

THE FIRST SCHEDULE
REFERRED TO,

BEING A SCHEDULE OF ARTICLES AND CUSTOMS BY THIS ACT ESTABLISHED

- 21 If any Person has Shares in a Mine and refuses to join his Partners or the Owners of the other Shares in working the same, or to pay his Proportion of the Expenses of working the same for the Space of Twenty-one Days after the same has been demanded by the Party complaining or his Agent, he shall forfeit his Part and Share to his Partners, who shall be entitled to recover the same against such defaulting Owner in an Action of Title in the Small Barmote Court, and the only Evidence necessary in such Action to enable the Plaintiff to obtain Judgment shall be Proof that the Plaintiff has worked the said Mine, and the Amount of the Expenses incurred, and a Demand of Payment of Defendant's Share thereof as aforesaid (such Demand to be in Writing, and to be left at the Defendant's last known Place of Abode, if within the Jurisdiction of the Barmote Court, but if not, then by affixing the same at the Place where the last preceding Great Barmote Court was held, and also on some conspicuous Place upon or near such Mine), and the Neglect or Refusal of Defendant to pay it for the Space of Twenty-one Days after the Demand; and it shall be no Defence to such Action that the Plaintiff is Partner or Joint Owner with the Defendant in the Mine or Shares sought to be recovered.

Changes to legislation:

There are currently no known outstanding effects for the Derbyshire Mining Customs and Mineral Courts Act 1852, Paragraph 21.