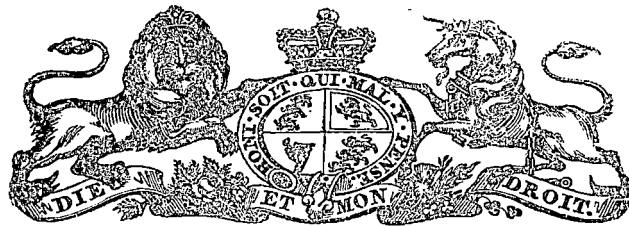


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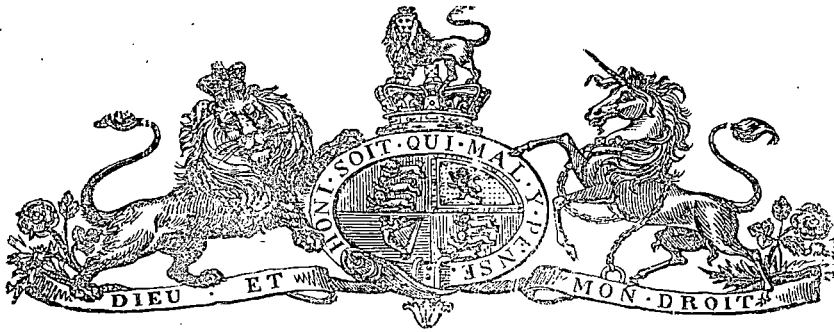


1882.

TASMANIA.
HOUSE OF ASSEMBLY.

REGULATIONS UNDER MINERAL
LANDS ACT:

Laid upon the Table by the Minister of Lands and Works, and ordered by the House to be printed, July 19, 1882.



"THE MINERAL LANDS ACT, 1877."

Lands and Works Office, Hobart, 26th June, 1882.

By virtue of the powers conferred by "The Mineral Lands Act, 1877," 41 Vict. No. 7, the Governor in Council has been pleased to make the following Regulations, which shall apply to the whole Colony of Tasmania and its Dependencies.

By His Excellency's Command,

C. O'REILLY, *Minister of Lands and Works.*

REGULATIONS.

Leases.

1 Any person or persons intending to apply for a lease 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, or, where impracticable to erect a post, a cairn of stones not less than two feet in height. Place upon such tree, post, or cairn, as the case may be, a notice in the form in the Schedule No. 1, which shall be clearly visible, with the words "Applied for lease," and the following particulars, that is to say—his name, or the names of any two of them if there shall be more than one, the area, the date, and the position of such notice on the land, legibly written or printed thereon: and such notice shall be properly maintained until the application shall be finally disposed of.

Deposit the application with a Commissioner or Registrar of the District in which the land is situated within fourteen days of the marking off, or as soon thereafter as practicable. The application shall be in the form in the Schedule No. 2, and shall clearly state the position of the posted notice on and in relation to the land applied for, so that the position of the land shall be thereby distinctly determined, as well as all the other particulars in such form required to be given.

2 The application of the person who first marks off the land, and subsequently complies with the regulations, shall take precedence; and if two or more persons shall simultaneously mark off the same land and subsequently apply for it, and shall not agree to hold the same as tenants in common, they shall draw lots for the same in the presence of a Commissioner of the District in which such land is situate, or of some person named by him in writing for such purpose.

3 There shall be deposited with every application for a lease one half-year's rent of the land applied for, which sum shall be returned to the applicant in the event of the lease being refused, but shall be forfeited, except as hereinafter provided, in the event of the applicant withdrawing his application, failing to proceed with the application, or failing to execute the lease.

Marking land.
In timbered country, a tree.
In clear country, a post or cairn.
The notice to be put up.

Application.
Form.

Precedence of applications.
Simultaneous applications how dealt with.

Deposit of rent with application.

- Application to be entered in book. Transmitted to Minister or other officer. Numbered and recorded. Open to inspection.**
- 4** The Commissioner or Registrar receiving any application as hereinbefore provided shall mark thereon the date of its receipt, enter it in a book to be kept for that purpose, and forthwith transmit it to the Minister, or officer appointed by the Minister for the purpose, who shall cause every application received by him to be numbered and entered in a book to be kept for that purpose, with all the particulars in such application contained, and such application and record shall be open to the inspection of any person upon payment of the fee set forth in the Schedule No. 13.
- Objections.**
- 5** Any person objecting to the issue of a lease under any application shall, at any time before the expiration of four weeks after the receipt of the Surveyor's plan and report, give to the Commissioner of the District, or to the Registrar of the District for the Commissioner, a notice in the form in the Schedule No. 3, or to the like effect, setting forth the grounds of his objection, and shall, as soon thereafter as practicable, give to the applicant, or any two of them if there shall be more than one, a similar notice.
- Notice to be given.**
- Hearing.**
- The Commissioner shall, at a time and place to be named by him, and in open Court, hear and determine such objection, and if such objection shall be established he shall reject the application, or make such order in reference thereto as the circumstances of the case shall require. Upon the hearing of any objection the evidence shall be confined to that which is relevant to such objection, and evidence in support of any other objection shall not be received. The Commissioner may at such hearing upon the application of the objector, allow the notice of objection to be amended and new grounds of objection to be stated therein, upon such terms as to postponement of the hearing, payment of costs or otherwise as to him shall seem just, so as to enable the real question in controversy between the parties to be heard and decided, but no such amendment shall be allowed to the prejudice of the applicant without postponing the hearing so as to give time to such applicant to produce evidence in answer to such amended objection.
- Shape of claims.**
- 6** All claims held under lease shall be square, or as near thereto as practicable, with the boundary lines thereof running to the cardinal points where practicable.
- Survey of claims.**
- 7** The Minister or officer appointed by him for that purpose, shall cause a Surveyor to be instructed to survey and make a plan of the land, and to report in writing on all matters on which he shall require him to report connected therewith: Provided, that if the survey shall not be made after the expiration of two months from the making of the application, the applicant, or any person objecting to the application as hereinbefore provided, may employ any authorised Surveyor to make the same. The plan and report of the Surveyor shall be open to the inspection of any person, and any person shall be furnished with copies thereof, upon payment of the fee set forth in Schedule No. 13.
- Plan and report may be inspected.**
- 8** Any applicant may at any time withdraw his application by giving notice to the Minister or officer who shall have charge of the application that he so withdraws, and thereupon the application shall be cancelled, and if such withdrawal shall be received within three months of the date when the application was received, the deposit of rent paid shall be returned to the applicant, provided he has not removed any metal or mineral from the land.
- Applicant may withdraw his application.**
- 9** Any applicant may at any time before the preparation of the lease, and upon payment of the fee set forth in Schedule No. 13, transfer his interest in his application to any other person or persons, or may at any time as aforesaid, and upon payment of the fee set forth in Schedule No. 13, insert in the application the name of any other person as a joint applicant, and such transfer or insertion shall thereupon be made upon the face of the application, and of the record of the same.
- Substitution of other names in application. Insertion of names of joint applicants.**
- 10** No application for a lease shall be submitted for the approval of the Governor in Council until four weeks shall have elapsed after the completion of the survey, or in the event of a survey being unnecessary, until four weeks shall have elapsed after the receipt of the application. The survey shall be deemed complete when the plan of the Surveyor shall be received by the proper officer.
- Application submitted to Governor in Council. When survey complete.**
- 11** Leases may be in the form in the Schedule No. 4, or in such other form as the Minister shall in any case direct under Section 14 of "The Mineral Lands Act, 1877"; and any lessee, shall for every breach or default of any condition of his lease (except defaults for which such lease may be declared void and forfeited), forfeit and pay a penalty not exceeding Twenty Pounds.
- Form of lease. Penalty for non-compliance with conditions.**
- 12** The form in the Schedule No. 5 shall be the form of deed of transfer or assignment of leases.
- Form and registration of transfer, &c. of lease.**
- The Minister shall upon receipt of the fee prescribed by Schedule No. 13, register such deed of transfer or assignment, and shall immediately upon registering such deed, endorse the same, and return it to the transferee or assignee.
- 13** When any lease is declared void and forfeited by the Governor in Council, any person may, within fourteen days from the publication of the notice thereof in the *Gazette*, apply to lease the land comprised in such lease, or any part of it, without being required to mark the same as hereinbefore prescribed: Provided if two or more applications are received for such land, or any part thereof, within the said period of fourteen days, the same shall be put up for lease by auction in such lots as the Minister shall determine, and the upset price thereof shall be the rent prescribed in Regulation No. 14.
- Applications to lease land previously leased and forfeited. Not required to mark. If two applicants, to be sold by auction.**

- 14** The amount of rent shall be—
- For all lands containing coal, shale, slate, or limestone, two shillings and sixpence per acre per annum. Upset price.
Rent.
- For lands containing any other minerals, five shillings per acre per annum.
- And all such rent shall be paid yearly in advance. The second half year's rent shall be paid by the applicant (the first having been deposited with the application as hereinbefore provided) before he shall be allowed to execute the lease as provided in Section 15 of "The Mineral Lands Act, 1877." Payable in advance.

Machinery Sites.

- 15** Sites for the erection of machinery shall be granted by lease in the form in the Schedule No. 6, or in such other form as the Minister shall in any case direct, for any period not exceeding Twenty-one years, and shall not exceed an area of Five acres, and shall be in the form of a square, or as near thereto as practicable, with the boundary lines running to the cardinal points where practicable. To be leased.
Term.—Area.
Shape.
- The rent which shall be paid for a machinery site shall be One pound per acre, or part of an acre, per annum. Rent.
- 16** The several Regulations hereinbefore contained relating to the manner in which ground shall be marked off, applications for leases 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 machinery sites and objections thereto. Applications shall be in the form in the Schedule, No. 7. Leasing regulations to apply.
- The several provisions of "The Mineral Lands Act, 1877," and of these Regulations, relating to the leasing and leases of land for mining purposes, shall apply to the leasing and leases of land for machinery sites, so far as the same are applicable: Provided, that any lease of a machinery site may be declared void and forfeited for or in respect of any of the causes of forfeiture mentioned therein, in the manner provided in Sections 23 and 24 of "The Mineral Lands Act, 1877;" and any lessee shall for every breach or default of any condition thereof, except defaults for which such lease may be declared void and forfeited, forfeit and pay a penalty not exceeding Twenty pounds. Provision for Leases to apply.
Leases may be forfeited.
Penalty for non-compliance with conditions.

Water Rights.

- 17** Water-rights shall be conferred by grant for any period not exceeding Twenty-one years; and such grant may authorise the holder thereof to take and divert water which the Crown might lawfully take and divert at the time of the deposit of the application, or to collect and store water which the Crown might lawfully collect and store at the time of the deposit of the application, and to use such water for mining purposes, or for the domestic purposes of those engaged in mining. To be conferred by grant.
Term.
Diverting waters.
Collecting and storing water.
- The grant may be in the form in the Schedule No. 8, 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. Form of grant.
- 18** Any person or persons intending to apply for a water-right shall proceed as follows:—If in timbered country, cut upon a tree in a conspicuous place at or as near as may be at the time practicable without survey to the spot from which the water is to be diverted, or at which it is to be collected and stored, as the case may be, 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 or as near as may be at the time practicable without survey to the spot from which the water is to be diverted, or at which it is to be collected and stored, as the case may be. Place upon such tree or post, as the case may be, a notice in the form in the Schedule No. 9, which shall be clearly visible, with the words "Applied for water right," 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 spot from which the water is to be diverted, or at which it is to be collected and stored, as the case may be, is situated. The application shall be in the form in the Schedule No. 10, and shall set forth the name, if any, and the description and position of the river, stream, or other source from which the water is to be obtained, and the spot (as near as it may be practicable at the time without survey to describe it) at which it is to be diverted, the number of sluice-heads required, the approximate length and intended course of the race, or the number, area, and situation of the dams or reservoirs in which the water is to be collected and stored. Application.
Form.
- 19** The several regulations hereinbefore contained 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 water-rights, 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. Leasing regulations to apply.
Survey.

Measurement of water.

20 Any person or persons diverting or using water for mining purposes shall use a gauge or measurement to be called a "sluice-head," which sluice-head shall hold or represent such a quantity of water as shall pass through an aperture sixteen inches wide and one inch deep with a pressure not exceeding six inches; and every person diverting and using such water as aforesaid shall cause a gauge to be placed at the head of the race or at the source from which the water used by him or them is taken; and in cases where water is obtained from several sources, the Commissioner may direct gauges to be placed by the holders of water-rights in each race or stream as near as possible to the head, and also below the point of confluence from all the sources from which the water conveyed in the main race is obtained.

Rent.

21 The rent which shall be paid for each sluice-head of water allowed under any water-right shall be One Pound per annum, and the same shall be paid yearly in advance.

Protection of race.

22 Any person holding a water-right and occupying a dam or a race thereunder shall be entitled to such width on each side of such dam or race as the Commissioner shall deem requisite for the purpose of protection and for depositing matter that may be thrown out of such dam or race in constructing or repairing the same. And any person constructing a race for the conveyance of water may utilise any natural channel through which a stream may flow, and shall be entitled to take from such stream at any point below the junction of his race the same quantity of water which may be conveyed into it by his race.

Heads of races not to be shifted without authority of Commissioner.

23 No person shall shift the head or heads of his race, or do any other act or thing so as to interfere with the rights of any other person or persons, or to diminish the supply of water to which such last-mentioned person or persons shall be entitled: Provided the Commissioner may authorise the head of a race to be shifted where it is proved to his satisfaction that the water to which the holder of the water-right is entitled may be more advantageously diverted without injury to or interference with the rights of any other person.

Order of priority of rights.

24 Holders of water-rights who shall take or divert water from a common source shall take precedence in respect thereof in the order in which they shall have applied for the same; and if at any time the water becomes insufficient to supply all the persons holding rights, each person shall forego his right during such deficiency of water in favour of the person who shall take precedence of him as aforesaid; but in the event of there being at any time any surplus water, any such person or persons may construct a dam or dams for the purpose of conserving such surplus water, and such last-mentioned person or persons shall be entitled to use the water so conserved.

Water shall not run to waste.

25 No person holding a water-right under these regulations shall allow any water to run to waste, but such water shall be appropriated to the use of the next holder or holders of any right in respect of such water according to the date of their respective original applications.

Holder may sell water.

26 Any person, being the holder of a water-right authorising him to take and divert water, or to construct drains, dams, or reservoirs to collect and store water, shall not be restricted to the use of such water in or upon or in connection with any claim held by him, but may sell and dispose of such water for mining purposes or for the domestic purposes of those engaged in mining.

Quantity of water allowed to lessees.

27 The quantity of water to which any lessee under "The Mineral Leases Act, 1870," "The Mineral Lands Act, 1877," or any Acts amending the same, shall be entitled for mining the claim held by him, where such water flows in a natural channel through or along the boundary of such claim, or is naturally deposited within the area of such claim, shall not exceed the quantity actually and *bonâ fide* required in connection with the mining operations which are being from time to time conducted on such claim. And it shall be lawful for any other person, under the authority of a water-right, to take and divert, or to collect and store any water which shall be in excess of the above-named quantity, and to which no other person is entitled.

Provisions of leasing and leases for mining purposes to apply.

Grant may be forfeited.

Penalty for non-compliance with conditions.

28 The several provisions of "The Mineral Lands Act, 1877," and of these Regulations, relating to the leasing and leases of land for mining purposes, so far as the same are applicable, shall apply to the granting and grants of water-rights: Provided, that any grant of a water-right may be declared void and forfeited for or in respect of any of the causes of forfeiture mentioned therein, in the manner provided in Sections 23 and 24 of "The Mineral Lands Act, 1877;" and any person, being the holder of a water-right, shall for every breach or default of any condition thereof (except defaults for which the grant of such water-right may be declared void and forfeited), forfeit and pay a penalty not exceeding Twenty Pounds.

Miscellaneous Regulations.

Compensation for land resumed for town, &c.

29 Whenever it shall be determined to resume any portion of any lands comprised in any lease for the purposes named in Section 31 of "The Mineral Lands Act, 1877," the amount of compensation to be paid to the lessee under the said section shall, if the

parties disagree, be referred to two arbitrators, one to be appointed by the Minister and one by the lessee, or by an umpire to be chosen by the arbitrators before entering on the consideration of the matters referred to them; and if either of the parties in difference shall neglect to appoint an arbitrator for the space of fourteen days after a notice in writing so to do shall have been given to him by the other party, or shall appoint an arbitrator who shall refuse to act, then the arbitrator appointed by the other party shall make a final decision alone; and every such arbitration shall be subject to the provisions as to arbitration contained in *The Common Law Procedure Act, No. 2*, except where the same are hereby expressly varied.

30 Any person may, with the permission of the Minister, make or cause to be made through, over, along, or across any Waste Lands of the Crown, any tail-race, drain, road, tramway, or other work necessary to enable him to mine any claim held by him, or for mining purposes: Provided, if it shall afterwards be made to appear to the Commissioner that the making of any such tail-race, drain, road, tramway, or other work would injuriously affect the Crown or any person, he may prohibit the making of the same.

Tail-race, &c. may be made on Crown Lands.

Commissioner may prohibit.

31 It shall be lawful for the Commissioner to authorise in writing any person to use a tail-race, drain, road, tramway, or other work the property of any other person and held under these Regulations, on condition of first paying to the owner thereof a proportionate share of the cost of construction, or a periodical payment in advance, as a rent for the use thereof; and such proportionate share of expense or rent shall, if necessary, be decided by arbitration in the manner prescribed in Regulation 29.

Commissioner may authorise use of tail-race, &c. Compensation.

32 Whenever any person shall be entitled to compensation under Section 35 of "The Mineral Lands Act, 1877," such compensation shall be ascertained by arbitration, if the parties disagree, in the manner prescribed in Regulation 29.

Arbitration under Section 35 of Act.

33 When any lease shall be determined or declared void, the value of any surface improvements effected by the lessee or any machinery erected by him and then being upon the land shall be ascertained, if the Minister and the holder of such lease disagree, by arbitration in the mode prescribed in Regulation 29, and when a lease of the said land is put up by auction, as prescribed in Regulation 13, shall be added to the upset price. and if realised be paid to the said lessee: Provided that if such value shall not be then realised, it shall be paid by any person who shall subsequently apply for and lease the land.

Value of improvements on forfeited lease.

Arbitration.

34 No person conducting mining operations or being the holder of a claim shall cause or permit water, sludge, tailings, or any other substance to flow or accumulate so as to cause any public injury or annoyance, or to cause any injury to any road, claim, drive, water-race, dam, machinery, or mining works; and every person shall for any breach or default hereof forfeit and pay a penalty not exceeding Ten Pounds.

Injury by permitting sludge, &c. to accumulate.

Penalty.

35 No person shall displace, deface, injure, or destroy, or in any way interfere with any mark, notice, post, peg, cairn, trench, or any other thing used in carrying out or complying with or in obedience to any of these Regulations; and every person shall for any breach hereof forfeit and pay a penalty not exceeding Twenty Pounds.

Marks, notices, &c. not to be removed or injured.

Penalty.

36 No person shall permit any mark, notice, post, peg, cairn, trench, or other thing indicating occupation by him of a claim, or that land is held by him under application for lease or grant, to remain on any Waste Lands of the Crown when in fact he does not lawfully occupy such land or has not taken the further steps prescribed by law to secure such land; and any person shall for every breach or default hereof forfeit and pay a penalty not exceeding Five Pounds.

Marks, notices, &c. not to remain on abandoned land.

Penalty.

37 Every person being the holder of a lease of a claim for mining purposes, a lease of a machinery site, or a grant of a water-right under "The Mineral Leases Act, 1870," "The Mineral Lands Act, 1877," or "The Mineral Lands Amendment Act, 1881," shall comply with the several terms and conditions thereof; and every such person shall for any breach or default thereof (except in any case of breach or default for which such lease or grant may be declared void and forfeited), forfeit and pay a penalty not exceeding Twenty Pounds.

Leaseholders to comply with conditions.

Penalty for default.

38 Whenever any proclamation made under Section 2 of "The Mineral Lands Amendment Act, 1880," shall be revoked in whole or in part upon the application of any person or persons who shall have proved to the satisfaction of the Minister that the land affected by such revocation is not auriferous, such person or persons shall each have a preferential right to take up a claim: Provided, that the Minister shall publish in the *Gazette* at the time or immediately after the notification of such revocation the name or names of such persons and the area and situation of the claim each is entitled to: Provided also, it shall be lawful for the Minister, if he shall think fit, to order by notice in the *Gazette* that the whole of such land or any part thereof shall be dealt with in the manner prescribed by Regulation 13 for dealing with land previously held under lease.

Preferential right of persons moving revocation of proclamation withdrawing land from operation of Act.

- Form of permission to remove minerals.** 39 The form in the Schedule No. 11 shall be the form of permission granted by a Commissioner under Section 3 of "The Mineral Lands Amendment Act, 1880," to remove any metal or mineral from land under application for lease; and the form in the Schedule No: 12 shall be the form of a Prospector's Protection Order issued by a Commissioner under Section 12 of "The Mineral Lands Amendment Act, 1881."
- Scale of fees.** 40 The several fees set forth in Schedule No. 13 shall be the fees to be paid upon all matters required to be done under "The Mineral Lands Act, 1877," "The Mineral Lands Amendment Act, 1880," "The Mineral Lands Amendment Act, 1881," and these Regulations, and the same shall be paid in advance to the Minister or such officer as he shall direct; and all survey fees shall be paid at the time of making application for the claims to which they relate.
- Calculation of days.** 41 The calculation of days in any period of time prescribed in these Regulations shall be exclusive of Sunday and any general or public holiday.
- Interpretation.** 42 Any words or terms used in these Regulations shall have the like interpretation as is provided for the same words or terms in "The Mineral Lands Act, 1877."
- Delivery of notice.** 43 When by these Regulations any notice is required to be given to any person the same may be given either by delivering the same personally, or by leaving the same at the registered address, or at the usual or at the last known place of abode or business in Tasmania of such person, or by posting the same to such address or place of abode or business.
- Commencement.** 44 These Regulations shall commence and take effect on the first day of August, 1882, and all Regulations heretofore made under "The Mineral Lands Act, 1877," shall thereupon be rescinded.

SCHEDULES.

No. 1.

APPLIED FOR LEASE.

Name—(John Doe).

Area—(80) acres.

Date _____

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

No. 2.

FORM OF APPLICATION FOR LEASE.

(Place) _____

No. _____

(Date) _____

To the Honorable the Minister of Lands and Works.

SIR,

I HEREBY apply for a Lease under "The Mineral Lands Act, 1877," the particulars of which are hereunder set forth.

I have the honor to be,

Sir,

Your most obedient Servant,

(Signature of Applicant) _____

Name of Applicant in full.	Address of Applicant, and nearest Post Office.	Date when marked off.	Area.	Description of Mineral intended to be worked.	Situation of the Land applied for, and position of the posted Notice on the Land.	General Remarks.

No. 3.
FORM OF OBJECTION.

TAKE notice that I object to the issue of the Lease applied for by _____
of land situate at _____
And the grounds of my objections are _____
Dated at _____ this _____ day of _____ 188_____
(Signature of Objector) _____
(Address of Objector) _____

To the Commissioner of Mines
and Mr. _____

No. 4.
FORM OF LEASE.

THIS Indenture made the _____ day of _____ in the year of our Lord 18____ between
Minister of Lands and Works (hereinafter called the Minister, which term shall also include the Minister
of Lands and Works for the time being) of the one part, and _____ of _____ his
heirs, executors, administrators, and assigns, (hereinafter called the Lessee), of the other part—Witnesseth
that, in consideration of the rent herein reserved, the Minister doth (subject to the reservations hereinafter
contained) demise and lease unto the said lessee executors, administrators, and assigns, all, &c.,
with full and free liberty for the said lessee executors, administrators, and assigns, and agents and
workmen, in and upon the said land hereby demised to dig, sink, drive, make, and use all such pits, shafts,
levels, watercourses, and other works which it may be necessary to use in finding, sinking for, winning,
working, and obtaining the minerals and ores, not being gold, therein contained, and also to appropriate
and use such part of the said lands either underground or on the surface, or any water flowing in a
natural channel through or along the boundary of the said land hereby demised, or naturally deposited
within the area of the said land hereby demised as may be proper and requisite, as well for
depositing and laying down such ores and minerals, and placing and heaping the waste refuse and
rubbish which may be worked along with them from time to time, as for washing and obtaining such
ores and minerals, and for effectually separating them from all the soil and other substances mixed with
them, and for smelting or reducing such ores into metal, and also for supplying the said mines and works
with water or with good and fresh air, as for freeing the same from water or foul air, and for the purposes
aforesaid to erect, make, and employ all such fire, steam, water, or other engines, buildings, smelting
works, furnaces, workmen's houses, shops, crushing mills, sheds, or hovels, machinery, and works as may
be proper and reasonable, together also with liberty for him and them to erect upon the said land hereby
demised smelting works and furnaces, hovels, and other offices belonging to or necessary for the said
works, and all other necessary or convenient powers, authorities, privileges, and advantages for all or any
of the purposes aforesaid, subject to the provisions of "The Mineral Lands Act, 1877," and the Acts
amending the same, made there under the authority of the same Act, except and always reserved out of
this demise unto the Minister and his agents, servants, and workmen (on behalf of Her present Majesty
Queen Victoria, Her heirs and successors) full power and authority at all times during this demise to
enter on the land hereby demised and to make or cause to be made through, over, along, or across any
part or parts thereof all such water-races, tail-races, drains, dams, sluice-heads, reservoirs, roads, tram-
ways, or other works as the Minister shall think fit, and also to keep the same in proper repair and condition,
and also to deposit on any part of the land hereby demised all soil, stones, and substances which may be dug
up or removed in executing any such works as aforesaid. To have and to hold the said lands demised with
all mines and minerals (except and subject as aforesaid) and all and singular other the premises with their
appurtenances unto the said lessee executors, administrators, and assigns, from the
day of _____ One thousand eight hundred and _____ for and during the full term of _____
years from thence next ensuing, and fully to be complete and ended. Yielding and paying therefor yearly
unto Her Majesty, Her heirs and successors, in advance, on the _____ day of _____ and thence-
forth in advance at the commencement of every current year during the said term, the yearly rent or sum
of _____ Pounds of lawful British money, the first payment of such rent in advance to be made on
the _____ day of _____ And the lessee doth hereby for himself, his heirs, executors, and
administrators, covenant with the Minister that the lessee, his executors, administrators, or assigns, shall
yearly during the said term, at the commencement of every current year of the said term, pay or cause to
be paid in advance to the Colonial Treasurer of *Tasmania* for the time being on behalf of Her Majesty,
Her Heirs, or Successors, the reserved rent free and clear of all taxes, rates, and outgoings whatsoever:
And will not during the continuance of the said term apply the land for any other use or purpose than for
the purpose of mining and smelting without the permission in writing of the Minister; and will, during the
continuance of the said term, work and carry on such mines in a fair, orderly, skilful, and workmanlike
manner: And also, that it shall be lawful for Her Majesty, Her Heirs, and Successors, and to and for the
Governor for the time being of the said Colony, his and their agents and workmen, at all proper and
reasonable times during the said term, without any interruption from the lessee, or his agents, servants,
or workmen, to enter into and upon the premises, and into and upon any mines or works that may be
found therein, to view and examine the condition thereof, and whether the same be worked in a proper,
skilful, and workmanlike manner, and for such purpose to make use of any of the railroads or other roads
or ways, machinery, and works belonging to such mines and premises: And also, that the lessee, his
executors, administrators, or assigns shall and will make such provision for the disposal of the detritus,
dirt, waste workings, or refuse, that the same shall not be an inconvenience, nuisance, or obstruction to any
roads, ways, rivers, creeks, or private or Crown lands, or in any manner occasion any private or public damage
or inconvenience: And also shall and will make such provision for decency and the observance of sanitary
regulations as the Commissioner for the District shall approve of and direct: And also shall and will erect
and keep erected during the said term a post not less than four feet six inches above the ground and eight
inches in diameter at each and every angle of the land hereby demised, and at each such post trenches not
less than three feet in length and nine inches in depth indicating the direction of the boundary lines: And
also shall and will build and keep in proper repair a sufficient and substantial stone wall or other fence round
all the pits and shafts which may at any time during the said term be open in any part of the demised premises
or elsewhere for the purpose of this demise, so as effectually to prevent all access thereto by all kinds of

cattle: And also will at all times during the continuance of the said term keep and preserve the said mines and premises from all unnecessary injury and damage, and also all the levels, drifts, shafts, pits, sumps, watercourses, houses, erections, sheds, washing-places, puddles, and other conveniences, roads and ways in good order, repair, and condition, and in such state and condition, at the end or other sooner determination of the said term, deliver peaceable possession thereof: And also will lay out and expend in every year during the said term a sum equal to at least Three Pounds for each and every acre of the land comprised in this demise in mining on the said land, or, at the option of the said lessee, his executors, administrators, and assigns, shall, during at least Nine months in each year of the term, employ and keep employed not less than One man for every Twenty acres of the land demised in working upon the said land and in searching for or raising minerals or metals, and will, whenever thereunto required by the Minister, furnish him with satisfactory evidence that such sum of money has been laid out, or such mining operations carried on for the objects and purposes aforesaid: And also, that it shall be lawful for the holder of a lease of the run, or of any portion thereof, on which the land demised may have been surveyed, to have free access at all times to any surface water or any water which such person may have procured by artificial means upon the land demised, with or without cattle, horses, sheep, and other live stock, and to use and enjoy such water for the purpose of consumption by such cattle, horses, sheep, and live stock, and generally for his own benefit, use, and advantage as he shall think proper: And also, that the lessee, his executors, administrators, and assigns, will observe and conform to and hold the demised premises according to the Laws and Regulations from time to time in force regulating the leasing and occupation of Waste Lands in *Tasmania* for mineral purposes, and will occupy, mine, and work the land hereby demised, and the minerals and metals therein and thereunder, subject to the conditions, stipulations, and clauses of forfeiture hereinafter set forth: Provided also, that the lease may be declared void and forfeited by the Governor in Council, in manner provided by Law, if default shall be made by the lessee, his executors, administrators, or assigns, in all or any of the following conditions; that is to say,—if the rent be not paid yearly in advance to the Colonial Treasurer as aforesaid, and if a sum equal to at least Three Pounds per acre be not expended in mining in every year on the land demised, or if One man for every Twenty acres of the land demised be not employed for at least Nine months in each year of the term of the demise in working on the land demised and in searching for or raising minerals or metals; or if the lessee shall permit any portion of the land demised to be occupied other than for mining purposes without the permission in writing of the Minister, except for allowing any and every miner employed by the lessee to occupy at a peppercorn rent a portion of such land for the purpose of residence, garden, yard, and other conveniences, not exceeding in any case one acre, and also for depasturing cattle used in connection with the working or mining of such land; or if the lessee is convicted under the twenty-ninth section of the Act of the Parliament of *Tasmania* of the 27th *Victoria*, No. 8, of having feloniously stolen or severed with intent to steal any mineral from or under any land not leased to or owned by him: Provided also, that it shall be lawful for the Governor from time to time to resume any land demised for the purpose of laying out a town, or for constructing roads or tramways for public utility and convenience. In witness whereof the said parties to these Presents have hereunto set their hands and seals, the day and year first above written.

Signed, sealed, and delivered by the Minister,
in the presence of—

Signed, sealed, and delivered by the above-named
, in the presence of—

No. 5.

TRANSFER OF LEASE.

I, _____ of _____, being the holder of a lease under ["The Mineral Leases Act, 1870," or "The Mineral Lands Act, 1877,"] of a claim containing [] acres, and situate at [description in lease] do by these presents transfer and assign all my right, title, and interest in the said lease to [insert name, address, and occupation of the proposed transferee].

In witness whereof I have hereunto set my hand and seal this _____ day of _____ 18
(Seal.)

Signed, sealed, and delivered by the said
in my presence.

I, _____ the above-named transferee, do accept the above transfer.

In witness whereof I have hereunto set my hand and seal this _____ day of _____ 18
(Seal.)

Signed, sealed, and delivered by the said—
in my presence.

This transfer was registered in this office this _____ day of _____ 188 .

Minister of Lands and Works.

Lands Office, Hobart.

N.B.—The above form may be altered to meet the case of a Company, or of more persons than one being transferrors or transferees.

No. 6.

LEASE OF A SITE FOR MACHINERY.

This Indenture made the _____ day of _____ in the year of our Lord 18 _____ between
Minister of Lands and Works (hereinafter called the Minister, which term shall also include the Minister of Lands and Works for the time being) of the one part, and

of his heirs, executors, administrators, and assigns, hereinafter called the Lessee), of the other part—Witnesseth that, in consideration of the rent herein reserved, the Minister doth (subject to the reservations hereinafter contained) demise and lease unto the said lessee executors, administrators, and assigns, all, &c., together also with full and free liberty for the said lessee executors, administrators, and assigns, and agents and workmen, in and upon the said land hereby demised to make, and use all such levels, watercourses, and other works which it may be necessary to use, and to use any water flowing in a natural channel through or along the boundary of the said land hereby demised or naturally deposited, with the area of the said land hereby demised, in washing, sifting, smelting, refining, crushing, or otherwise dealing with soil, earth, rock, or stone, for the purpose of obtaining mineral therefrom, and also for supplying the said works with water as for freeing the same from water, and for the purposes aforesaid to erect, make, and employ all such fire, steam, water, or other engines, buildings, smelting works, furnaces, workmen's houses, shops, crushing mills, sheds, or hovels, machinery, and works as may be proper and reasonable, together also with liberty for him and them to erect upon the said land hereby demised smelting works and furnaces, hovels, and other offices belonging to or necessary for the said works, and all other necessary or convenient powers, authorities, privileges, and advantages for all or any of the purposes aforesaid, subject to the provisions of "The Mineral Lands Act, 1877," and the regulations made under the authority of the same Act, except and always reserved out of this demise unto the Minister and his agents, servants, and workmen (on behalf of Her present Majesty Queen Victoria, Her Heirs and Successors) full power and authority at all times during this demise to enter on the land hereby demised and to make or cause to be made through, over, along, or across any part or parts thereof all such water-races, tail-races, drains, dams, sluice-heads, reservoirs, roads, and tramways as the Minister shall think fit, and also to keep the same in proper repair and condition, and also to deposit on any part of the land hereby demised all soil, stones, and substances which may be dug up or removed in executing any such works as aforesaid. To have and to hold the said lands demised and all and singular other the premises with their appurtenances unto the said lessee executors, administrators, and assigns, from the day of One thousand eight hundred and for and during the full term of years from thence next ensuing, and fully to be complete and ended. Yielding and paying therefor yearly unto Her Majesty, Her Heirs and Successors, in advance on the day of and thenceforth in advance at the commencement of every current year during the said term, the yearly rent or sum Pounds of lawful British money, the first payment of such rent in advance to be made on the day of And the Lessee doth hereby for himself, his heirs, executors, and administrators, covenant with the Minister that the lessee, his executors, administrators, or assigns, shall yearly during the said term, at the commencement of every current year of the said term, pay or cause to be paid in advance to the Colonial Treasurer of *Tasmania* for the time being on behalf of Her Majesty, Her Heirs, and Successors, the reserved rent free and clear of all taxes, rates, and outgoings whatsoever: And will not during the continuance of the said term apply the land for any other use or purpose than for the purposes herein specified without the permission in writing of the Minister: And also, that it shall be lawful for Her Majesty, Her Heirs and Successors, and to and for the Governor for the time being of the said Colony, his and their agents and workmen, at all proper and reasonable times during the said term, without any interruption from the lessee or his agents, servants, or workmen, to enter into and upon the premises, and into and upon any works that may be found therein, to view and examine the condition thereof, and whether the same be worked in a proper, skilful, and workmanlike manner, and for such purpose to make use of any of the railroads or other roads or ways, machinery, and works belonging to such premises: And also shall and will make such provision for the disposal of the detritus, dirt, waste, workings, or refuse that the same shall not be an inconvenience, nuisance, or obstruction to any roads, ways, rivers, creeks, or private or crown lands, or in any manner occasion any private or public damage or inconvenience: And also shall and will make such provision for decency and the observance of sanitary regulations as the Commissioner shall approve of or direct: And also shall and will erect and keep erected during the said term a post not less than four feet six inches above the ground, and eight inches in diameter at each and every angle of the land hereby demised, and at each such post trenches not less than three feet in length and nine inches in depth indicating the direction of the boundary lines: And also will at all times during the continuance of the said term keep and preserve the said premises from all unnecessary injury and damage, and also all the watercourses, houses, erections, sheds, washing-places, puddles, and other conveniences, roads, and ways in good order, repair, and condition, and in such state and condition, at the end or other sooner determination of the said term, deliver peaceable possession thereof: And also, that the lessee, his executors, administrators, and assigns, will observe and conform to and hold the demised premises according to the Laws and Regulations from time to time in force regulating the leasing and occupation of Waste Lands in Tasmania for mineral purposes, and will occupy the land hereby demised subject to the conditions, stipulations, and clauses of forfeiture hereinafter set forth: Provided also, that the lease may be declared void and forfeited by the Governor in Council, in manner provided by Law, if default shall be made by the lessee, his executors, administrators, or assigns, in all or any of the following conditions; that is to say,—if the rent be not paid yearly in advance to the Colonial Treasurer as aforesaid; or if the lessee shall permit any portion of the land demised to be occupied other than for the purposes herein specified without the permission in writing of the Minister; or if the lessee shall not for a period of Six months, without the permission in writing of the Commissioner, actually occupy and use the said land, with the machinery thereon, for the purpose of washing, sifting, smelting, refining, crushing, or otherwise dealing with soil, earth, rock, or stone for the purpose of obtaining mineral therefrom: Provided also, that it shall be lawful for the Governor from time to time to resume any land demised for the purpose of laying out a town, for constructing roads or tramways for public utility and convenience. In witness whereof the said parties to these Presents have hereunto set their hands and seals the day and year first above written.

Signed, sealed, and delivered by the Minister,
in the presence of—

Signed, sealed, and delivered by the above-named
in the presence of—

FORM OF APPLICATION FOR LEASE OF MACHINERY SITE.

No. _____

 (Place) _____
 (Date) _____

To the Hon. the Minister of Lands and Works.

SIR, I HEREBY apply for a Lease of a Machinery Site under "The Mineral Lands Act, 1877," the particulars of which are hereunder set forth.

I have the honor to be,
 Sir,
 Your most obedient Servant,

(Signature of Applicant) _____

Name of Applicant in full.	Address of Applicant, and nearest Post Office.	Term of Years not exceeding 21.	Date when marked off.	Area.	Situation of the land applied for, and position of the posted notice on the land.	General Remarks.

No. 8.

GRANT OF A WATER-RIGHT.

THIS Indenture made the _____ day of _____ 188__ between the Minister, which term shall also include the Minister of Lands and Works (hereinafter called of the one part, and _____ his heirs, executors, administrators, and assigns (hereinafter called the grantee) of the other part— Witnesseth that in consideration of rent hereinafter reserved, and pursuant to the power conferred on him by "The Mineral Lands Act, 1877," 41 Vict. No. 7, and by the Regulations made thereunder, the Minister, with the consent of the Governor in Council, doth, subject to the reservations hereinafter contained, grant to the said _____, his heirs, executors, administrators, and assigns all [that water-race, or dam, or water-race and dam] described in the Schedule hereunto annexed marked A. and shown in the plan drawn thereon and therein coloured blue, together with full power and authority to the grantee during the continuance of the term hereby created [to cut, make, and use a race for the conveyance of water for mining and domestic purposes whilst engaged in mining, extending from a point marked A. in the said plan and situate and being

to the point marked B. in the said plan and situate and being

and also with full power and authority to the grantee, his heirs, executors, administrators, and assigns during the continuance of this grant to make and construct the dam or dams] specified in the Schedule hereunto annexed marked A. and shown in the plan drawn thereon and therein coloured blue, and together also with full power and authority to the grantee, his heirs, executors, administrators, and assigns during the continuance of this grant [to take and divert from, or collect and store at, or both, as the case may be] sluice-heads of water which at the date of the deposit of the application for this grant, to wit, on the _____ day of _____ 188__ the crown could lawfully [take and divert, or collect and store, as the case may be] and to convey the same in and along the [said race, or a race described in the said Schedule A. and shown in the said plan, or as the circumstances require] and to use such water for mining and domestic purposes whilst engaged in mining. To have and to hold the said [water-race and dam or dams] hereby granted, and all and singular other the premises with their appurtenances unto the said grantee, his heirs, executors, administrators, and assigns, from the _____ day of _____ 188__ for and during the full term of _____ years from thence next ensuing fully to be complete and ended. Yielding and paying therefor unto Her Majesty, Her Heirs, and Successors, in advance on the _____ day of _____ 188__ and thenceforth in advance at the commencement of every current year during the said term, the yearly rent or sum of £ _____, the first payment of such rent in advance having been made on the _____ day of _____ 188__. And the grantee doth hereby for himself, his heirs, executors, and administrators, covenant with the Minister that the grantee, his heirs, executors, administrators, or assigns shall yearly during the said term at the commencement of every current year of the said term pay or cause to be paid in advance to the Colonial Treasurer of Tasmania for the time being, on behalf of Her Majesty, Her Heirs and Successors, the reserved rent free and clear of all taxes, rates, and outgoings whatsoever. And will not during the continuance of the said

term apply the said [water, water-race, or dam] to any other use or purpose than is hereinbefore mentioned without the permission in writing of the Minister, and will during the continuance of the said term keep such [race and dams] as aforesaid in proper and serviceable order. And also that it shall be lawful for Her Majesty, Her Heirs and Successors, and to and for the Governor for the time being of the said Colony, and his and their agents and workmen, at all proper and reasonable times during the said term, without any interruption from the grantee or his agents, servants, or workmen, to enter into and upon the demised premises to view and examine the condition thereof: And also that the grantee, his heirs, executors, administrators, and assigns, will observe and conform to and hold the premises according to the Laws and Regulations now and from time to time to be in force regulating the granting and holding of water-rights in *Tasmania* for mining purposes, and will use the water [water-race and dam] hereby granted subject to the conditions, stipulations, and clauses of forfeiture hereinafter set forth: Provided always, that this grant may be declared void and forfeited in the manner provided in the 23rd and 24th Sections of "The Mineral Lands Act, 1877," if default shall be made by the grantee, his heirs, executors, administrators, or assigns, in all or any of the following conditions; that is to say—if the rent be not paid yearly in advance to the Colonial Treasurer as aforesaid, or if the grantee shall fail or neglect to use the water-right hereby granted 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 said parties to these presents have hereunto set their hands and seals the day and year first above written.

Signed, sealed, and delivered by the Minister,
in the presence of—

Signed, sealed, and delivered by the above-named
in the presence of—

SCHEDULE A.

[Here insert description of water-race or dams, and plan of the same.]

No. 9.

APPLIED FOR WATER-RIGHT.

(Name, or names of two if more than one Applicant) _____

(Date) _____ 18__

No. 10.

FORM OF APPLICATION FOR WATER-RIGHT.

(Place.) _____

(Date.) _____

To the Hon. the Minister of Lands and Works.

SIR,
I HEREBY apply for a Water Right under "The Mineral Lands Act, 1877," 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.	Number of Sluice-heads.	Point from which the water is to be diverted, naming river or other source. Length and direction of race, or number and situation of Dams or Reservoirs in which the water is to be collected and stored.



PERMISSION TO REMOVE MINERALS OR METALS.

WHEREAS _____

has applied under "The Mineral Lands Act, 1877," for a Lease of _____

Acres of Waste Lands of the Crown, situate _____

and has paid for Six Months in advance the Rent for such Lease : I do hereby grant to the said

permission to remove (*description of mineral or metal*) _____

from the said land until the _____ day of _____ 188 .

Dated this _____ day of _____ 188 .

Commissioner of Mines.



PROSPECTOR'S PROTECTION ORDER.

ISSUED under the authority of Section 12 of "The Mineral Lands Amendment Act, 1881," to

authorising him, his agents or servants, to prospect for _____

upon _____ acres of Waste Lands of the

Crown situate _____

This Protection Order will hold good, provided the ground is being actually prospected, for

the period of _____ months from the date hereof.

Dated at _____ this _____ day of _____ 188 .

Commissioner of Mines.

No. 13.

TABLE OF FEES.

	£	s.	d.
Amalgamation of lots under application for lease. (Each lot).....	1	0	0
Transfer or assignment of lease	1	0	0
Consolidation of leases. (Each lease)	1	0	0
Application for lease	1	0	0
Objection fee	0	10	0
Transfer of interest in application	0	10	0
Insertion of another as joint applicant	0	10	0
Application for machinery site.....	1	0	0
Application for water-right	1	0	0
Inspection of records. (Each)	0	1	0
Inspection of Surveyor's plan and report	0	1	0
Copy of Surveyor's plan (for each claim)	0	5	0
Tracing from Surveyor's plan (for each claim).....	0	1	0
Copy of Surveyor's report	0	2	6
Copy of records, for every 74 written words.....	0	1	0

Survey Scale,—	Particulars.	Ordinary Land.		Densely wooded or Scrub Lands.	
		£	s. d.	£	s. d.
	Under 2 acres.....	1	5 0	1	12 0
	2 and under 10 acres.....	2	0 0	2	10 0
	10 and not exceeding 20 acres	2	17 0	3	12 0
	Above 20 and not exceeding 50 acres.....	4	0 0	5	0 0
	Above 50 and not exceeding 100 acres....	7	0 0	8	15 0
	Above 100 and not exceeding 150 acres...	8	0 0	10	0 0
	Above 150 and not exceeding 200 acres ...	9	0 0	11	5 0
	Above 200 and not exceeding 250 acres...	10	0 0	12	10 0
	Above 250 and not exceeding 320 acres ...	11	0 0	13	15 0
	Plan and report where actual survey un- necessary	2	2 0	—	—
	Water-races, where necessary, per chain...	0	1 0	0	1 3