



Derbyshire Mining Customs and Mineral Courts Act 1852

1852 CHAPTER clxiii 16 and 17 Vict

An Act to define and amend the Mineral Customs and to make better Provision for the Administration of Justice in the Barmote Courts within the Soke and Wapentake of *Wirksworth*, and within the Manors or Liberties of *Crich*, *Ashford*, *Stoney Middleton* and *Eyam*, *Hartington*, *Litton*, *Peak Forest*, *Tideswell*, and *Youlgreave*, in the County of *Derby*. [30th June 1852]

Whereas the Queen's most Excellent Majesty in right of Her Duchy of *Lancaster* is seised to Her and Her Heirs and Successors of and in the Manor and Wapentake of *Wirksworth*, and of the Lead Mines within the *King's Field*, and is entitled to the Mineral Duties within certain Parts of the Soke and Wapentake of *Wirksworth* in the County of *Derby*: And whereas all the Subjects of this Realm have claimed to have a Right to search for, sink, and dig Mines or Veins of Lead Ore within the *King's Field* in the said Soke and Wapentake of *Wirksworth*, subject to certain ancient Mineral Laws and Customs, and upon paying certain Duties to Her Majesty and Her Predecessors, and Her and their Lessees for the Time being: And whereas *Peter Arkwright* Esquire is the Lessee of the said Duties, by Grant under the Seal of Her Majesty's Duchy of *Lancaster*: And whereas all the Subjects of this Realm have claimed to have a Right to search for, sink, and dig Mines or Veins of Lead Ore within the several Manors or Liberties herein-after mentioned; that is to say, *Ashford*, *Hartington*, *Peak Forest*, *Tideswell*, *Crich*, *Stoney Middleton* and *Eyam*, *Youlgreave*, and *Litton*, all in the County of *Derby*, subject to certain ancient Mineral Laws and Customs, and upon paying certain Duties to the Persons for the Time being respectively entitled thereto: And whereas the Most Noble *William Spencer* Duke of *Devonshire*, Knight of the Garter, is entitled to the Mineral Duties in the said Manors or Liberties of *Ashford*, *Hartington*, *Peak Forest*, and *Tideswell*: And whereas the Most Noble *William Spencer* Duke of *Devonshire*, Knight of the Garter, the Most Noble *Richard Plantagenet* Duke of *Buckingham and Chandos*, Knight of the Garter, or the Most Honourable *Richard Plantagenet Campbell Nugent Chandos Grenville Temple* commonly called Marquess of *Chandos*, the only Son and Heir Apparent of the said last-named Duke, and in his Right, Sir *Richard Tufton* Baronet, as Tenant for Life in possession under the Will of the Right Honourable *Henry* Earl of *Thanet* deceased, *Francis Hurt* Esquire, and others, are entitled as Tenants in Common to the Mineral Duties in the said Manor or Liberty of *Crich*: And whereas the Most Noble *William Spencer* Duke of *Devonshire*, Knight of the Garter, the Most Noble *Richard Plantagenet* Duke of

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Buckingham and Chandos, Knight of the Garter, or the Most Honourable *Richard Plantagenet Campbell Nugent Chandos Grenville Temple* commonly called Marquess of *Chandos*, the only Son and Heir Apparent of the said last-named Duke, and in his Right, and Sir *Richard Tufton* Baronet, as such Tenant for Life as aforesaid, are entitled as Tenants in Common to the Mineral Duties in the said Manor or Liberty of *Stoney Middleton* and *Eyam*: And whereas the Most Noble *John Henry* Duke of *Rutland*, Knight of the Garter, is entitled to the Mineral Duties in the said Manor or Liberty of *Youlgreave*: And whereas the Right Honourable *Nathaniel* Baron *Scarsdale* is entitled to the Mineral Duties in the said Manor or Liberty of *Litton*: And whereas, for the Regulation of the Mines, and for deciding Questions of Title, Trespass, and Debt relating thereto, there have existed in the *King's Field* within the said Soke and Wapentake, and within the said several Manors or Liberties respectively, certain Courts called the "Great Barmote Court" and the "Small Barmote Court": And whereas the Mineral Laws and Customs of the *King's Field* within the said Soke and Wapentake, and of the said Manors or Liberties, are uncertain and undefined, and are in many respects inapplicable to the present Mining Operations in the *King's Field* within the said Soke and Wapentake, and in the said Manors or Liberties respectively: And whereas *Charles Clarke* of *Matlock* in the County of *Derby*, Esquire, is the Barmaster for the said Soke and Wapentake of *Wirksworth*, under and by virtue of Letters Patent bearing Date the Twenty-seventh Day of *March* One thousand eight hundred and thirty-nine, granted by the Queen under the Seal of Her said Duchy of *Lancaster*: And whereas it is advisable that the said Mineral Laws and Customs should be revised, altered, and amended, and that the Jurisdiction of the said Great and Small Barmote Courts should be more clearly defined and settled:

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