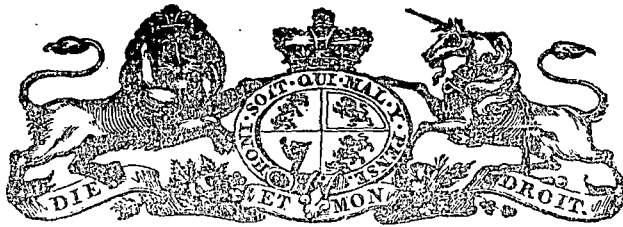


(No. 54.)



1884.

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PARLIAMENT OF TASMANIA.

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“THE MINERAL LANDS ACT, 1884:

REGULATIONS UNDER.

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Presented to both Houses of Parliament by His Excellency's Command.



GOVERNMENT NOTICE.

No. 22.

*Lands and Works Office, Hobart, 14th January, 1884.*

THE following Regulations, made by His Excellency the Governor in Council under the authority of "The Mineral Lands Act, 1884," to take effect forthwith, are published in compliance with Section 66 of such Act.

By His Excellency's Command,

NICHOLAS J. BROWN, *Minister of Lands and Works.*

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REGULATIONS UNDER "THE MINERAL LANDS ACT, 1884,"  
47 VICTORIA, No. 10.

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By virtue of "The Mineral Lands Act, 1884," the Governor in Council has been pleased to make the Regulations following, which shall apply to the whole Colony:—

**45** Residence Licences shall be in the form in the Schedule hereto annexed, No. 14, and shall be issued by the Commissioners of Mines, the Registrars of Mines, and such persons as shall be authorised thereto by notice published in the *Gazette* under the hand of the Minister of Lands and Works. Residence Licence Form, by whom issued.

**46** Claims held under and by virtue of Residence Licences shall be called Residence Areas, and shall be in the form of a rectangular parallelogram, or as near thereto as practicable, and shall not in any case exceed one quarter of an acre, or have a frontage upon any road or street (except in the case of corner allotments or otherwise where it is unavoidable) of more than one chain. No person shall be permitted to claim more ground than is actually enclosed or *bonâ fide* occupied or used by him. Residence Areas.  
Forms.  
Area.

**47** Any person being the holder of a Residence Licence shall take possession of a Residence Area by fixing in the ground firmly at each angle a post not less than three inches in diameter and projecting above the surface not less than three feet, and cutting at each angle a trench not less than six inches deep and three feet along each line. And if such area shall not thereupon or at any subsequent period be occupied in a *bonâ fide* manner for the space of seven days, the same shall be deemed to be abandoned. Mode of taking possession.

**48** Whenever any person shall be entitled to compensation under Section 14, Subsection 2, of "The Mineral Lands Act, 1884," such compensation shall be ascertained by arbitration, if the parties disagree, in the manner prescribed by Regulation 29. Compensation.

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## SCHEDULE.

No. 14.

TASMANIA.



No.—

Fee—

Place \_\_\_\_\_

Date \_\_\_\_\_

## RESIDENCE LICENCE.

ISSUED to \_\_\_\_\_

under the provisions of "The Mineral Lands Act, 1884."

To be in force until 31st December, 188 .

*Officer authorised to issue.*

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## GOVERNMENT NOTICE.

No. 95.

*Lands and Works Office, Hobart, 18th March, 1884.*

THE following Regulations, made by His Excellency the Governor in Council under the authority of "The Mineral Lands Act, 1884," to take effect forthwith, are published in compliance with Section 66 of such Act.

NICHOLAS J. BROWN, *Minister of Lands and Works.*

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By virtue of "The Mineral Lands Act, 1884," the Governor in Council has been pleased to make the Regulations following, which shall apply to the whole Colony :—

*Prospectors' Licences.*

49 Prospectors' Licences shall be in the form in the Schedule hereto annexed, No. 15, and shall be issued by the Commissioners of Mines and the Registrars of Mines, and such other persons as shall be authorised thereto by notice published in the *Gazette* under the hand of the Minister of Lands and Works.

50 The area of Crown land which the holder of a Prospector's Licence shall be authorised to take possession of and hold for the purpose of prospecting for minerals by virtue of such licence, shall be as follows :—

If it is intended to prospect for—

- (a.) Coal, shale, slate, freestone, or limestone, an area not exceeding Three hundred and twenty acres :
- (b.) Any mineral other than those above mentioned, an area not exceeding Eighty acres.

Every area taken possession of under such licence shall be called a Prospecting Claim, and shall be square, or as near thereto as possible, with the boundary lines running to the cardinal points where practicable.

51 Any person intending to take possession of a prospecting claim shall proceed as follows :—If in timbered country, cut upon a tree, in some conspicuous part of the ground, a mark which shall be clearly visible ; if in clear country, erect, in some conspicuous part of the ground, a post not less than three feet in height and three inches in diameter. Place upon such tree or post, as the case may be, a notice in the form in the Schedule No. 16, which shall be clearly visible, with the words " Prospecting Claim," and the following particulars, that is to say,—his name, the area, the date, and the position of such notice on the land (so that the position of the claim may be thereby distinctly determined) legibly written or printed thereon ; and such notice shall be properly maintained during the occupation of the claim.

52 Any person being the holder of a prospector's licence desiring to prospect at a depth exceeding one hundred feet from the natural surface, shall be entitled to such prospecting claim, not exceeding an area of 640 acres, as a Commissioner shall recommend and the Minister direct, taking into consideration the particular circumstances of each case, and the nature and extent of the proposed operations and of the appliances intended to be used.

53 A prospecting claim shall be liable to forfeiture, and may, by the Commissioner, be declared to be forfeited, upon application to him, if prospecting operations shall cease to be conducted in a *bonâ fide* manner, without good and sufficient excuse, for a period of one calendar month.

*Leases.*

54 The area of a lease which may be granted at a peppercorn rent to any person who shall discover any mineral, shall be as follows :—

As regards distance from a spot where the same mineral is, at the time of discovery, known to exist,—

If more than two miles, an area not exceeding one hundred acres for the discovery of coal, shale, slate, freestone, or limestone, and not exceeding 20 acres for the discovery of any mineral other than those above mentioned.

If more than five miles, an area not exceeding 200 acres for coal, shale, slate, free-stone, or limestone, and not exceeding 50 acres for any other mineral.

If more than ten miles, an area not exceeding 320 acres for coal, shale, slate, free-stone, or limestone, and not exceeding 80 acres for any other mineral.

As regards depth of sinking, and without regard to distance from a spot where the same mineral is, at the time of the discovery, known to exist,—

If one hundred feet deeper from the natural surface than any known deposit of the same mineral within a radius of five miles, for coal, shale, slate, or limestone, an area not exceeding 100 acres; and for every additional 50 feet, an area not exceeding 50 acres,—but so as not to comprise in the whole an area of more than 320 acres. For other minerals, an area not exceeding 30 acres, and for every additional 50 feet an area not exceeding ten acres,—but so as not to comprise in the whole an area of more than 80 acres.

When the discovery has been made by more persons than one acting conjointly, a lease may be granted to each one of such persons not exceeding three.

**55** The period for which leases may be granted under Section 24 of “The Mineral Lands Act, 1884,” shall be any term which may be required by the applicant, and approved by the Minister, not exceeding twenty-one years.

**56** Whenever any person shall be entitled to compensation under Section 50 of “The Mineral Lands Act, 1884,” such compensation shall be ascertained by arbitration if the parties disagree, in the manner prescribed by Regulation 29. Provided arbitration may be held in reference to any water-right or mining easement as the work progresses, as often as occasion shall require.

The Commissioner shall, upon application to him by any person interested, determine the necessity or otherwise for proceeding to arbitration, and the nature and extent of the matter to be submitted for the decision of the arbitrators.

## SCHEDULE.

No. 15.

Tasmania.

No.

FEE—10s.



Place \_\_\_\_\_

Date \_\_\_\_\_ 188

### PROSPECTOR'S LICENCE.

ISSUED to

under the provisions of “The Mineral Lands Act, 1884,” to be in force until \_\_\_\_\_

188

*Officer authorised to issue.*

No. 16.

### PROSPECTING CLAIM.

Name \_\_\_\_\_

Area \_\_\_\_\_

Date \_\_\_\_\_

*This notice is situated at* [here describe the position of the notice, such as at the north-east corner of the land, or the south-west corner, or the centre of the land, as the case may be.]

[In continuation of Paper No. 54.]

**GOVERNMENT NOTICE.**

No. 272.

*Lands and Works Office, Hobart,*

*6th October, 1884.*

THE following Regulations, made by His Excellency the Governor in Council under the authority of "The Mineral Lands Act, 1884," to take effect forthwith, are published in compliance with Section 66 of such Act.

NICHOLAS J. BROWN, *Minister of Lands and Works.*

**REGULATIONS** under "The Mineral Lands Act, 1884," 47 Victoria, No. 10.

By virtue of "The Mineral Lands Act, 1884," the Governor in Council has been pleased to make the Regulations following, which shall apply to the whole Colony :—

*Mining Easements.*

**57** Any person or persons intending to apply for a Mining Easement shall proceed as follows :—If in timbered country, cut upon a tree in a conspicuous position, at the place at which such mining easement is to be available, or as near thereto as may at the time be practicable without survey, a mark which shall be clearly visible; if in open country, erect a post not less than three feet in height and three inches in diameter at the place at which such mining easement is to be available or as near thereto as may at the time be practicable without survey. Place upon such tree or post, as the case may be, a notice in the form in the Schedule No. 17, which shall be clearly visible, with the words "Applied for mining easement," his name, or the names of any two if there shall be more than one, and the date legibly written or printed thereon; and such notice shall be properly maintained until the application is finally disposed of.

Marking :

In timbered country.

In clear country.

Notice to be put up.

Within fourteen days, or as soon thereafter as practicable, deposit the application with a Commissioner or Registrar of the District in which the proposed mining easement is to be available. The application shall be in the form in the Schedule No. 18, and shall set forth the nature and description of the mining easement applied for, and the position of the land to be affected by such mining easement, and the land or claim to which it relates and for the convenient and advantageous working of which it is intended; the approximate length and intended course of any drain, tailrace, sludge channel, tunnel, tramway, road, or other work, and the area of any land required for any shaft, building, machinery site, or other works.

Application Form.

**58** The several regulations now existing relating to the manner in which applications for leases shall be made, entertained, and dealt with, and the manner in which objections to such applications shall be made and investigated, shall apply to applications for mining easements, and objections thereto: Provided, the survey and plan of any qualified surveyor may be received and acted upon in lieu of a survey ordered as provided by Regulation 7.

Application regulations to apply.

Survey.

**59** The Licence may be in the form in the Schedule No. 19, or in such other form as the Minister shall direct in accordance with the particular circumstances of each case, and subject to the provisions of these Regulations.

Licence.

**60** The several provisions of "The Mineral Lands Act, 1884," and of the Regulations now existing, relating to the leasing and leases of land for mining purposes, so far as the same are applicable, shall apply to the granting of licences and to licences for mining easements: Provided, that any licence for a mining easement may be declared void and forfeited if the holder thereof shall fail or neglect to use the easement in a *bona fide* manner and continuously for a period of six months without the permission in writing of the Minister, or for or in respect of any of the causes of forfeiture mentioned therein, in the manner provided in Sections 34 and 35 of "The Mineral Lands Act, 1884."

Lease regulations to apply.

Forfeiture.

Forfeiture of Leases.

Form of notice of intended forfeiture.

61 The notice of the intention of the Minister to apply to have a lease declared void and forfeited under Section 34 of "The Mineral Lands Act, 1884," shall be in the form in the Schedule, No. 20, and such notice shall be given to a lessee in the manner provided by Section 68 of the said Act.

SCHEDULES.

No. 17.

APPLIED for Mining Easement for [here state drain, tailrace, or whatever is intended].

(Name, or names of two, if more than one applicant—

(Date)\_\_\_\_\_ 188

No. 18.

FORM OF APPLICATION FOR MINING EASEMENT.

(Place.)\_\_\_\_\_

(Date.)\_\_\_\_\_

To the Hon. the Minister of Lands and Works.

SIR, I HEREBY apply for Licence for a Mining Easement under "The Mineral Lands Act, 1884," the particulars of which are hereunder set forth.

I have the honor to be,  
Sir,

Your most obedient Servant,

(Signature of Applicant)\_\_\_\_\_

Particulars.

Name of Applicant in full.	Address of Applicant, and nearest Post Office.	Term of years not exceeding 21.	Date when marked off.	Claim to which Easement is intended to relate.	Nature and description of Easement, and position of the land to be affected thereby, approximate length, and intended course of drain, tail-race, sludge-channel, tunnel, tramway, road, &c., and area of land required for shaft, building, machinery site, or other work.

## No. 19.

Know all men by these presents that the Minister of Lands and Works for the time being (hereinafter called the Minister), with the consent of the Governor in Council, doth hereby grant to \_\_\_\_\_ of \_\_\_\_\_ for the term of \_\_\_\_\_ years from the day of \_\_\_\_\_, 1884, subject to the provisions of the Mineral Lands Act, 1884, 47 Victoria, No. 10, Section 48 (hereinafter referred to as the said Act) and to the regulations made thereunder, a licence in the said Act, and herein called a Mining Easement, which authorises the said \_\_\_\_\_, his executors, administrators, and assigns (except as against Her Majesty), for the more convenient and advantageous working of the land occupied by him or them, and described as follows [*here describe the claim held by the Licensee*] to [*here describe the nature of the easement, whether drain, tail-race, sludge-channel, tunnel, shaft, building, tramway, machinery site, road, or other work*], and from time to time to repair, alter, or improve the said [*drain, &c.*] Provided always that nothing herein contained shall be construed to affect or prejudice the existing rights of any person to the reasonable use of any mining easement, or to the reasonably convenient or efficient working of the ground belonging to or occupied by him. Provided also that this licence may be declared void and forfeited, in the manner provided in the 34th and 35th Sections of "The Mineral Lands Act," 1884, if the said \_\_\_\_\_, his executors, administrators, or assigns shall fail or neglect to use the said mining easement in a *bonâ fide* manner and continuously for a period of six months without the permission in writing of the Minister.

In witness whereof the Minister has hereunto set his hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 1884. (L.S.)

Signed, sealed, and delivered by the Minister  
of Lands and Works for the time being, in  
the presence of—

## No. 20.



To \_\_\_\_\_  
of \_\_\_\_\_

TAKE notice that it is my intention, after the expiration of thirty days from the date hereof, to apply to His Excellency the Governor in Council, under the provisions of Section 34 of the Mineral Lands Act, 1884, to declare the Lease No. \_\_\_\_\_ dated \_\_\_\_\_ 1884, of \_\_\_\_\_ acres, situate \_\_\_\_\_

held under the provisions of the said Act by you, to be void and forfeited for the reason that you have made default in the following condition of such Lease, that is to say,—

That the Rent, amounting to £ \_\_\_\_\_, was not paid in advance to the Treasurer on the \_\_\_\_\_ day of \_\_\_\_\_ 1884.

Dated at Hobart this \_\_\_\_\_ day of \_\_\_\_\_ 1884.

*Minister of Lands and Works.*