, That from and after the patting of this Act, in case of any Purprestures or Encroachments situate in Parts of any of the Forests fit for the Growth of Timber, which Purprestures or Encroachments shall appear to have been inclosed, or used and occupied by the Person or Persons then in Possession thereof, or by any Person or Persons under whom the same is or are respectively claimed to be held, without any effectual Interruption by or on the Part of His Majesty for any Period not less than Ten Years, and where Expencc shall appear to have been incurred in the Improvement thereof by the Erection of Buildings or otherwise, and the Claimant or Claimants, Occupier or Occupiers shall have relinquished the same on receiving Notice so to do, it shall be lawful for the Commissioners of His Majesty's Woods, Forests, and Land Revenues, or the Surveyor General of His Majesty's Woods and Forests for the Time being, by and with the Authority of the Lord High Treasurer or Lords Commissioners of His Majesty's Treasury for the Time being, to make such Satisfaction or Compensation in Money, in consideration of the Removal, Abatement or Resumption of any Encroachment or Purpresture so situated, as shall by the said Commissioners or the said Surveyor General for the Time being be deemed reasonable and proper, under all the Circumstances of the Gale, or to grant a Lease of some other Part or Parts of the Forests situated on the Skirts or Borders thereof, which on account of such Situation or other Circumstances shall not be deemed fit for the Growth of Timber, or likely to interfere with any Inclosures or Plantations to be made for that Purpose, for such Term of Years, not exceeding Thirty-one, as shall be deemed a reasonable Allowance

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by way of Compensation for the Expence which shall appear to have been incurred in such Improvements; provided that there shall be reserved to be paid to His Majesty, His Heirs and Successors, by the Person or Persons to whom such Lease shall be so granted, such Annual Rent or Rents as under all the Circumstances of the Case shall be determined by the said Commissioners of His Majesty's Woods, Forests and Land Revenues, or the Surveyor General of His Majesty's Woods and Forests for the Time being, to be deemed reasonable and proper.