



Dean Forest Act 1861

1861 CHAPTER 40

15 Empowering the Commissioners of Woods to grant Licences to sink Pits and to use or exercise other Rights and Easements, &c. in Inclosures and other Lands in the Forest.

Whereas under the Sixty-fifth Section of the said Act the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues have Power (if they in their Discretion shall see fit) to grant Licences to such Person or Persons as they may think proper for sinking Air Shafts in any Inclosures belonging to Her Majesty, Her Heirs and Successors, and for forming any Railroad or Tramroad along or across any of such Inclosures, subject nevertheless to the Conditions, Restrictions, and Provisoos in the said Section contained or referred to: Be it enacted, That the Power in the said Section contained shall also extend to the Grant of Licences to sink or open and work and use any Pits, Shafts, or Levels for any Purpose, and to make Roads other than Railroads or Tramroads therein, and to the Grant of Licences to use any Rights of Way or Water, or of Outstroke or Instroke, and any other Easements, Privileges, or Conveniences whatsoever for the more convenient Use, Working, Enjoyment, or Disposal of the Produce of any Gale, Quarry, or Work; and any such Right, Privilege, or Easement as in the said Sixty-fifth Section of the said Act or in this Section mentioned, may be granted in, upon, through, or under any of the Waste Lands or any of the inclosed Lands belonging to Her Majesty, Her Heirs or Successors, within the said Forest, or under any Mine, Quarry, Land, or Work comprised in any existing Gale, Lease, or Grant: Provided nevertheless, that the Grantee of any such Licence as in this Section mentioned or referred to shall do as little Damage in the Use or Enjoyment of such Rights, Privileges, or Easements as reasonably may be, and shall pay to all Persons damaged or injured a reasonable Compensation for all Damage or Injury done or occasioned in or by the Use or Enjoyment thereof, the Amount whereof in case the Parties shall differ shall be settled by Arbitration, as provided in the Rules and Regulations comprised in the said Awards, and also that any such Grantee or Licencee, his Heirs, Executors, or Administrators, shall as soon as reasonably may be after he or they shall have ceased to use or to require any such Right, Privilege, or Easement, shall at his and their own Costs and Charges well and effectually level, fill up, arch over, or otherwise make good and restore to their former Condition, to the Satisfaction of the Gaveller or Deputy Gaveller, all the Places in or over which he or they may have exercised any such Right, Privilege, or Easement as aforesaid, unless required

Status: This is the original version (as it was originally enacted).

by the Gaveller or Deputy Gaveller to leave the same in their then present Condition; and every such Grant or Licence as in this Section or the said Sixty-fifth Section of the said Act mentioned shall be deemed to be conditional on the due Observance and Performance of all the Conditions, Restrictions, Regulations, and Provisoes, and Payment of all the Rents or Reservations under and subject to which the same shall be granted.