



# Dean Forest Act 1861

## 1861 CHAPTER 40

### **4 Person in actual Possession or Receipt of Proceeds of Gale to pay the Rent.**

The Obligation to pay the Rent, Royalty, and other Dues from Time to Time becoming payable in respect of every Gale of Coal, Iron, or Stone granted or to be granted, and to observe and perform the several Enactments, Provisions, Rules, and Regulations for the Time being in force for the proper opening, working, Use, and Management of the same, shall from Time to Time be and become a personal Obligation on the Person for the Time being in the actual Possession or Receipt of the Proceeds of the Gale, whether as Owner thereof for an Estate of Freehold, or as Lessee or Underlessee or otherwise howsoever, and every such Person making default in the Payment of any such Rent, Royalty, or Due, or in the Observance or Performance of any such Enactment, Provision, Rule, or Regulation as aforesaid, may be proceeded against by or on behalf of Her Majesty, Her Heirs and Successors, in like Manner as if he had entered into a Covenant with Her Majesty, Her Heirs and Successors, to pay such Rent, Royalty, or other Due, and to observe and perform all such Enactments, Provisions, Rules, and Regulations : Provided nevertheless, that the Liability of every such Person shall cease and determine on the Cesser of such Title to the Possession or Receipt of Proceeds as aforesaid, except so far as shall relate to Rents, Royalties, or Payments due, and to Defaults in Observance or Performance of any of the said Enactments, Provisions, Rules, or Regulations committed before the Time of such Cesser of Title to Possession or Receipt of Proceeds: Provided also, that the Provisions in this Section shall be by way of Addition to and not substitutional for any Covenants, Conditions, or Stipulations in any Grant, and shall not extend to diminish or alter any Liabilities otherwise existing.