



# Dean Forest Act 1861

## 1861 CHAPTER 40

### **8 Extending Powers of the Arbitrator under 27th, 47th, and other Sections of the recited Act.**

Whereas under the Twenty-seventh and Forty-seventh and other Sections of the said Act it is provided that in case the Amount and Nature of the new Galeage or other Rent, Royalty, or Tonnage Duty to become payable at the Expiration of every Term of Twenty-one Years as aforesaid should not be fixed and agreed on by the Parties as therein mentioned, the same should be referred to the Decision of an Arbitrator to be appointed by the Court of Exchequer in manner therein mentioned: And whereas it is probable that many of the Disputes which may arise as to the Amount and Nature of such new Rents, Royalties, or Dues as aforesaid, although relating to separate Gales, Quarries, or Works, may involve One common Principle only, and much unnecessary Delay and Expense might be avoided by referring all such Disputes at once to the same Arbitrator; and it is also advisable to facilitate the Appointment of such Arbitrator: Be it enacted, That the Powers given by the said Act to the Court of Exchequer may be exercised by any Judge of the said Court at Chambers, and that any Number of Disputes relating to the Nature and Amount of such new Rents, Royalties, or Duties as aforesaid, to become payable in respect of any Number of separate Gales, Quarries, or Works may, with the Consent of all Parties, be referred together to the Decision of One Arbitrator to be appointed as aforesaid, and may be determined and disposed of by such Arbitrator in and by One and the same Award, or (if he shall think fit) in and by Two or more separate Awards; and it shall be lawful for the Arbitrator in and by his Award or Awards, or One of them, to apportion in such Proportions and Manner as he shall think fit that Moiety of his Remuneration and of the Costs and Expenses attending the Arbitration, which by the said Act is not to be borne by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, amongst the several Persons other than the said Commissioners who shall have concurred in such united Reference as aforesaid.