

THE FIRST SCHEDULE
REFERRED TO,

BEING A SCHEDULE OF ARTICLES AND CUSTOMS BY THIS ACT ESTABLISHED

- 29 If the Grand Jury shall be summoned to any View by any Person, not being Plaintiff or Defendant in any Action in the Small Barmote Court, for the Purpose of delivering their Opinion as to whether any other Person is working in any Mineral Ground belonging to the Person so summoning the Grand Jury, and the Majority of the Grand Jury assembled at any such View shall give it as their Opinion that such is in all probability the Case, but that for Want of Workmanship the Fact does not yet clearly appear, it shall be lawful for the Steward to require such other Person to give to the Steward Security for the Value of all Ore which may be gotten in his Workings thenceforth, until such Time as sufficient Working shall have been done to make the Truth appear; and unless Security shall be given unto and to the Satisfaction of the Steward it shall be lawful for him to direct and authorize the Barmaster to retain all Ore gotten in the Workings of such other Person so failing to give Security, until such Security shall be given, or until sufficient further Working shall have been done to enable the Grand Jury at any adjourned View to form a satisfactory Opinion; and if the Grand Jury assembled at any such adjourned View, or the Majority of those so assembled, shall state their Opinion to be that the Workings of the Person originally summoning the Grand Jury, and of such other Person, form One and the same Title, the Steward shall thereupon order the Barmaster to deliver to the Person who shall have originally summoned the Grand Jury the Ore which shall have been so retained as aforesaid, or if Security shall have been given as aforesaid, then the Person who shall have originally summoned the Grand Jury shall be entitled to the Benefit of such Security, to the Extent of the Value of the Ore which shall have been gotten by such other Person as aforesaid since the original View, and shall be entitled to use the Name of the Steward, if necessary, for enforcing such Security, and if either Party feels himself aggrieved, such Party may prosecute his Claim in the Small Barmote Court.

Changes to legislation:

There are currently no known outstanding effects for the Derbyshire Mining Customs and Mineral Courts Act 1852, Paragraph 29.