

THE FIRST SCHEDULE
REFERRED TO,

BEING A SCHEDULE OF ARTICLES AND CUSTOMS BY THIS ACT ESTABLISHED

- 4 The Barmaster, together with Two of the Grand Jury, shall provide the Miners a Way, either for Foot Passengers or Carts as may be required, from the Highway lying most convenient to the Mine, and also from the Mine to the nearest running Stream of Water, not being ornamental Water or a private Fishery, such Ways to be set out in as short a Course as may be practicable and reasonable, but not to enter any such excepted Places aforesaid. No Compensation is to be claimed by the Occupier or Landowner for such Ways, but such Ways are not to be considered public, and the Use thereof is to be limited to Persons and Purposes connected with the Mine. The Parties entitled to use the Way may make sufficient Ways for Use, and shall keep the same in repair; and if any such Way shall pass over any inclosed Lands, the Owner or Owners of the said Mine shall, previously to using the same, set up and make good and proper Gates or Stiles, as the Case may require, and keep such Gates or Stiles, with all proper Fastenings, in a good State of Repair, to the Satisfaction of the Barmaster; and may also use for mining Purposes the Water from the nearest running Stream, but so as not to defile the Waters of such running Stream, or to lessen the same so as to deprive Cattle of a Sufficiency of Water therefrom. If the Owner or Occupier of any Land is dissatisfied with the Mode in which any Way is set out by the Barmaster, or with the Mode in which any such Way is used by the Miner, such Owner or Occupier may apply to the Steward, and the Steward shall thereupon inquire into the Matter, and shall in a summary Way make such Orders respecting the setting out or User of the said Way as to him shall seem just, and such Way shall thereafter be set out and used in such Manner only as the said Steward shall direct.

Changes to legislation:

There are currently no known outstanding effects for the Derbyshire Mining Customs and Mineral Courts Act 1852, Paragraph 4.