Premises comprised in any such Perpetuity Grant as aforesaid were at the Time of any such Suit or Proceeding for Recovery of such Rent or Rents vested in the Tenant, Lessee, or Under-tenant (as the Case may be) to whom such Perpetuity Grant shall have been made, or in the Heirs or Assigns of such Tenant, Lessee, or Under-tenant, as the Case may be.

Power to repair Cathedral Church of the Holy Trinity, Down.

XXXVI. From and after the passing of this Act, it shall be lawful for the Ecclesiastical Commissioners to contribute to the Repair of the Cathedral Church of the *Holy Trinity* of *Down*, though non-parochial; and the several Provisions in the Acts of the Third and Fourth Years of King *William* the Fourth, Chapter Thirty-seven, and of the Sixth and Seventh Years of the same Reign, Chapter Ninety-nine, shall apply to such Cathedral Church.

Ecclesiastical Commissioners empowered to pay Perpetual Curates for the Parish of Monkstown.

XXXVII. 'Whereas it is expedient to make further and better Provision for the Spiritual 'Wants of Portions of the Union of *Monkstown* in the County and Diocese of *Dublin*, and 'for the more convenient Celebration of Divine Service therein: And whereas it is for that 'Purpose proposed and intended to erect and assign the Parish of *Tullow* and the Parish of '*Kill*, within the said Union, into separate particular Parochial Districts, or Portions of 'particular Parochial Districts, pursuant to the Provisions of the Act of the Fourteenth 'and Fifteenth Years of Her Majesty, Chapter Seventy-two:' Be it enacted, That whenever the Parishes of *Tullow* and *Kill*, or either of them, shall be erected into a particular Parochial District, or Portions of particular Parochial Districts, it shall or may be lawful for the Ecclesiastical Commissioners of *Ireland*, and their Successors, to pay from Time to Time, out of the Funds in their Hands, to such Persons as shall from Time to Time be duly nominated and appointed to the Perpetual Curacy of such Parish or Parochial District, and licensed by his Grace the Archbishop of *Dublin* (and so long as such Person shall hold the Cure of Souls within such Parochial District), an annual Sum not exceeding One hundred Pounds.

CAP. CLI.

An Act for the Regulation and Inspection of Mines. [28th *August* 1860.]

5 & 6 Vict. c. 99.

18 & 19 Vict. c. 108.

'WHEREAS an Act was passed in the Session holden in the Fifth and Sixth Years of 'Her Majesty, Chapter Ninety-nine, "to prohibit the Employment of Women and '"Girls in Mines and Collieries, to regulate the Employment of Boys, and to make other '"Provisions relating to Persons working therein:" And whereas an Act was passed in 'the Session holden in the Eighteenth and Nineteenth Years of Her Majesty, Chapter 'One hundred and eight, "to amend the Law for the Inspection of Coal Mines in *Great* '*Britain*:" And whereas it is expedient that the Provisions of the said Two several Acts 'should be amended, and that the Provisions for Inspection now applicable to Coal Mines 'only should be extended to certain Mines of Ironstone of the Coal Measures:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I.—*Provisions applicable to all Mines.*

No Boy under Twelve Years of Age to be employed in Mines.

I. After the First Day of *July* One thousand eight hundred and sixty-one, it shall not be lawful for the Owner of any Mine or Colliery to employ any Male Person under the Age of Twelve Years within such Mine or Colliery, or to permit any such Male Person to work or be therein for the Purpose of working therein other than such as at the passing of this Act shall have attained the Age of Ten Years, and were at or before the passing of this Act employed within the same or some other Mine or Colliery; and the said Act of the Fifth and Sixth Years of Her Majesty, and all the Provisions and Penalties thereof, shall be

be construed and take effect as if the Age of Twelve Years had been mentioned in Section Two of the said Act instead of the Age of Ten Years, subject to the Proviso herein-after contained.

Exception for Boys between Ten and Twelve who have Certificates as to Education and School Attendance.

II. Provided, That a Boy above the Age of Ten Years and under the Age of Twelve Years may be employed in a Mine or Colliery upon either of the following Conditions; that is to say,

That before any such Boy is so employed the Owner of the Mine shall, after the First of *July* One thousand eight hundred and sixty-one, obtain a Certificate under the Hand of a competent Schoolmaster that such Boy is able to read and write:

Or, That in the Second and every subsequent Lunar Month during which such Boy is employed in such Mine or Colliery the Owner shall obtain a Certificate under the Hand of a competent Schoolmaster that such Boy has attended School for not less than Three Hours a Day for Two Days in each Week during the Lunar Month immediately preceding, exclusive of any Attendance on *Sundays*:

And the Owner shall file and preserve such Certificates as aforesaid so long as such Boy shall continue in the Employment, and during Six Months after the Termination of such Employment, and shall produce during such Time such Certificates to any Inspector under the said Act of the Fifth and Sixth Years of Her Majesty, or to any Inspector of Coal Mines and Ironstone Mines, when required so to do by any such Inspector.

Penalty on Grant of false Certificates.

III. Every Person giving a false Certificate for the Purposes of this Act, shall for every such Offence forfeit a Sum not more than Ten Pounds nor less than Five Pounds; and such Offence shall be dealt with as an Offence against the said Act of the Fifth and Sixth Years of Her Majesty.

Recital of Sect. 8. of 5 & 6 Vict. c. 99.

IV. 'And whereas by Section Eight of the said Act of the Fifth and Sixth Years of 'Her Majesty, it is provided, that where there shall be any Entrance to a Mine or Colliery 'by means of a Vertical Shaft or Pit or Inclined Plane, or where there shall be any Com- 'munication within any Part of a Mine or Colliery to any other Part thereof by a Vertical 'Shaft or Pit or Inclined Plane, then it shall not be lawful for any Owner of any such 'Mine or Colliery to allow any Person or Persons, other than a Male of the Age of 'Fifteen Years and upwards, to have Charge of any Steam Engine or other Engine, 'Windlass, or Gin (whether driven or worked by manual Labour or any other Power what- 'soever), or to have Charge of any Part of the Machinery, Ropes, Chains, or other Tackle 'of any such Engine, by or by means of which Engine, Machinery, Ropes, Chains, or 'other Tackle, Persons are brought up or passed down any such Vertical Shaft or Pit or 'Inclined Plane:'

Steam Engines in certain Cases not to be under the Charge of Persons under 18.

It shall not be lawful in any such Case as in the said Provision mentioned for the Owner of the Mine or Colliery to allow any Person, other than a Male of the Age of Eighteen Years or upwards, to have Charge of any Steam Engine or of any Part of the Machinery, Ropes, Chains, or other Tackle of any such Engine, by or by means of which Engine, Machinery, Ropes, Chains, or other Tackle, Persons are brought up or passed down any such Vertical Shaft, or Pit, or Inclined Plane; and any Person offending against this Enactment shall be subject to the Penalty imposed by the recited Provision for offending against the same.

Foregoing Provisions to be construed with 5 & 6 Vict. c. 99.

V. The foregoing Provisions of this Act shall extend to all Mines in *Great Britain*, and shall be construed with the said Act of the Fifth and Sixth Years of Her Majesty as One Act.

II.—*Provision for Inspection and Regulation of Coal Mines and Ironstone Mines.*

18 & 19 Vict. c. 108. repealed.

VI. The said Act of the Eighteenth and Nineteenth Years of Her Majesty shall be repealed: Provided always, that the Inspectors of Coal Mines appointed under such Act shall continue to be Inspectors under this Act of the Mines to which the Provisions herein-after contained extend, subject nevertheless to Removal by One of Her Majesty's Principal Secretaries of State, and subject to all other the same Provisions and with the same Powers

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as if appointed under this Act; provided also, that all Penalties incurred under the said Act before the Repeal thereof may be proceeded for and applied as if this Act had not been passed.

Mines to which Part 2. of this Act is to extend. Interpretation of Terms.

VII. The Provisions herein-after contained shall extend to all Coal Mines and Collieries and Mines of Ironstone of the Coal Measures and worked in connexion with Coal or with any disused or exhausted Coal Mines; and in the Construction of such Provisions the Terms "Coal Mine or Colliery or Ironstone Mine" shall mean every such Mine and Colliery as aforesaid, and every Shaft in the course of being sunk, and every Level or Inclined Plane in the course of being driven for commencing or opening any such Mine, and all the Works belonging thereto respectively; the Term "Owner" shall mean the immediate Proprietor, Lessee, or Occupier of a Coal Mine or Colliery or Ironstone Mine, or of any Part thereof; and the Term "Agent" of a Coal Mine or Colliery or Ironstone Mine shall mean any Person having on behalf of the Owner the Care or Direction thereof; and the Term "Inspector" or "Inspectors" shall respectively mean an Inspector or Inspectors of Coal Mines and Ironstone Mines appointed or continued under this Act; and the Term "District" shall mean the Portion of *Great Britain* assigned or which shall be assigned to any One of such Inspectors; and the Word Sheriff shall include Sheriff Substitute.

Power to Secretary of State to appoint Inspectors of Mines.

VIII. It shall be lawful for One of Her Majesty's Principal Secretaries of State from Time to Time to appoint any fit Person or Persons to be an Inspector or Inspectors of Coal Mines and Ironstone Mines under this Act, and from Time to Time to remove any such Inspector or Inspectors; and Notice of the Appointment of every such Inspector shall be published in the *London Gazette*.

No Land Agent or Manager of Mine to act as Inspector.

IX. No Person who shall act or practise as a Land Agent or as a Manager, Viewer, or Agent, or Mining Engineer, or Valuer of Mines, or Arbitrator in any Matters of Dispute arising between Owners of Mines, or be otherwise employed in any Mine, shall act as an Inspector of Mines under this Act.

General Rules to be observed in Coal and Ironstone Mines.

X. The following Rules (herein-after referred to as the General Rules) shall be observed in every Colliery or Coal Mine and Ironstone Mine by the Owner and Agent thereof:

1. An adequate Amount of Ventilation shall be constantly produced in all Coal Mines or Collieries and Ironstone Mines to dilute and render harmless noxious Gases to such an Extent that the Working-places of the Pits, Levels, and Workings of every such Colliery and Mine, and the travelling Roads to and from such Working-places, shall, under ordinary Circumstances, be in a fit State for working and passing therein:
2. All Entrances to any Place not in actual course of working and Extension, and suspected to contain dangerous Gas of any Kind, shall be properly fenced off so as to prevent Access thereto:
3. Whenever Safety Lamps are required to be used, they shall be first examined and securely locked by a Person or Persons duly authorized for this Purpose:
4. Every Shaft or Pit which is out of Use, or used only as an Airpit, shall be securely fenced:
5. Every working and pumping Pit or Shaft shall be properly fenced, when Operations shall have ceased or been suspended:
6. Every working and pumping Pit or Shaft where the natural Strata, under ordinary Circumstances, are not safe, shall be securely cased or lined or otherwise made secure:
7. Every working Pit or Shaft shall be provided with some proper Means of communicating distinct and definite Signals from the Bottom of the Shaft to the Surface, and from the Surface to the Bottom of the Shaft:
8. All underground self-acting and Engine Planes on which Persons travel are to be provided with some proper Means of signalling between the Stopping-places and the Ends of the Planes, and with sufficient Places of Refuge at the Sides of such Planes at Intervals of not more than Twenty Yards:

9. A sufficient Cover overhead shall be used when lowering or raising Persons in every working Pit or Shaft where required by the Inspectors:
10. No single-linked Chain shall be used for lowering or raising Persons in any working Pit or Shaft, except the short Coupling Chain attached to the Cage or Load:
11. Flanges or Horns of sufficient Length or Diameter shall be attached to the Drum of every Machine used for lowering or raising Persons:
12. A proper Indicator to show the Position of the Load in the Pit or Shaft, and also an adequate Break, shall be attached to every Machine, worked by Steam or Water Power, used for lowering or raising Persons:
13. Every Steam Boiler shall be provided with a proper Steam Gauge, Water Gauge, and Safety Valve:
14. The Fly Wheel of every Engine shall be securely fenced:
15. Sufficient Bore Holes shall be kept in advance, and, if necessary, on both Sides to prevent Inundations in every Working approaching a Place likely to contain a dangerous Accumulation of Water.

Special Rules to be also established.

XI. In addition to the General Rules, there shall be established and observed in every Coal Mine, Colliery, or Ironstone Mine such other Rules (herein-after referred to as Special Rules) for the Conduct and Guidance of the Persons acting in the Management of such Coal Mine, Colliery, or Ironstone Mine, and of all Persons employed in or about the same, as under the particular State and Circumstances of such Coal Mine, Colliery, or Ironstone Mine may appear best calculated to prevent dangerous Accidents.

Present Special Rules to continue in force.

XII. The Special Rules now established and in force under the Act hereby repealed, in any Coal Mine or Colliery, shall remain and be the Special Rules therein, and be of the same Force and subject to be amended by the same Authority and in like Manner as if established under this Act.

New Special Rules how to be established.

XIII. The Owner of every Ironstone Mine and of every Coal Mine or Colliery, in which Special Rules are not now established and in force as aforesaid, shall frame and transmit to One of Her Majesty's Principal Secretaries of State Special Rules for such Ironstone Mine and Coal Mine or Colliery respectively; provided always, that such Special Rules shall be hung up in the Manner provided in the Fifteenth Section of this Act for the Period of Fourteen Days before the same are transmitted to the Secretary of State; such Special Rules for every such Mine or Colliery in work at the Commencement of this Act to be framed and transmitted as aforesaid within Three Months after such Commencement, and for every such Mine or Colliery not then in work to be so framed and transmitted within Three Months after the working of such Mine or Colliery shall be commenced or renewed; and such Rules if not objected to by such Secretary of State within Forty Days from the Day upon which they are received by him shall be established:

If such Secretary of State be of opinion that such Rules, or any of them, do not sufficiently provide for the Safety of the Persons employed in or about such Mine or Colliery, he may within such Forty Days propose any Alterations in or Additions to such Special Rules, or the Substitution of any other Rules for such Special Rules or any of them:

If such Owner within Twenty Days object to any such Alterations or Additions or Rules by way of Substitution proposed as aforesaid, he may within Fourteen Days after he has so objected nominate Five or more practical Mining Engineers or other competent Persons of Experience, and who shall not be interested in or employed in the Management of such Mine or Colliery, of whom such Secretary of State shall appoint One or more to be an Arbitrator or Arbitrators, to determine the Matters in difference, and to decide what Special Rules shall be established in such Mine or Colliery, and the Determination of such Arbitrator, or of such Arbitrators, or the Majority of them, if more than One, shall be final, and the Special Rules shall be established accordingly:

If such Owner do not within such Fourteen Days nominate such Mining Engineers or other competent Persons as aforesaid, then Two such Mining Engineers, or other competent Persons as aforesaid, shall be appointed Arbitrators, One of whom shall be named by such Owner and the other by the Inspector of the District:

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The said Arbitrators so appointed shall, before they proceed in the Arbitration, appoint a Third Person being such Mining Engineer, or other competent Person as aforesaid, to be their Umpire in case of Difference of Opinion between them, and in case such Arbitrators so appointed refuse or neglect to appoint such Umpire as aforesaid for the Space of Seven Days after their Appointment, or of the Appointment of such One of them as was last appointed, the Chairman of the General or Quarter Sessions of the Peace in and for the County, Riding, or Division where such Mine or Colliery may be situate in *England*, and the Sheriff of the County or Division of the County where such Mine or Colliery may be situate in *Scotland*, upon the Application in Writing by or on behalf of such Owner, or the Inspector of the District, shall appoint such Umpire; and the Determination of such Arbitrators and the said Umpire, or of any Two of them, shall be final, and the Special Rules shall be established accordingly:

In case of the Death, Incapacity, or Refusal or Neglect to act of any Arbitrator appointed under this Act, another Arbitrator shall be appointed in his Place in manner following; (that is to say,) in case the Place to be supplied be that of an Arbitrator appointed from among the Nominees of the Owner of a Mine or Colliery, then another Arbitrator shall be appointed by the Secretary of State from among such of the said Nominees as may not have been appointed as herein-before mentioned an Arbitrator or Arbitrators, or in case of Notice to that Effect from the Secretary of State to such Owner, shall be appointed by the Secretary of State from among Five competent Persons to be, within Fourteen Days after Receipt of such Notice, nominated by such Owner to the Secretary of State; and in case the Vacancy be that of an Arbitrator appointed by the Owner or the Inspector of the District, such Vacancy shall be supplied by such Owner or the Inspector of the District, as the Case may require; and in case of the Death, Incapacity, or Refusal or Neglect to act of any Umpire appointed as aforesaid, or of the Death, Incapacity, or Refusal or Neglect to act of either of the Arbitrators originally appointed before the Appointment of an Umpire, the Provisions herein contained concerning the Appointment of an Umpire by such Arbitrators, and concerning the Appointment of an Umpire in default of such Appointment by such Arbitrators, shall respectively be applicable to authorize the Appointment of such Umpire by the Arbitrators for the Time being, and to the Case of Default by them to make such Appointment within Seven Days after Notice in Writing from either of the Arbitrators to the other of them of the Death, Incapacity, or Refusal or Neglect to act of the Umpire, and to the Case of Default by the Arbitrators for the Time being to appoint an Umpire within Seven Days after their Appointment, or of the Appointment of such One of them as was last appointed:

If such Owner do not within Twenty Days from the Day on which such Alterations or Additions or such Rules by way of Substitution are proposed to him object to the same, or (not having made such Nomination to the Secretary of State as herein provided) do not within Fourteen Days after having objected as aforesaid appoint an Arbitrator, and give Notice in Writing of such Appointment to the Inspector of the District, or in case of the Death, Incapacity, or Refusal or Neglect to act of any Arbitrator appointed from among Nominees of such Owner, do not, within Fourteen Days after Receipt of such Notice from the Secretary of State as aforesaid, nominate Five competent Persons to the Secretary of State as aforesaid, or do not within the like Period after Notice to such Owner by the Inspector of the District of the Death, Incapacity, or Refusal or Neglect to act of any Arbitrator appointed by such Owner, appoint an Arbitrator, and give Notice in Writing of such Appointment to the Inspector of the District, the Special Rules framed by such Owner as altered, added to, or modified by the Secretary of State shall be established:

The Amount of Payment to be made to the Arbitrator or Arbitrators and Umpire (if any) for his or their Services shall be fixed by the Secretary of State, and paid in equal Moieties by the Owner of the Mine or Colliery to which the Arbitration relates, and the Commissioners of Her Majesty's Treasury, who are hereby authorized to make such Payment accordingly out of any Monies provided by Parliament for that Purpose.

Special Rules may be amended

XIV. Provided, That after such Special Rules are established it shall be lawful for the Owner of the Mine or Colliery to propose from Time to Time in Writing to One of Her

from Time to Time.

Majesty's Principal Secretaries of State any Amendment of such Rules, and the Provisions in relation to the original Special Rules framed by the Owner, and Proposals in relation thereto by the Secretary of State, and the first Establishment of Special Rules, shall apply to the Amendments so proposed; and the Secretary of State may from Time to Time propose in Writing to the Owner of a Mine or Colliery any Amendments to the Special Rules thereof; and the Provisions in relation to Alterations or the Substitution of other Rules proposed by the Secretary of State where original Special Rules are transmitted to him, and the Establishment of Rules or Modifications of Rules proposed by him, shall apply to the Amendments so proposed by him under this Enactment.

Publication of Rules.

XV. For the Purpose of making known the General Rules and Special Rules to all Persons employed in or about each Coal Mine, Colliery, or Ironstone Mine, the Owner or Agent thereof shall cause the General Rules and the Special Rules for such Coal Mine, Colliery, or Ironstone Mine to be painted on a Board or printed upon Paper to be pasted thereon, and shall cause such Board to be hung up or affixed on some conspicuous Part of the principal Office or Place of Business at the Coal Mine, Colliery, or Ironstone Mine, and at the Place where the Workmen are paid; and the General Rules and Special Rules so painted or printed and hung up shall be renewed and restored with all reasonable Despatch as often as the same or any Part thereof may be defaced, obliterated, or destroyed; and a printed Copy of such General and Special Rules shall be supplied to all Persons employed in and about the same who shall apply for such Copy.

Powers and Duties of Inspectors.

XVI. It shall be lawful for any Inspector to enter, inspect, and examine any Coal Mine, Colliery, or Ironstone Mine, and the Works and Machinery belonging thereto, at all reasonable Times, by Day or Night, but so as not to impede or obstruct the working of the said Coal Mine, Colliery, or Ironstone Mine, and to make Inquiry into and touching the State and Condition of such Coal Mine, Colliery, or Ironstone Mine, Works, and Machinery, and the Ventilation of such Coal Mine, Colliery, or Ironstone Mine, and the Mode of lighting or using Lights in the same, and into all Matters and Things connected with or relating to the Safety of the Persons employed in or about the same, and especially to make Inquiry whether the Provisions of this Act are complied with in relation to such Coal Mine, Colliery, or Ironstone Mine; and the Owner or Agent of such Coal Mine, Colliery, or Ironstone Mine is hereby required to furnish the Means necessary for such Entry, Inspection, Examination, and Inquiry.

Inspector to give Notice of Causes of Danger not provided for by the Rules.

XVII. If any Inspector find on any such Inspection, Examination, or Inquiry, any Mine or Colliery, or the Works or Machinery belonging thereto, or any Matter, Thing, or Practice in or connected with such Mine or Colliery, to be (otherwise than as provided against by any express Provision of this Act, or the General or Special Rules thereunder,) dangerous or defective, so as in his Opinion to threaten or tend to the bodily Injury of any Person, such Inspector shall give Notice in Writing to the Owner or Agent of such Mine or Colliery of the particular Grounds on which such Inspector is of Opinion that the said Mine or Colliery, or any Part thereof, or any other of the Particulars aforesaid, is dangerous or defective, and shall also report the same to One of Her Majesty's Principal Secretaries of State:

If the Owner or Agent object to remove or remedy the Danger or Defect which is the Subject of such Notice, he may within Twenty Days after the Receipt of such Notice give Notice in Writing of the Objections of such Owner or Agent, and of the Grounds thereof, to the said Inspector and to One of Her Majesty's Principal Secretaries of State, and nominate to such Secretary of State Five or more practical Mining Engineers or other competent Persons of Experience who shall not be interested in or employed in the Management of such Mine or Colliery, of whom the Secretary of State shall appoint One or more to be an Arbitrator or Arbitrators, and thereupon further Proceedings shall be had for the Determination of the Matters in difference by Arbitration, as herein provided in the Case of the Special Rules:

If such Owner or Agent do not give such Notice and make such Nomination as aforesaid within the Time aforesaid, the Owner of such Mine or Colliery shall be liable to a Penalty of One Pound for every Day beyond the said Twenty Days during which he neglects to take

take proper and active Measures for removing or remedying the Danger or Defect which is the Subject of the said Notice given by the Inspector:

If the said Owner or Agent give such Notice and make such Nomination as aforesaid within the Time aforesaid, and the Matters in difference be determined by Arbitration, then if after the said Owner or Agent has been furnished with a Copy of the Award attested by the Inspector for the District, the said Owner or Agent neglect forthwith to take proper and active Measures for removing or remedying any Danger or Defect which according to such Award ought to be removed or remedied, the Owner of such Mine or Colliery shall be liable to a Penalty of One Pound for every Day after the Receipt by the said Owner or Agent of such Copy of the Award during which the said Owner or Agent so neglects.

Owners of Mines to produce Maps or Plans of Mines to Inspector.

If Owners do not produce Maps, &c. Inspector may require them to be made.

XVIII. The Owner or Agent of every Coal Mine, Colliery, or Ironstone Mine shall, on the Occasion and for the Purpose of the Inspection and Examination thereof, produce and submit for Examination to any such Inspector as aforesaid at the Mine which is to be inspected an accurate Map or Plan of the Workings of such Coal Mine, Colliery, or Ironstone Mine; and if such Owner or Agent do not produce and submit for Examination as aforesaid such a Map or Plan as aforesaid, or if any such Inspector as aforesaid find that any Portion of any Map or Plan is withheld, or any Part of the Workings of any such Coal Mine, Colliery, or Ironstone Mine is concealed from his Inspection, or if he find, on examining and verifying any Map or Plan, that the same is imperfect or inaccurate, he is hereby empowered to require that an accurate Map or Plan of the actual Workings of such Coal Mine, Colliery, or Ironstone Mine be made within a reasonable Time by and at the Expense of the Owner of such Coal Mine, Colliery, or Ironstone iMne, on a Scale of not less than Two Chains to One Inch, or on such other Scale as the Plan then used in the Mine is constructed on; and every such Map or Plan as aforesaid shall show the Workings of the Mine up to within Six Months of the Time of Inspection; and the Owner or Agent of the Coal Mine, Colliery, or Ironstone Mine shall, if required so to do by any such Inspector as aforesaid, mark or cause to be marked on such Map or Plan the Progress of the Workings of the Coal Mine, Colliery, or Ironstone Mine up to the Time of his Inspection thereof: Provided that nothing herein contained shall be construed to authorize any Inspector to make a Copy of the whole or any Part of a Map or Plan which shall be produced or made.

Notice of Accidents in Mines to be given to Secretary of State.

XIX. If and when Loss of Life or any personal Injury to any Person employed in or about any Coal Mine, Colliery, or Ironstone Mine occurs by reason of any Explosion, and if and when Loss of Life or serious personal Injury to any Person so employed occurs by reason of any other Accident whatever within such Coal Mine, Colliery, or Ironstone Mine, or any Pits or Shafts thereof, or any Works or Machinery connected with such Pits or Shafts, the Owner or Agent of such Coal Mine, Colliery, or Ironstone Mine shall, within Twenty-four Hours next after such Accident, send Notice of such Accident, and the Loss of Life or personal Injury occasioned thereby, under the Hand of such Owner or Agent, in *England* to One of Her Majesty's Principal Secretaries of State, in *Scotland* to the Lord Advocate, and in all Cases to the Inspector of the District within which such Accident shall occur, and shall specify in such Notice the probable Cause of such Accident, and such Notice may be sent through the Post Office by Letter addressed to such Secretary of State or Lord Advocate, and to the Inspector of the District at his usual Place of Residence; and every Owner or Agent who neglects to send or cause to be sent such Notice as aforesaid within the Time aforesaid shall for such Offence be liable to a Penalty not exceeding Twenty Pounds.

Provision for Adjournment of Inquests on Deaths from Accidents in Mines in certain Cases.

XX. Every Coroner holding an Inquest upon the Body of any Person whose Death may have been caused by any such Accident as aforesaid shall, unless the Inspector of the District or some Person on behalf of the Secretary of State be present to watch the Proceedings at such Inquest, adjourn such Inquest, and by Letter sent through the Post Office, Four Days at the least before holding such adjourned Inquest, addressed to the Inspector of the District, give Notice to such Inspector of the Time and Place of holding the same; provided that such Coroner may before the Adjournment of any such Inquest take Evidence to identify the Body, and may order the Interment thereof; provided also that if the Accident has not occasioned more than One Death, and Notice of the Inquest has been given

given by the Coroner to the Inspector of the District by Letter sent through the Post Office not less than Forty-eight Hours before the Time of holding the Inquest, it shall not be imperative on the Coroner to adjourn such Inquest as aforesaid, in case the Majority of the Jury think it unnecessary so to adjourn; and the Inspector shall be at liberty to examine any Witness at any such Inquest, subject to the Order of the Coroner.

Notice to be given to Inspector of the Abandonment and Opening of Mines.

XXI. Where any Coal Mine, Colliery, or Ironstone Mine is abandoned, or the Working thereof discontinued, or where the Working thereof is recommenced after Abandonment or Discontinuance, for a Period exceeding Two Months, or where any Workings are commenced for the Purpose of opening a new Coal Mine or Ironstone Mine, the Owner or Agent of the respective Mine or Working shall in every such Case give Notice thereof to the Inspector of the District, by Letter sent through the Post Office, within Two Months after such Abandonment, Discontinuance, Recommencement, or Commencement of working, as the Case may be; and where any such Mine or Colliery is abandoned, or the Working thereof discontinued, the Owner thereof shall cause the same to be, and to be kept, securely fenced, for the Prevention of Accidents.

Penalties for Offences against this Act.

XXII. If any Coal Mine, Colliery, or Ironstone Mine be worked, and, through the Default of the Owner or Agent thereof, Special Rules have not been established for the same, according to the Provisions of this Act, or the General Rules, or the Special Rules for such Coal Mine, Colliery, or Ironstone Mine, by this Act required to be established, have not been hung up or affixed, or have not, after Obliteration or Destruction, been renewed or restored, as required by this Act, or any of such General Rules or Special Rules, Provisions of which ought to be observed by the Owner and principal Agent or Viewer of such Coal Mine, Colliery, or Ironstone Mine, be neglected or wilfully violated by any such Owner, Agent, or Viewer, such Person shall be liable to a Penalty of not exceeding Twenty Pounds; and also, in case the Default or Neglect be not remedied with all reasonable Despatch, after Notice in Writing thereof given by an Inspector to the Owner or Agent of such Coal Mine, Colliery, or Ironstone Mine, to a further Penalty of One Pound for every Day during which the Offence continues after such Notice; and every Person, other than aforesaid, employed in or about a Coal Mine, Colliery, or Ironstone Mine, who neglects or wilfully violates any of the Special Rules established for such Coal Mine, Colliery, or Ironstone Mine, shall for every such Offence be liable, upon a summary Conviction for the same before Two Justices of the Peace, or in *Scotland* before the Sheriff having Jurisdiction in the County or Place where the Offence is committed, to a Penalty not exceeding Two Pounds, or to be imprisoned, with or without Hard Labour, in the Common Gaol or House of Correction for any Period not exceeding Three Calendar Months: Provided always, that no Justice of the Peace being the Owner of the Mine, or the Father, Son, Brother, or Agent of any Owner of the Mine, in which the Offence set forth in the Complaint shall have been committed, shall, at the Hearing of any Complaint or Charge, act as a Justice of the Peace for the Purposes of Conviction or Adjudication in any Cases of Dispute or Difference between Persons employed in working Mines and their Employers in which Justices of the Peace have Jurisdiction.

Penalty for obstructing Inspectors.

XXIII. Every Person who wilfully obstructs any Inspector in the Execution of this Act, and every Owner or Agent of any Coal Mine, Colliery, or Ironstone Mine who refuses or neglects to produce, as herein-before required, a Map or Plan of the Workings of the Mine to any Inspector, or to furnish to such Inspector the Means necessary for making any Entry, Inspection, Examination, or Inquiry under this Act, or who neglects or wilfully violates any Provision of this Act for the Neglect or Violation of which no other Penalty is hereby imposed, shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Penalty for defacing Notices.

XXIV. Every Person who pulls down, injures, or defaces any Notice hung up or affixed as required by this Act shall for every such Offence be liable to a Penalty of not exceeding Forty Shillings.

Penalties, how recoverable.

XXV. All Penalties imposed by this Act may be recovered in a summary Manner before Two Justices of the Peace, or in *Scotland* before the Sheriff having Jurisdiction in the County or Place where the Offence is committed, in the Manner prescribed by the Law in that

that Behalf, the Information to be laid, or Action raised, within Three Months after the Commission of the Offence; and it shall be lawful for One of Her Majesty's Principal Secretaries of State to direct that any Penalty imposed for neglecting to send or cause to be sent Notice of any Accident, as required by this Act, or for any Offence against this Act which may have occasioned Loss of Life or personal Injury, shall be paid to or among any of the Family or Relatives of any Person or Persons whose Death may have been occasioned by such Accident or Offence, and not being a Person or Persons who occasioned or contributed to occasion the Accident, or to any Person or Persons, not being the Offender or Offenders, who may have sustained personal Injury occasioned by such Accident or Offence, as he may think fit; and, save as aforesaid, all Penalties imposed by this Act shall, when recovered, be paid into the Receipt of Her Majesty's Exchequer in such Manner as the Commissioners of Her Majesty's Treasury may direct, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom.

Certified Copy of Special Rules to be Evidence.

XXVI. A Copy of the Special Rules for the Time being established in any Coal Mine, Colliery, or Ironstone Mine, certified under the Hands of One of the Inspectors to be a Copy of the Special Rules established in such Coal Mine, Colliery, or Ironstone Mine, shall be Evidence of such Special Rules, and of their being duly established under this Act, without further Proof, and such Inspector shall certify such Copy when required.

Reports of Inspectors to be laid before Parliament.

XXVII. Every Inspector shall on or before the First Day of *March* in every Year make a separate and distinct Report in Writing of his Proceedings during the preceding Year, and shall transmit the same to One of Her Majesty's Principal Secretaries of State, and a Copy of such Report shall be laid before both Houses of Parliament.

Wages to be paid to Person employed in Mines, or his Representative, in Money.

XXVIII. The Wages of each and every Person employed in any Coal Mine, Colliery, or Ironstone Mine shall be paid to him or his Representative authorized or deputed to that Effect by his immediate Employer in Money at an Office to be appointed for that Purpose in the Special Rules for such Mine or Colliery, and such Office shall not be contiguous to any House where Spirits, Wine, Beer, or other Spirituous Liquors are sold; and every Owner or Agent, or such Employer, who shall pay or permit any Wages to be paid contrary to the Provisions of this Act, shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Where Payment of Persons employed in Mines is by Weight, &c. an Account may be taken.

XXIX. Where the Persons employed in any Coal Mine, Colliery, or Ironstone Mine are paid by the Weight, Measure, or Gauge of the Coal, Ironstone, or other Material gotten by them, such Coal, Ironstone, or other Material shall be truly weighed, measured, or gauged accordingly; and it shall be lawful for such Persons, at their own Cost, to station a Person (being One of the Persons for the Time being employed in such Coal Mine, Colliery, or Ironstone Mine,) at the Place appointed for such weighing, measuring, or gauging, in order to take an Account thereof, and to take an Account of the Weight, Measure, or Gauge used therein on behalf of such Persons by whom he is so employed; but such Person so employed shall not be authorized in any way to impede or interrupt the working of the Coal Mine, Colliery, or Ironstone Mine, or to interfere with the weighing, measuring, or gauging, but shall only be authorized to take such Account as aforesaid; and the Absence of such Person shall not be a Reason for delaying or interrupting such weighing, measuring, or gauging.

Extent of Act.

XXX. This Act shall not extend to *Ireland*.

Commencement of Act.

XXXI. This Act shall commence from the Thirty-first Day of *December* One thousand eight hundred and sixty.