



High Peak Mining Customs and Mineral Courts Act 1851

CHAPTER 94

HIGH PEAK MINING CUSTOMS AND MINERAL COURTS ACT 1851

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SCHEDULES

FIRST SCHEDULE — being A Schedule of Articles and Customs by this Act referred to; established.

- 1 It is lawful for all the Subjects of this Realm...
- 2 In all Cases the Landowner shall have Power to sell...
- 3 The Barmaster and every Deputy Barmaster shall provide a Dish...
- 4 The Barmaster, together with Two of the Grand Jury, shall...
- 5 Every Miner shall, so long as his Mine shall be...
- 6 Any Person may transfer his Interest in any Mine or...
- 7 When Ore has been raised by any Miner, and he...
- 8 No Person shall sell any Ore, or remove any Ore...
- 9 The Duties heretofore called the Duties of Lot and Cope...
- 10 If any new Vein be found by any Miner or...
- 11 The Barmaster shall not set out any Ground under the...
- 12 If any Miner shall work any Mine or Vein without...

- 13 If any Vein shall cross another Vein, the Miner who...
- 14 When Two Veins approach each other but are parted with...
- 15 In any Dispute where the Priority of Title shall come...
- 16 If any Person shall claim Title to any Mine, the...
- 17 No Miner or other Person shall, except as herein-after mentioned,...
- 18 Every Meer of Ground shall contain Thirty-two Yards in Length;...
- 19 The Barmaster, if he finds any Mine or Vein neglected...
- 20 If any Person has Shares in a Mine, and refuses...
- 21 If any Person be possessed of any Mine, and be...
- 22 If the Barmaster shall, in any Matter connected with the...
- 23 Any Person who may be affected by the Opinion of...
- 24 When a Bill of Directions and also a Cross Bill...
- 25 If any Person shall obstruct the Grand Jury in viewing...
- 26 If any Person shall, by virtue of any Sough Engine...
- 27 Any Person having Two or more Veins lying contiguous to...
- 28 If the Grand Jury shall be summoned to any View...

SECOND — containing FORMS OF PROCEEDINGS.
SCHEDULE;

In the High Peak Small Barmote Court. Form of Plaintiff

In the High Peak Small Barmote Court. Summons in Title.

To C.D. (the Defendant).
You are hereby summoned to appear at a Small Barmote...
Given under the Seal of the Court, this Day of...
By the Court,
E.T., Steward.

In the High Peak Small Barmote Court. Summons in Trespass or Debt.

To C.D., the Defendant.
You are hereby summoned to appear at a Small Barmote...
Given under the Seal of the Court, this Day of...
By the Court,
E.T., Steward.

*Form of Particulars in an Action of Debt to be
annexed to the Summons or written at the Foot thereof.*

In the High Peak Small Barmote Court.
A.B., Plaintiff,
and
C.D., Defendant.
Particulars of the Debt for which this Action is commenced...
1850:
Above are the Particulars of Debt in this Action. As...
A.B., or
A.B. by E.F. his Solicitor
or Agent.

Judgment against Defendant for Payment of Debt or Damages.

In the High Peak Small Barmote Court, held at within...

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Between A.B., Plaintiff,
and
C.D., Defendant.
After hearing this Cause, it is, on the Day of...
Given under the Seal of the Court, this Day of...
By the Court,
A.B., Steward.

Judgment against Plaintiff.

In the High Peak Small Barmote Court, held at within...
Between A.B., Plaintiff,
and
C.D., Defendant.
It is, on the Day of adjudged that Judgment do...
Given under the Seal of the Court, this Day of...
By the Court,
A.B., Steward.

Judgment in case of Nonsuit.

In the High Peak Small Barmote Court, held at within...
Between A.B., Plaintiff,
and
C.D., Defendant.
It is, on the Day of adjudged that Judgment by...
Given under the Seal of the Court, this Day of...
By the Court,
A.B., Steward.

Judgment for Recovery of Possession

In the High Peak Small Barmote Court, held at within...
Between A.B., Plaintiff,
and
C.D., Defendant.
After the Hearing of this Cause, it is, on the...
Given under the Seal of the Court, this Day of...
By the Court,
A.B., Steward.

Execution against the Goods of Defendant.

In the High Peak Small Barmote Court.
Between A.B., Plaintiff,
and
C.D., Defendant.
Whereas at a Small Barmote Court duly holden at within...
Given under the Seal of the Court, this Day of...
To the Barmaster of the By the Court,
High Peak. A.B., Steward.

Execution against the Goods of Plaintiff.

In the High Peak Small Barmote Court.

Between A.B., Plaintiff,
and
C.D., Defendant.
Whereas at a Small Barmote Court duly holden at within...
Given under the Seal of the Court, this Day of...
To the Barmaster of the By the Court,
High Peak.A.B., Steward.

Warrant for Recovery of Possession.

In the High Peak Small Barmote Court.
Between A.B., Plaintiff,
and
C.D., Defendant.
Whereas after the Hearing of this Cause it was, on...
Given under the Seal of the Court, this Day of...
To the Barmaster of the By the Court,
High Peak. A.B., Steward.

Summons to Grand Jurors to attend the Great Barmote Court or on a View.

You are hereby required to attend the High Peak Great...
Dated this Day of 185
A.B., Barmaster, or
To C.D. Deputy Barmaster.

Summons to Jurors to attend Small Barmote Court.

You are hereby required to attend the High Peak Small...
Dated this Day of 185
A.B., Barmaster, or
To C.D. [add Residence.] Deputy Barmaster.

Bill of Directions on a View.

To the Grand Jury for the High Peak Barmote Courts,...
You are desired by C.D. [Party calling the Jury] to...
If the Grand Jury are required to dial the Mine,...

Return of Grand Jury to a Bill or Cross Bill of Directions.

We the Grand Jury [where all agree in Opinion, or,...
Signatures.
Memorandum to be added after the Signatures of the Majority,...
We [or I] the undersigned do not concur in the...
As witness our [or my] Hands [or Hand].
Signatures.

Form of Notice in pursuance of the Twenty-fifth Article of the Customs.

You are hereby required to attend at on the Day...
Given under the Seal of the Court, this Day of...
A.B., Steward.

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Form for imposing any Penalty which may be imposed under the Act.

I, Steward of the High Peak Barmote Courts, do hereby,...
Given under the Seal of the Court, this Day of...
A.B., Steward.

*Warrant to levy any Penalty or Sum of Money that
may be imposed or ordered to be paid under the Act.*

Whereas on the Day of a certain Sum of £...
You are therefore required to levy on the Mineral Property...
Given under the Seal of the Court, this Day of...
To the Barmaster of the
High Peak. A.B., Steward.

Barmasters Return of Execution of any Warrant.

I A.B., Barmaster of the High Peak, in obedience to...
As Witness my Hand, this Day of 185

Return that Barmaster has been unable to execute any Warrant

I A.B., Barmaster of the High Peak, do make this...

Subpoena.

A.B., Steward of the High Peak Barmote Courts, to greeting...
Given under the Seal of the Court, this Day of...

*Order to adjourn Proceedings either in the Great
or Small Barmote Court or before the Steward.*

It is ordered, That the Proceeding in this Matter [whatever...
Given under the Seal of the Court, this Day of...
A.B., Steward.

Order to stay Proceedings.

In the High Peak Small Barmote Court.
Between A.B., Plaintiff,
and
C.D., Defendant.
It is ordered, That all further Proceedings in this Action...
Given under the Seal of the Court, this Day of...
A.B., Steward.

Order for a new Trial.

In the High Peak Small Barmote Court, held at the...
Between A.B., Plaintiff,
and
C.D., Defendant.
It is ordered, That the Judgment in this Case, and...
Given under the Seal of the Court, this Day of...
A.B., Steward.

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Summons on Interpleader.

In the High Peak Small Barmote Court.

Between A.B., Plaintiff,

and

C.D., Defendant.

Whereas E.F. of hath made a Claim to certain Mineral...

Given under the Seal of the Court, this Day of...

By the Court,

A.B., Steward.

Note.—This Summons is to be served upon the Party claiming...

THIRD SCHEDULE; — being list of fees to be allowed on taxation under this Act

FOURTH —
SCHEDULE.

Fees allowed to the Barmaster of the High Peak and Deputy Barmasters;
such...

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