



Dean Forest (Mines) Act 1838

1838 CHAPTER 43 1 and 2 Vict

XXIX Commissioners to make general Rules, specifying the Mode in which Gales, &c. shall be worked; and, on Breach of such Rules, Gales, &c. to be forfeited, as in case of a Lease for Condition taken.

The Commissioners hereby appointed shall in and by their said Award specify such general Rules and Regulations as to them shall seem equitable for the mode in which all the said gales, pits, levels, works, and quarries, as well opened or to be opened, shall be worked, and shall also specify what buildings may remain or be erected on any of the open and uninclosed lands of the said Hundred, for the purposes of working such gale, pit, level, or work; and shall also, as far as the same can be ascertained, specify the mode and extent to which all future gales, pits, levels, or works shall be granted by the Gaveller or Deputy Gaveller for the time being, having regard to the quantity of coal, iron, or other mineral comprised in and which may be got by means of such gales, pits, levels, or works respectively, and the terms and regulations under which the same shall be held and worked; and that after such Award all and every the gales, pits, levels, and works in the said Hundred, and all the quarries in the said Forest, shall be opened and worked according to the true intent of such Rules and Regulations; and in case any person or persons entitled to or in the possession of any gale, pit, level, work, or quarry within the said Hundred, now granted or hereafter to be granted, awarded, or leased, shall wilfully proceed in opening or working any such gale, pit, level, work, or quarry, contrary to the said Rules and Regulations, and the directions to be contained in any award of the said Commissioners hereby appointed, after seven Days notice in writing from the Gaveller or Deputy Gaveller to stop and discontinue such opening and working, left at or upon the said, gale, pit, level, work, or quarry, or at the last known or usual place of abode of such person or persons as aforesaid, then the said gales, pits, levels, works, or quarries shall be liable to be forfeited as and for a breach of condition, and the same shall always after the said Award be considered as held on condition of performing and abiding by the said Rules and Regulations in all respects; and the person or persons in possession of any such gales, pits, levels, works, or quarries may be evicted therefrom by Her Majesty, Her Heirs or Successors, as might be done on the forfeiture of a lease for breach of condition; and all such gales, pits, levels, works, or quarries so forfeited shall be subject to be again galed or leased as other the mines, minerals, or quarries in the said Forest and Hundred; and, in addition to such right or power of eviction, the compliance with such Rules, Orders,

Changes to legislation: There are currently no known outstanding effects for the Dean Forest (Mines) Act 1838, Section XXIX. (See end of Document for details)

and Regulations may be enforced by and on the behalf of Her Majesty, Her Heirs or Successors, or by any other person or persons, by injunction of [^{F1}the High Court], or otherwise in such manner as the said Court shall on application think fit.

Textual Amendments

- F1** Words substituted by virtue of [Supreme Court of Judicature \(Consolidation \) Act 1925 \(c. 49\)](#), s. [224\(1\)](#)
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Modifications etc. (not altering text)

- C1** “The Commissioners hereby appointed” means the Dean Forest Mining Commissioners

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