



# Dean and New Forests Act 1808

## 1808 CHAPTER 72 48 Geo 3

An Act for the Increase and Preservation of Timber in Dean and New Forests. [18th June 1808.]

### Modifications etc. (not altering text)

- C1 Short title given by [Short Titles Act 1896 \(c. 14\)](#)
- C2 Preamble repealed by [Wild Creatures and Forest Laws Act 1971 \(c. 47\)](#), [Sch.](#)

[I], II. ....<sup>F1</sup>

### Textual Amendments

- F1 [Ss. 1, 2, 5](#) repealed by [Wild Creatures and Forest Laws Act 1971 \(c. 47\)](#), [Sch.](#)

### III Inclosures to be made in Dean and New Forests under Commissions.

...<sup>F2</sup> it shall be lawful for His Majesty, his heirs and successors, from time to time to inclose, sever, and improve within and out of the waste lands of the said Forest of *Dean*, ...<sup>F2</sup>, in whole or in part, such quantity of lands in the whole as shall, together with the quantity already in inclosure, or which shall be inclosed as aforesaid ...<sup>F2</sup>, make up the said quantities of [<sup>F3</sup>4,452 hectares] in the Forest of *Dean*, ...<sup>F2</sup>, and so that there shall not be more than [<sup>F3</sup>4,452 hectares] in the Forest of *Dean*, ...<sup>F2</sup>, inclosed and held in severalty as aforesaid at one and the same time; and such inclosures shall be made under and by virtue of Commissions to be granted and issued by His Majesty for that purpose, and each of such Commissions shall be directed to six or more such persons as His Majesty shall think fit, whereof two in each Commission shall be Justices of the Peace for the county within which the Forest in which the inclosure shall be made shall be situate, and shall not be Officers of such Forest; and such inclosure shall be set out and made from and out of such parts or places ...<sup>F2</sup> as shall be found or ascertained by the said Commissioners, or any three or more of them, to be most convenient to be inclosed, and to be best adapted for the growth and produce

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of timber, and may be best spared from the commons and highways of the respective counties; which said inclosures shall be admeasured by a sworn surveyor, and set out and inclosed, butted, and bounded, . . . <sup>F2</sup>; and the said inclosures so made and set out as aforesaid, shall remain in severalty in the actual possession of the Crown, freed and discharged of and from all rights of common, and of and from all manner of rights, titles, or pretences, or privileges or claims whatsoever, during the period of the same remaining so inclosed for the growth and preservation of timber, and until the same or any part thereof shall be laid open under the provisions of . . . <sup>F2</sup> this Act, according to the purport and true intent . . . <sup>F2</sup> of this Act, and shall be made and reputed a nursery or nurseries for wood and timber only.

**Textual Amendments**

**F2** Words repealed by [Wild Creatures and Forest Laws Act 1971 \(c. 47\)](#), [Sch.](#)

**F3** Words substituted by [S.I. 1979/836](#), [Sch. para. 1](#)

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**Modifications etc. (not altering text)**

**C3** Unreliable marginal note

**IV Whenever the Woods growing in the said Inclosures are past Danger from browsing of Deer, or other Prejudice, they may be laid open, and other Quantities inclosed.**

At all times hereafter, whenever . . . <sup>F4</sup> the woods and trees which shall be growing within any of the said inclosures, whether made before the passing of this Act, and hereby confirmed, or to be made under and by virtue of this Act, are become past danger of browsing of deer, cattle, or other prejudice, and shall think fit to lay the same or any part thereof open and in common, and shall cause the same so to be done, then and so often it shall be lawful for His Majesty, his heirs and successors, from time to time to inclose, in lieu of so much of the inclosures in either Forest as shall be so laid open, the like quantity out of any other part of the residue of the wastes of the same Forest, to be set out by like Commission and admeasurement as aforesaid, and to be holden, inclosed, freed and discharged of and from all manner of common and other rights as aforesaid, for so long time as the same shall continue inclosed, according to the direction, purport, and intent of . . . <sup>F4</sup> this Act, to be a nursery or nurseries for timber as aforesaid, instead of so much as shall be laid open according to the direction aforesaid.

**Textual Amendments**

**F4** Words repealed by [Wild Creatures and Forest Laws Act 1971 \(c. 47\)](#), [Sch.](#)

**V** . . . . . <sup>F5</sup>

**Textual Amendments**

**F5** [Ss. 1, 2, 5](#) repealed by [Wild Creatures and Forest Laws Act 1971 \(c. 47\)](#), [Sch.](#)

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**VI** ..... F6

**Textual Amendments**

**F6** S. 6 repealed by Crown Estate Act 1961 (c. 55), **Sch. 3 Pt. II**

**VII** ..... F7

**Textual Amendments**

**F7** S. 7 repealed by Wild Creatures and Forest Laws Act 1971 (c. 47), **Sch.**

**Changes to legislation:**

There are currently no known outstanding effects for the Dean and New Forests Act 1808.