



Dean Forest (Mines) Act 1838

1838 CHAPTER 43

XXVIII Commissioners may unite Two or more Works, and award Compensation.

And be it enacted, That where any Gales, Pits, Levels, or Works shall appear to the said Commissioners hereby appointed to be situated so that any of them cannot be separately wrought without great Loss to the Parties working the same, or without producing great Injury and Detriment to any adjoining or contiguous Gale, Pit, Level, or Work, or to the proper and effectual working of any of the Veins or Beds of Coal or other Minerals within the said Hundred, which require the Use of expensive Pits, Engines, or Machinery, then and in all or any of such Cases it shall be lawful for the said Commissioners hereby appointed to determine which of the said Gales, Pits, Levels, or Works shall be given up by the Owner or Owners thereof, and to allot to him or them, with the Approbation of the Gaveller or his Deputy, some other Gale, which, according to the Judgment of the said Commissioners, shall be of equal Value with the Gale, Pit, Level, or Work so to be given up, and upon the granting of such new Gale allotted as aforesaid, the Right of the said Owner or Owners to the Gale, Pit, Level, or Work so to be given up shall absolutely cease and determine; or in case of the said Commissioners thinking it proper, it shall be lawful for them to unite One or more Gales, Pits, Levels, or Works with any Gale, Pit, Level, or Work which shall be deemed by the said Commissioners hereby appointed to be situated and circumstanced so as to be well adapted for the proper and effectual working of the said Veins or Beds of Coal or other Minerals, and by their said Award to ascertain and direct what Compensation shall be paid, and by whom, to any Person or Persons entitled to any Gale, Pit, Level, or Work which may be united or proposed by the said Commissioners to be united with any other Gale, Pit, Level, or Work ; and upon Payment of such Compensation, all Right of the Person or Persons to whom the same shall be paid, in such Gales, Pits, Levels, Works, or Quarries, shall absolutely cease : Provided always, that if the Person or Persons by whom the Compensation shall be directed to be paid shall refuse or neglect to pay such Compensation for the Space ,of Twenty-one Days next after Notice from the said Commissioners hereby appointed so to do, then the said Commissioners shall by their said Award allot and set out definite Metes and Bounds for each such Gale, Pit, Level, or Work for which Compensation shall not be paid as aforesaid, and it shall be lawful for the Person or Persons entitled thereto to proceed to work the same in all respects as if the same had not been united, or had not been proposed to be united, to any other Gale, Pit, Level, or Work.