

(No. 67.)



1883.

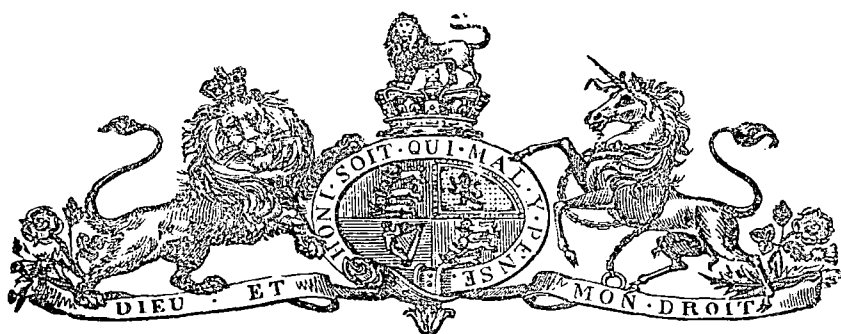
T A S M A N I A.

LEGISLATIVE COUNCIL.

“THE GOLD FIELDS REGULATION
ACT, 1880 :”

REGULATIONS UNDER.

Laid upon the Table by Mr. Moore, and ordered by the Council to be printed,
July 24, 1883.



GOVERNMENT NOTICE.

No. 191.

Lands and Works Office, Hobart, 25th June, 1883.

THE following Regulations made by His Excellency the Governor in Council under the authority of "The Gold Fields Regulation Act, 1880," and which will take effect on **Tuesday, 3rd July, 1883**, are published in compliance with Section 63 of such Act.

By His Excellency's Command,

NICHOLAS J. BROWN

REGULATIONS UNDER "THE GOLD FIELDS REGULATION ACT, 1880,"
44 VICTORIA, No. 16.

By virtue of *The Gold Fields Regulation Act, 1880*, His Excellency the Governor, by and with the advice of the Executive Council, doth make the Regulations following, which shall apply to the whole Colony:—

1 Interpretation.—In these Regulations, unless the context otherwise determines, the words "Business," "Claim," "Road," "Commissioner," "Gazette," "Gold," "Gold-fields," "Mine," "Mining purposes," "Mining partnership," "The Minister," and "Waste Lands of the Crown" shall be interpreted in the manner set forth in Section 3 of *The Gold Fields Regulation Act, 1880*.

2 Miners' Rights.—Miners' rights shall be in the form in the Schedule hereto annexed, No. 1, and shall be issued by the Commissioners of Gold Fields, the Registrars of Gold-fields, and such persons as shall be authorised thereto by notice published in the *Gazette* under the hand of the Minister of Lands and Works.

Consolidated Miners' Rights.—Consolidated miners' rights shall be in the form in the Schedule hereto annexed, No. 2, and shall be issued by the Commissioners of Gold Fields and the Registrars of Gold Fields.

Business Licences.—Business licences shall be in the form in the Schedule hereto annexed, No. 3, and shall be issued by the Commissioners of Gold Fields, and the Registrars of Gold Fields.

3 To whom Miner's Right issued.—The manager or agent of a mining partnership as such manager or agent, or the manager or agent of a duly registered mining company as such manager or agent, shall be deemed to be a person to whom a miner's right may be issued.

PROSPECTORS' PROTECTION ORDERS.

4 Form of Prospector's Protection Order.—Prospectors' protection orders issued by a Commissioner under the authority of Section 23 of *The Gold Fields*

Regulation Act, 1880, shall be in the form in the Schedule No. 4.

5 Prospectors' Protection Areas.—To be marked.—Prospectors' protection areas shall be in the form of a square, or as near thereto as practicable; and the holder of such an area shall mark the same, if in timbered country, by cutting upon a tree at each angle a mark which shall be clearly visible, and marking the trees along each side-line so as to be clearly visible; if in clear country, by erecting a post not less than three feet in height and three inches in diameter at each angle, and cutting trenches in the direction of the boundary lines not less than six feet long and six inches deep. And every such holder shall for any breach or default hereof forfeit and pay a penalty not exceeding Ten Pounds.

CLAIMS UNDER MINERS' RIGHTS FOR ORDINARY MINING PURPOSES.

6 Definition of claims under Miners' Rights.—A single claim shall be such a parcel of land as may by virtue of one miner's right be held for mining purposes under these Regulations, and a united claim be any number of such parcels of land, not exceeding ten, as shall have been taken possession of conjointly, or any number of such parcels of land, not exceeding ten, as shall have been amalgamated, except as hereinafter provided; and for the purpose of these Regulations claims shall be divided into two classes, namely, alluvial and quartz.

7 Alluvial claims.—Alluvial claims shall be marked off in the form of a square or as near thereto as practicable, and the area shall be as follows:—

A single claim, 35 yards by 35 yards.

An united claim, of—

2 men's ground, 50 yards by 50 yards.

3 men's ground, 60 yards by 60 yards.

4 men's ground, 70 yards by 70 yards.

5 men's ground, 78 yards by 78 yards.

6 men's ground, 85 yards by 85 yards.

7 men's ground, 92 yards by 92 yards.

8 men's ground, 98 yards by 98 yards.

9 men's ground, 104 yards by 104 yards.

10 men's ground, 110 yards by 110 yards.

Provided, where it is not practicable to mark off in the form of a square, the area shall be equal to one quarter of an acre for each man's ground contained within the claim.

8 Creek Claims.—Alluvial claims in which the gold is deposited in the bed of a creek or river shall not exceed 35 yards along the course of the creek or river by 35 yards in width. Any number of such claims, not exceeding the area of six, may be taken up as a united claim, or may be amalgamated as hereinafter provided.

9 Extended Alluvial claims.—The Commissioner may, if he think fit, by writing under his hand, direct that ground which has been held under miners' rights in alluvial claims and abandoned, may be taken up in claims which shall be called Extended Claims, and shall not exceed the following areas:—

A single claim, 70 yards by 70 yards.

An united claim, of—

2 men's ground, 98 yards by 98 yards.

3 men's ground, 120 yards by 120 yards.

4 men's ground, 140 yards by 140 yards.

5 men's ground, 156 yards by 156 yards.

6 men's ground, 170 yards by 170 yards.

Provided, where it is not practicable to mark off in the form of a square, the area shall be equal to one acre for each man's ground contained within the claim. Provided also, that no united extended claim shall exceed the area allowed for six men's ground.

10 Claims fronting the sea.—Claims upon land forming a part of the sea shore shall not exceed a frontage to the sea of twenty yards and extending not more than twenty yards above high-water mark, and with no limit to the seaward side: Provided such claims shall be marked as hereinafter provided, at such angles only as shall be above high-water mark.

11 Quartz claims.—Quartz claims shall be marked off in the form of a rectangular parallelogram, or as near thereto as practicable, and the area shall not exceed one chain along the supposed course of the reef, by ten chains in width, for each man's ground.

12 Claims how taken possession of.—Any miner or miners, mining partnership or company, shall take possession of a single or united claim, by fixing in the ground firmly at each angle of the claim a post not less than three inches in diameter, and projecting above the surface not less than three feet; cutting at each angle of such claim a trench not less than six inches deep, and six feet along each line, and in timbered or scrubby land marking the boundary lines so as to be clearly visible; and such holder or holders shall, during his or their occupancy of such claim, keep the posts so fixed, and such marks so visible as aforesaid; and in default thereof the claim shall be deemed to be forfeited, and may be dealt with as waste lands of the Crown.

13 Owner of Alluvial claim entitled to quartz.—*Owner of Quartz claim not entitled to all alluvial.*—The owner or owners of an alluvial claim shall be entitled to all quartz reefs, veins, and leaders, and other deposits of gold within the area of such claim. The owner or owners of a quartz claim in which alluvial deposits of gold are found to exist shall be entitled to select the prescribed area for an alluvial claim, and the Commissioner may permit the remaining portion to be taken possession of and mined. Provided, the persons so permitted to mine shall not interfere with or obstruct the working of the reef.

14 Claims to be worked.—Forfeiture.—Within forty-eight hours after taking possession of any claim the owner or owners thereof shall themselves, or by their agents or servants, commence mining operations thereon or in connection therewith, and one man at least shall be employed for every single claim comprised within the area; and if such mining operations shall be at any time suspended, without good and sufficient excuse, for a period of forty-eight hours, the claim shall be deemed to be forfeited, and may be taken possession of as waste lands of the Crown.

15 Claims may be registered.—The owner or owners of a claim may apply to the Registrar of Gold-fields, in the form in the Schedule No. 5, for registration thereof, and the Registrar shall receive such application and register the same in a book to be kept for the purpose; and thereupon such claim shall not be forfeited under Regulations 12 and 14, but shall be dealt with as hereinafter provided.

16 Survey.—Registrar to post notice of intention to register.—The Registrar shall, upon receipt of the application for registration, instruct the Mining Surveyor to survey and make a plan of the claim, and furnish a description thereof, and upon receipt of the same shall post a notice outside his office, in the form in the Schedule No. 6, stating that he intends on a certain day to be named in such notice, not less than seven clear days from the date thereof, to make registration of such claim unless any objection thereto shall be made.

17 Registrar to make registration.—If no objection shall be made during the period specified, the Registrar shall make registration of the claim upon the register of the application, and shall insert therein a full description thereof.

18 Objections.—Any person objecting to the registration of a claim shall, during the period specified in the notice aforesaid, give notice in writing to the Registrar specifying the grounds of his objection; and the Registrar shall not make registration of such claim until the Commissioner shall have enquired into such objection and directed such registration to be made.

19 Certificates of registration.—As soon as the registration of any claim (single or united) shall have been completed, the Registrar shall issue to the person, or to the whole of the persons in whose favour such claim shall have been registered, a certificate in the form in the Schedule No. 7, and every such certificate shall describe fully and accurately the claim to which it relates; and any person being the holder of a share in any such registered claim shall be entitled to receive from the Registrar a certificate in the form in the Schedule No. 8 of the registration of such share.

20 Forfeiture of registered Claims.—Any claim in respect of which application for registration has been made, or any claim which has been duly registered, shall be liable to forfeiture if full mining operations, as prescribed by Regulation 14, shall be at any time suspended without good and sufficient excuse for a period of forty-eight hours.

21 Forfeiture of a share in a registered Claim.—Any share in a claim in respect of which application for registration has been made, or which has been duly registered, shall be liable to forfeiture if the holder thereof shall fail to perform his proper share of work, or shall fail to pay all calls lawfully made upon his share; and a majority of the remaining shareholders, or any person duly authorised by them in writing, may take proceedings to obtain adjudication of forfeiture: Provided always, that the Commissioner may for the first offence inflict by way of fine, in lieu of forfeiture, a penalty not exceeding Twenty Pounds.

22 Possession of a forfeited registered claim.—When any claim in respect of which application for registration has been made, or any claim which has been duly registered, shall be liable to forfeiture, any miner or miners may take proceedings to obtain adjudication of forfeiture, and to obtain possession of such claim; and the person or persons who shall first take proceedings in that behalf shall be first entitled to enforce such forfeiture: Provided always, that the Commissioner may for the first offence inflict by way of fine, instead of forfeiture, a penalty not exceeding Twenty Pounds.

23 Registration of forfeited claim or share.—When an order shall be made by the Commissioner directing that any certain person or persons shall be put into possession of a forfeited claim or share, the Registrar shall forthwith register him or them for the claim or share referred to in such order in lieu of the person or persons who shall have forfeited the said claim or share.

24 Shareholder may be admitted.—The holder or holders of any registered claim may admit any miner to a share in such claim, provided application be made to the Registrar, who shall thereupon register such miner as the holder of such share. Every person who shall be registered as the holder under a miner's right of a single share in any united claim shall be deemed to be the holder of a share in such united claim.

25 Claims may be amalgamated.—*Mode of amalgamating claims.*—*Division of a united claim.*—Any number of adjoining registered claims (single or united) not exceeding the area of ten single claims, or in the case of extended claims or creek claims of six single claims, may by the Registrar, by amalgamation, be united as one claim; and upon the application of the holders of such claims made in the form in the

Schedule No. 9, and signed by the persons interested therein, the Registrar shall forthwith amalgamate such claims as one claim, and shall record such amalgamation upon the register relating to such claims, under the proper date, and shall issue to the holders of such claim a certificate in the form in the Schedule No. 10: Provided always, that in the event of the holders of an united claim agreeing amongst themselves to divide such claim, each such division shall be registered by the Registrar upon application signed by the persons holding such claim, in the manner provided by these Regulations for the registration of such claims.

26 Transfers.—The registered holder or holders of any claim or share may, in the form in the Schedule No. 11, assign or transfer such claim or share, or any portion thereof, to any other person or persons being the holder of a miner's right or miners' rights sufficient to hold such claim or share; provided that every such transfer shall be signed by the parties thereto in the presence of some person or persons who shall attest the signatures to such transfer; and upon the completion of such transfer the Registrar shall record upon the register relating to the claim or share so transferred, the date on which such transfer shall have been made, and the name of the transferee, together with such other particulars relating to such transfer as to such Registrar shall appear necessary, and shall issue to the transferee a duplicate of the transfer. The Registrar shall retain and file the certificate or transfer delivered to him as aforesaid; and in the event of the transferor having transferred only a portion of the interest held by him under such certificate or transfer, the Registrar shall issue to the transferor a certificate, in the form in the Schedule No. 8, describing accurately the interest retained by the said transferor.

27 Executors, Trustee, Guardians, &c. to be registered.—The executors or administrators, or the trustee in bankruptcy, or the guardians in infancy, or the committee or guardians in lunacy, of any person possessed of any claim or share, or the purchaser or purchasers under an execution of any claim or share, may be registered for or in respect of such claim or share; and the Registrar shall, upon production of the order or authority under which such executors, administrators, trustee, guardians, committee, or purchaser or purchasers as aforesaid claim to be registered, and, on the production of a miner's right or miners' rights sufficient to hold such claim or share, register them or any of them named in such order or authority for or in respect of such claim or share so possessed or purchased as aforesaid.

28 Commissioner may grant protection.—When any person or persons holding a registered claim require to suspend operations thereon, such person or persons, or some person duly authorised in his or their behalf, may apply to the Commissioner for permission for such claim to be held in reserve and unworked for any period not exceeding one month, and the Commissioner is hereby authorised, if he think fit, to grant the same; and such person or persons shall cause notice of such protection to be posted on some conspicuous part of the claim to which it relates during the term of the protection; and at the expiration of such term such protection may be renewed for a further term of one month, the proceedings to be had in the case of renewal being in every respect similar to the proceedings to be had as aforesaid in obtaining protection in the first instance; and such claim shall, during the time of such protection, be exempt from forfeiture for non-performance of work.

29 Deserted and abandoned ground.—Ground which, having been held under miners' rights as a registered

claim, or under application for registration, shall have been unworked (except when held under protection) for a period of three months, shall be deemed to be and shall be treated as ground absolutely deserted and abandoned, and may be taken possession of in the same manner as waste lands of the Crown.

30 Marks to be kept up.—The owner or owners of any claim in respect of which application for registration has been made, or which has been duly registered, shall, during his or their occupancy of such claim, keep the posts fixed and marks visible as prescribed in Regulation 12; and every person shall for any breach or default hereof forfeit and pay a penalty not exceeding Ten Pounds.

31 Commissioner may authorise water-races, roads, &c.—The Commissioner may by writing under his hand authorise any person being the holder of a claim to enter on any other claim 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, tramways, roads, tunnels, and other works as shall be necessary to enable such person to mine the claim held by him, and also to keep the same in proper repair and condition, and also to deposit all soil, stones, and substances which may be dug up or removed in executing any such works.

32 Compensation how assessed.—Any person duly authorised to make through, over, along, or across any claim any water-race, tail-race, drain, dam, sluice-head, reservoir, tramway, road, tunnel, or other work, shall compensate the holder of such claim by the present payment of a sum, or by periodical payments in advance. And for the purpose of determining the amount of such compensation, and the time or times of payment, the person authorised to make such work shall, before entering upon such work, give notice in writing to the holder of the claim, requiring him to nominate and appoint some person as his arbitrator to act in conjunction with an arbitrator in such notice named by him. If after the expiration of two days from the date of the receipt of such notice, or such longer period as the Commissioner may direct, the holder of such claim shall fail to appoint some person who will act on his behalf, then the arbitrator who may have been nominated and appointed by the person authorised to make such work shall act alone on behalf of both parties. When both parties appoint an arbitrator, such arbitrators shall appoint a third person as umpire. The decision of any arbitrator acting alone, or the decision of any two, shall be final and conclusive, and shall be given in writing to the Commissioner under his or their hand or hands as the case may be.

33 Commissioner to reserve roads, footpaths, &c.—Penalty for obstructing.—The Commissioner shall have the power of reserving any roadway or footpath not exceeding 20 feet in width required for the general convenience of miners through, over, or across any claim held under miners' rights, or any waste lands of the Crown upon any gold-field, and of causing the same to be marked; and any person who obstructs or injures such roadway or footpath shall forfeit and pay a penalty not exceeding Ten Pounds.

34 Claims in excess may be taken by another person.—If any person or persons shall mark off a claim larger than the Regulations allow the excess may be taken possession of by any person. Provided, that if any shaft or works come within the area so taken the person taking it shall pay compensation to the original holder or holders, to be assessed by the Commissioner or any person or persons deputed by him, in writing, for that purpose.

35 Claims not forfeited through neglect of servant, &c.—No claim shall be forfeited through the neglect or

by the act of any hired miner or contractor, if after seven days' notice in writing of such neglect or act to the owner or his agent, such claim be worked or otherwise dealt with in accordance with these Regulations.

36 Commissioner may authorise entry of Surveyor upon Claim.—It shall be lawful for the Commissioner to authorise by writing under his hand any Surveyor or other person, with or without assistants, to enter into and upon any claim, and all mines, works, and buildings thereon and therein, and to view, examine, and survey the same, and for that purpose to make use of any of the roads, ways, machinery, and works belonging to the said claim.

37 Contribution towards cost of Drainage.—The owner of any machine or appliance which is employed in raising, lifting, or draining water from any mine shall be entitled to receive from the owners or persons occupying or working adjacent claims benefited thereby contribution towards the expense thereof.

38 Notice of claim for Contribution, &c.—Such owner intending to claim contribution as aforesaid shall serve upon the owner or person occupying or working such adjacent claims, or any two of such owners or persons if there shall be more than one, a notice in writing stating that he claims contribution and the amount claimed, and that if such contribution is not agreed to, an application will be made to the Commissioner to enforce the same.

39 Application to Commissioner to determine amount of Contribution.—If the person or persons from whom contribution is so required refuse to contribute to the amount stated in the notice, or for fourteen days shall neglect to signify their assent thereto, it shall be lawful for the owner of the machine or appliance to apply to the Commissioner to hear the matter, and to determine, in the mode prescribed by "The Gold Fields Regulation Act, 1880," the amount of such contribution.

40 Commissioner to hear and determine claims for Contribution.—At the hearing of the case the Commissioner, or Commissioner and Assessors, as the case may be, shall first determine whether the person or persons from whom contribution is sought is or are benefited by the machinery or appliance aforesaid, and if so, shall next determine the amount of contribution which it would be reasonable under all the circumstances of the case for him or them to pay to the owner of such machine or appliance, and the time, mode, and conditions of payment, and the period during which such contribution shall be continued; and upon the conclusion of proceedings a memorandum of the determination of the Commissioner, or Commissioner and Assessors, as the case may be, shall be drawn up and given to such person or persons.

41 Proceedings in case of failure to pay Contribution.—Whenever any person or persons who shall have agreed to contribute, or who shall have been ordered as aforesaid to contribute, towards the expense of any machine or appliance, shall neglect, fail, or refuse to pay the amount due and payable by him or them, the claim in respect of which such contribution was agreed to be paid, or found to be due and payable, shall be forfeitable, and the Commissioner shall, upon the application of the owner of the machine or appliance, and upon proof to his satisfaction that such contribution has not been paid in accordance with these Regulations, order such claim to be forfeited accordingly, on a day to be thereupon appointed by him, unless such contribution shall be sooner paid; and the said owner of the machine or appliance shall have a preferential right, with or without co-partners, to take up such claim, or such part thereof as the Regulations shall allow.

42 Renewal of order to pay Contribution.—At any time after the termination of the period fixed for payment of any contribution, it shall be lawful for the owner of the machine or appliance to give another notice as aforesaid, whereupon the like proceedings shall be taken as are hereinbefore provided in respect of the first notice.

43 Commencement of renewed order for Contribution.—If a further order for contribution is made, such contribution may commence from the termination of the period fixed in the next preceding order: Provided that the notice in respect of such subsequent order be given within one month after the termination of the next preceding order.

44 Discontinuance of Draining operations.—If at any time the owner of any machine or appliance to whom contribution is paid as aforesaid shall intend to discontinue raising, lifting, or draining water, he shall give at least one calendar month's notice of such his intention to all contributors; and if any such owner shall discontinue such operations without giving such notice, he shall be liable to damages for any injury that any contributor may sustain in consequence of the discontinuance of such operations, provided that such discontinuance was not caused by any accident or other cause over which such owner had no control, and that all due diligence be exercised in repairing the damage or injury.

RESIDENCE AND BUSINESS AREAS.

45 Residence Areas.—Form.—Area.—Claims held under and by virtue of miners' rights for the purpose of residence 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. And no person shall be permitted to claim more ground than is actually enclosed, or *bonâ fide* occupied or used by him. Provided, the Commissioner may vary the extent and other conditions as hereinafter provided.

46 Business Areas.—Form.—Area.—Claims held under and by virtue of business licences shall be called Business 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; and any person may hold one such area under each business licence held by him.

47 Commissioner may prohibit occupation as Residence or Business areas.—If it shall appear to the Commissioner that by reason of the existence of gold in shallow deposits, or for any other sufficient reason, it is not desirable that any specified part of a gold-field should be occupied for residence or business areas, he shall by writing under his hand direct that such part shall not be so occupied; and any person who shall occupy such land or any part of it, in contravention of this regulation, shall forfeit and pay a penalty not exceeding Ten Pounds.

48 Sites may be reserved for Residence or Business Areas.—The Commissioner may by writing under his hand reserve upon any gold-field any specified part for residence and business areas, and cause streets to be marked out thereon; and any person who shall occupy or interfere with the streets so marked, or any part thereof, shall forfeit and pay a penalty not exceeding Ten Pounds.

49 Commissioner to regulate position, &c. of Areas.—The Commissioner may, by writing under his hand, order and direct the position in which residence and business areas shall be marked off and occupied in any

specified locality upon any gold-field, the extent of ground which each person shall occupy in such locality, and generally make such order in reference to the taking possession of such areas in such locality as the circumstances shall require.

50 Mining under Areas.—The depth below the natural surface of any land held as a residence or business area at which any person or persons being the holder or holders of a miners' rights or consolidated miners' right may mine, shall be not less than fifty feet: Provided the Commissioner may, if it is proved to his satisfaction that the said depth is insufficient for the safety of any building or other erection, or works thereon or about to be erected thereon, or is insufficient taking into consideration the nature of the ground for general safety, order and direct that such depth shall be increased to such further depth as he shall think fit.

51 Taking possession.—Forfeiture.—Protection.—Residence and business areas shall be taken possession of in the manner prescribed for taking possession of claims under miners' rights for ordinary mining purposes by Regulation 12; and any such area which shall be unoccupied for the space of forty-eight hours, without good and sufficient excuse, shall be deemed to be forfeited and may be dealt with as waste lands of the Crown: Provided, the Commissioner may grant protection to any such area which shall be enclosed, or upon which any building shall be erected for any period not exceeding three months, and may renew such protection at his discretion.

52 Registration.—Any person being the holder of a residence or business area may apply for the registration of the same in the manner prescribed for the registration of ordinary claims under miners' rights; and the regulations relating to such claims shall thereupon apply to such area so far as they can so apply consistently with these Regulations: Provided, no such area shall be liable to forfeiture unless the same shall remain unoccupied for a period of three months.

MACHINERY SITES.

53 Sites for Machinery.—Provisions in Regulations to apply.—Protection.—Mining thereunder.—Forfeiture.—Any person, mining partnership, or company may, under the authority of a miner's right, or consolidated miners' right, and with the permission of the Commissioner, take possession of and occupy as a site upon which to erect machinery for mining purposes any extent of crown land not exceeding half an acre, and such claim shall be called a Machinery Area, and shall be registered, and the several provisions in these Regulations contained relating to registered claims for mining purposes shall in all particulars apply to machinery areas. Provided always, that the Commissioner shall be empowered to grant protection in writing for any period he thinks fit. Provided also, that it shall be lawful for any person, with the permission in writing of the Commissioner, to take possession of, as a claim for ordinary mining purposes, any machinery area or any part thereof at a depth of not less than fifty feet from the natural surface, or such greater depth as the Commissioner shall in any case direct: Provided also, that no machinery area upon which machinery is or shall be erected and remaining shall be liable to forfeiture unless the same shall be and remain unused for mining purposes for a period of one month.

54 Leases of Machinery sites.—Sites for the erection of machinery may be granted by lease, 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.

55 Leasing Regulations to apply.—The several Regulations herein contained relating to the manner in which ground shall be marked off for lease, 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 leases of machinery sites and objections thereto. The application shall be in the form in the Schedule No. 12, and shall contain all the particulars therein required.

56 Form of Lease.—The lease shall be in the form and to the effect, and shall contain the reservations, covenants, and provisos set out in Schedule No. 13, or with such modifications and additions as the circumstances of the case may require, or as the Governor in Council may think proper; and every lessee shall, for any 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.

WATER RIGHTS.

57 Privileges conferred.—A water-right shall authorise the holder thereof to take and divert water which the Crown might lawfully take and divert at the time of marking off as hereinafter provided, or to collect and store water which the crown might lawfully collect and store at the time of marking off as hereinafter provided, and to use such water for mining purposes or for the domestic purposes of those engaged in mining.

58 Marking off.—Any person, mining partnership, or company 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; or if in clear 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 aforesaid, and place upon such tree or post, as the case may be, a notice in the form in the Schedule No. 14, which shall be clearly visible, with the words "Applied for Water-right," his name, or the names of any two of them if there shall be more than one, or the name of the mining partnership or company, and the date, legibly written or printed thereon: and such notice shall be properly maintained until the application has been finally disposed of, or the works constructed and in use.

59 If held under Miner's Right.—Application.—If the applicant intends to hold the water-right under a miner's right or consolidated miner's right, he shall, within forty-eight hours, or as soon thereafter as practicable, deposit an application with the Registrar, in the form in the Schedule No. 15, setting forth the name or names, if any, of the spring, lake, pool, or stream, and the point thereof, as nearly as may be practicable at the time, from which the water is to be diverted, or the situation of the dam or reservoir in which the water is to be collected and stored, the approximate length and intended course of the race, as nearly as they can be ascertained at the time, and the number of sluice-heads required, and the date of marking off.

60 Record of application.—Survey.—The Registrar shall, upon receipt of the application, record the same in a book to be kept for that purpose, and shall, if the applicant shall desire a survey of the water-right to be made, but not otherwise, instruct the Mining Surveyor to survey the same and to furnish a plan and report thereof: Provided the survey and plan of any qualified surveyor may be received and acted upon.

Upon the application being recorded as aforesaid, or, in the event of a survey being required, upon the receipt of the plan and report of the Surveyor, the Registrar shall take steps as hereinafter provided for the registration of such water-right.

61 General Regulations to apply.—The several Regulations hereinbefore contained relating to the registration, proceedings to obtain adjudication of forfeiture, and transfer of claims, under miners' rights for ordinary mining purposes, shall be taken to apply to water-rights, so far as the same can be applied, and are not inconsistent herewith; and the certificate of registration shall be in the form in the Schedule No. 16.

62 Quantity of water allowed.—The quantity of water to which any person, mining partnership, or company holding a miner's right or consolidated miners' right, shall be entitled, shall be as follows:—For sluicing purposes, for every three men employed, one sluice-head; for puddling with horse-power, for every horse-power employed, one-half of a sluice-head; for puddling with steam power, any quantity not exceeding two sluice-heads; for pumping or crushing with water-wheel, any quantity not exceeding two sluice-heads; for crushing purposes, for every stamp-head employed, one-eighth of a sluice-head; for steam-engine, in addition to the above quantities, such quantity as shall be *bonâ fide* required to supply such engine; for the motive power, any quantity of water may be used as motive power for crushing, puddling, or other machinery when such water is not required for general mining.

63 Water-rights may be held in reserve or forfeited.—When any person or persons holding a registered water-right or water-rights shall not have a sufficient supply of water to enable him or them to carry on mining operations efficiently, or when from any other good cause the person or persons is or are compelled to suspend operations, the Commissioner may at his discretion permit such water-right or water-rights to be held in reserve and unworked for any period not exceeding three months; and if the work be not resumed in connection with the water-right or water-rights immediately after the expiration of the period of such protection, or if at any time operations shall be suspended upon or in connection with any water-right for a period of one month, such right shall be forfeitable.

64 Leases of Water-rights.—If the applicant shall intend to apply for a lease of a water-right, the several regulations herein 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 leases of water-rights. The application shall be in the form in the Schedule No. 17, and shall contain all the particulars therein required to be given.

65 Form of Lease.—The lease shall be in the form and to the effect, and shall contain the reservations, covenants, and provisos set out in Schedule No. 18, or with such modifications and additions as the circumstances of the case may require, or as the Governor in Council may think proper. And every lessee shall, for any 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.

66 Measurement of water.—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.

67 Rent.—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.

68 Protection of race.—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.

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

70 Order of priority of rights.—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 marked off 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.

71 Water shall not run to waste.—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.

72 Holder may sell water.—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.

73 Quantity of water allowed to lessees.—The quantity of water to which any lessee 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.

74 Provisions of leasing and leases for mining purposes to apply.—*Lease may be forfeited.*—*Penalty for non-compliance with conditions.*—The several provisions 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 leases and leasing of water-rights; and any person, being the holder of a lease of a water-right, shall for every breach or default of any condition thereof (except defaults for which the lease of such water-right may be declared void and forfeited), forfeit and pay a penalty not exceeding Twenty Pounds.

LEASES FOR ORDINARY MINING PURPOSES.

75 Shape of Claims.—All claims held under lease 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.

76 Area.—The area of any lease (except in special cases by the permission of the Minister) shall not exceed ten acres, excepting always any claim to which a prospector may be entitled for the discovery of a quartz reef under Section 24 of "The Gold Fields Regulation Act, 1880."

The extent of any lease granted under Section 33 of "The Gold Fields Regulation Act, 1880," of any land forming part of the sea shore, and any land below low-water mark adjacent to the sea coast, shall not exceed a frontage to the sea of ten chains and extending not more than five chains above high-water mark, with no limit to the seaward side: Provided such claims shall be marked as hereinafter provided at such angles only as shall be above high-water mark, and shall be deemed to contain, in the payment of rent, one acre for every chain frontage to the sea.

77 Term of Lease under Sect. 33.—The period for which leases shall be granted under Section 33 of "The Gold Fields Regulation Act" shall be twenty-one years, or such shorter period as may be applied for.

78 Gold in alluvial deposit.—Every lease shall contain a condition excepting from its operation all gold in shallow alluvial deposit. All alluvial gold within a depth of seventy-five feet of the natural surface shall be deemed to be in shallow deposit: Provided, the Minister may, in the case of any lease, or in the case of all leases in any specified locality, order and direct that a greater or a less depth shall be deemed shallow deposit, and thereupon such condition shall be varied accordingly: Provided also, the Minister may direct in any case that such condition shall be altogether omitted.

79 Alluvial Gold may be taken under Miners' Rights.—Any such gold excepted from the operation of a lease under this Regulation may be taken by miners, under their miners' rights, as if such lease did not exist: Provided, such miners shall not interfere with or obstruct the *bonâ fide* operations of the lessee.

80 Mining under Residence Areas, &c.—The depth below the natural surface of any land held as a residence area or under a business licence, or being a public reserve at which mining shall be allowed under Section 32 of "The Gold Fields Regulation Act, 1880," shall be fifty feet: Provided, that if it appears that the said depth is insufficient for the safety of any building or other erection or works thereon, or about to be erected

thereon, or is insufficient taking into consideration the nature of the ground for general safety, the same may be varied by the Governor in Council under Regulation 90.

81 Marking off.—Application.—Any person or persons, mining partnership or company, intending to apply for a lease, shall proceed as follows:—Mark off the land by erecting firmly at each angle a post not less than three feet in height and three inches in diameter, with a notice in the form in the Schedule No. 19 on each, with the words "Applied for Lease," his name, or the names of any two (if there shall be more than one), or the name of the mining partnership or company, as the case may be, the area, and the date, legibly written or printed thereon, and keep such posts and notices in their places until the period hereinafter allowed for entering objections shall have expired.

Within fourteen days after marking off, or as soon thereafter as practicable, address to the Minister, and deposit with the Commissioner, or such other officer as shall be appointed by the Minister for the purpose, an application in the form in the Schedule No. 20; insert in the *Gazette*, or leave with the application for insertion in the *Gazette*, an advertisement in the form in the Schedule No. 21; file similar notices at the office of the Commissioner or other officer receiving the application, and at the nearest Post Office if one within ten miles.

And the application of any person who has failed to comply with this Regulation shall, upon objection made as hereinafter provided, be deemed to be invalid.

82 Deposit.—Every applicant shall deposit at the same time he deposits his application, a sum equal to one year's rent of the land applied for, and such sum, or any part thereof, may be appropriated by the Commissioner in payment of the expenses incurred by any person in establishing an objection, or of any expenses connected with the application; and such sum or any balance thereof shall pass to the credit of the applicant in payment of the first year's rent: Provided, that if the application shall be refused, such sum, or any available portion thereof, shall be returned to the applicant; or if the applicant abandons his application, or fails to comply with Regulation 92, the sum shall be forfeited.

83 Land may be exempted from leasing.—Whenever it shall appear to the Minister to be undesirable to grant a lease or leases of any particular part of the waste lands of the Crown, he shall, by notice under his hand and published in the *Gazette*, exempt such waste lands of the Crown from the operation of the leasing clauses of these Regulations, and thereupon all applications for leases within such area shall be cancelled, and no others shall be received: Provided, such cancelled applications may be revived by the applicants upon the withdrawal at any time of such exemption, and within fourteen days thereof.

84 Priority of Applicants.—The application of the person who first marks off the land in conformity with the Regulations 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 the Commissioner, or of some person named by him in writing for such purpose.

85 Official Survey.—The Commissioner, or other officer appointed by the Minister for the purpose, shall direct a surveyor to survey and make a plan of the land, and to report in writing on all matters on which he shall deem a report necessary, among which shall be included an inquiry as to whether the posts have been erected and the notices placed on the land in compliance with Regulation 81, or in any and what respect not

complied with, and under what circumstances: Provided, that if the survey shall not be made after the expiration of two months from the lodging of the application, the applicant, or any person objecting to the application as hereinafter provided, may employ any authorised Surveyor to effect the same. The Surveyor shall give not less than seven clear days' notice to the applicant of his intention to proceed to the survey. The plan and report of the Surveyor shall be open to the inspection of any person, or any person shall be furnished with copies thereof, upon payment of the prescribed fee.

86 Commissioner to transmit Application.—Immediately after the expiration of one month after the receipt by the proper officer of the Surveyor's plan and report, if no objection has been made, or, if any objection has been made or any dispute arisen, immediately after the same shall be heard and determined, and one month has expired as aforesaid, the Commissioner shall transmit to the Minister the application and his report and observations thereon.

87 Objections.—Notice to be given.—Hearing.—Any person objecting to the issue of a lease under any application shall, at any time before the expiration of one month after the receipt of the Surveyor's plan and report, give to the Commissioner, or to the Registrar for the Commissioner, a notice in the form in the Schedule No. 22, 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.

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 the 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.

88 Applicant may withdraw.—The applicant may at any time withdraw his application by giving notice to the Minister or Commissioner that he so withdraws, and thereupon the application shall be cancelled, and the deposit paid therewith forfeited.

89 Transfer of interest in application.—Joint applicant may be inserted.—Any applicant may at any time before the preparation of the lease, upon application to the Minister or Commissioner, and upon payment of the prescribed fee, transfer his interest in his application to any other person, mining partnership, or company, or may at any time as aforesaid upon application to the Minister or Commissioner and upon payment of the prescribed fee, insert in the application the name of any other person as a joint applicant: Provided, where the interest of one only of several applicants for a lease is transferred, the fee shall be the fee above named divided by the number of applicants.

90 Minister to submit application to Governor.—The Minister shall submit the application to the Governor in Council, who will refuse such application or grant the same, as he shall see fit: Provided, that

in granting such application it shall be lawful for the Governor in Council to determine whether the whole or what part of the land shall be included in such lease and to define the same accordingly, and also to alter as he sees fit any of the other terms or conditions thereof.

91 Leases refused to be gazetted.—If the Governor in Council shall refuse to grant a lease, the Minister shall publish a notice of such refusal in the *Gazette*, and shall, one week before the publication of such notice, intimate such fact to the applicant.

92 If lease granted, Commissioner to demand fees.—If the Governor in Council shall determine to grant a lease of the land or any part thereof, the Commissioner, or other officer appointed by the Minister for the purpose, shall call upon the applicant to pay the rent if the sum deposited with the application shall not be available for that purpose, together with the sum of One Pound as a fee for the preparation of the lease; and if the applicant shall not pay such sum within two months after the same shall have been demanded, the lease shall not be prepared and the application shall be cancelled.

93 Form of lease.—The lease shall be in the form and to the effect, and shall contain the reservations, covenants, and provisos set out in Schedule No. 23, or with such modifications and additions as the circumstances of the case may require or as the Governor in Council may think proper. And every lessee shall, for any 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.

94 Number of men to be employed.—Every lease shall contain a condition that the minimum number of men to be employed by the lessee shall be as follows:—For the first six months of the lease, one man for every two acres; and for the remainder of the term one man for every acre; and any breach or default thereof for a period of six months, without the permission in writing of the Commissioner of Gold Fields first had and obtained, shall be deemed to be a non-compliance with the conditions of the lease with respect to the employment of labour. Provided, that where steam or water power is employed, each horse-power of machinery, and each horse employed in draught or in driving machinery, shall be computed as equal to one man.

95 Lease to be executed by applicant.—Whenever a lease shall be granted by the Governor in Council and executed by the Minister, notice thereof shall forthwith be given to the lessee, or to any two of them if there shall be more than one, by posting or otherwise transmitting the same to his or their address as set forth in the application; and if the said lessee or lessees shall fail to complete the execution of the lease on his or their part within three months, the Minister may, by notice under his hand published in the *Gazette*, cancel such lease, and the land the subject of such lease shall thereupon be dealt with under Regulation 98.

96 Amalgamation of claims.—The Commissioner may from time to time grant permission to work, as one claim, two or more adjoining areas of land held under lease, and not exceeding in the whole an area of sixty acres, provided it be established to his satisfaction that it is necessary for the more efficient working of such claims, and that the same number of men are employed as would be required under the conditions of each separate lease. And the Commissioner may at any time revoke such permission upon proof to his satisfaction that it is no longer required for the more efficient working of such claims.

97 Form of transfer.—The form in the Schedule No. 24 shall be the form of deed for the transfer or assignment of leases.

The Minister shall, upon receipt of the fee prescribed by Schedule No. 26, 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.

98 Applications to lease land previously leased.—*Auction.*—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 as required by law, 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 by law: Provided also, this Regulation shall not interfere with any preferential right acquired under Regulation 99.

99 Person moving cancelling of lease to have preferential right to ground.—Whenever any lease shall be declared void, or the lessee shall be lawfully expelled or removed from the claim held thereunder at the instance or upon the application of any person, such person shall have a preferential right to take up the land comprised within the area of such lease, or such part thereof as the Regulations shall permit, provided such person shall, within fourteen days from the publication of the notice of forfeiture, exercise such preferential right.

100 Lessees to keep up posts and marks.—Every person being the holder of a lease of a claim under "The Gold Fields Regulation Act, 1880," or any Act repealed thereby, shall erect and keep erected during the term of his lease 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 comprised within the claim, and shall cut and maintain 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 every such person shall for any breach or default hereof forfeit and pay a penalty not exceeding Ten Pounds.

101 Penalty for non-compliance with Conditions.—Every person being the holder of a lease under "The Gold Fields Regulation Act, 1880," or any Act repealed thereby, shall comply with the several terms and conditions thereof; and every such person shall for any breach or default thereof (except defaults for which such lease may be declared void and forfeited), forfeit and pay a penalty not exceeding Twenty Pounds.

102 Commissioner may authorise entry upon Claim.—It shall be lawful for the Commissioner, upon complaint made to him in writing by any person that he has reason to believe and does believe that the lessee of any claim has encroached upon any claim held by the complainant in any underground workings or otherwise, to authorise, by writing under his hand, the said complainant or any surveyor or other person, with or without assistants, to enter into and upon the said leased claim and all mines, works, and buildings thereon and therein, and to view, examine, and survey the same, and for that purpose to make use of any of the roads, ways, machinery, and works belonging to the said claim.

MISCELLANEOUS REGULATIONS.

103 Auriferous earth or quartz may be stacked, &c.—Any person or persons shall be at liberty to hold possession of any quartz, stone, or other substance containing gold, that may have been raised, stacked, or stored by him or them, or of which he or they may be the owner or owners, provided that the same shall not have been stored on any ground occupied by any other person.

without the permission of such person; and, unless such quartz, stone, or other substance as aforesaid shall be stacked or stored upon a claim in the occupation of such person or persons, owner or owners, he or they shall give notice to the Registrar of his or their having stacked or stored such quartz, stone, or other substance, and the Registrar shall thereupon register the title of the person or persons to such quartz, stone, or other substance; and such registration shall be made for any period not exceeding twelve calendar months; and the owner or owners shall cause a notice of such registration to be posted and kept posted upon the stack or store; and no person or persons shall remove any quartz, stone, or other substance stacked or stored and registered in accordance with this section of this regulation without the consent of the registered owner or owners of the same; but should such owner neglect or fail to give notice and obtain registration as aforesaid, or neglect or fail to remove the same within the period of twelve months as aforesaid, such quartz, stone, or other substance, unless stacked or stored upon a claim or claims in the possession of the owner or owners thereof, shall be deemed to be forfeited and abandoned, and may be taken possession of by any other person or persons who may have lawfully taken possession of the ground upon which such quartz, stone, or other substance may have been stacked or stored.

104 Commissioner may declare holidays.—It shall be lawful for the Commissioner, by notice under his hand, to declare that any day to be therein named shall be deemed to be a public holiday at and upon any gold-field.

105 Tail-races, &c. may be constructed.—Any person, mining partnership, or company, being the holder or holders of a miner's right or consolidated miners' right, may cut and construct any tail-race, drain, or other easement or work necessary to enable him or them to mine any claim held by him or them or for mining purposes, through, over, along, or across any waste lands of the Crown: Provided, if it shall be made to appear to the Commissioner that the making of any such tail-race, drain, or other easement or work would injuriously affect the Crown or any person, he may, by order in writing under his hand, prohibit the making of the same; or if the same shall be made and it is proved to the satisfaction of the Commissioner that the using of the same injuriously affects the Crown or any person, he may, by order in writing under his hand, prohibit the continuance of the use thereof.

May be registered.—And any such tail-race, drain, easement, or work may be registered in the mode prescribed for the registration of ordinary claims under miners' rights, and shall be subject to the same liability to forfeiture for non-use as such claims.

106 Commissioner may authorise use of tail-race, &c. by others.—It shall be lawful for the Commissioner, by writing under his hand, to authorise any person, mining partnership, or company, being the holder or holders of a miner's right, consolidated miners' right, or lease, to use for mining purposes any tail-race, drain, or other easement or work cut or constructed or held under the authority of the preceding Regulation or of Regulation No. 31, on condition of first paying to the owner or owners 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 32.

107 Compensation under Section 43.—Whenever it shall be determined to resume any portion of any claim for the purposes named in Section 43 of "The Gold Fields Regulation Act," the amount of compensation to

be paid 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 holder or holders of the claim, 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.

108 Commissioner may act as Registrar.—It shall be lawful for a Commissioner to exercise such powers and perform such duties as are or may be prescribed to be exercised and performed by a Registrar of Gold Fields.

109 Preferential right when alienated land resumed.—Whenever land alienated under the provisions of "The Waste Lands Act" shall be resumed for mining purposes under Section 54 of the said Act, at the instance or upon the application of any person discovering gold thereon, such person shall have a preferential right to such claim thereon as the Gold Fields Regulations shall authorise, provided such preferential right shall be exercised within fourteen days from the date of the resuming of such land.

110 Reserves of water for domestic purposes.—Any water-hole, spring, well, abandoned reservoir, or dam, stream, or deposit of water upon any gold-field may be set apart and reserved by the Commissioner in whole or in part for domestic purposes; and no person shall use for mining purposes the water so set apart and reserved, or waste or by any means defile the same; and every person shall for any breach hereof forfeit and pay a penalty not exceeding Five Pounds.

111 Form of permission to remove gold.—The form in the Schedule No. 25 shall be the form of permission to erect works and remove gold granted by a Commissioner under Section 29 of "The Gold Fields Regulation Act, 1880."

112 Service of Notices, &c.—When by "The Gold Fields Regulation Act, 1880," or by these Regulations, any notice or other document is required to be given to any person, mining partnership, or company, the same may be given either by delivering the same personally or by leaving the same at the address, or at the usual or at the last known place of abode or business in Tasmania of such person, mining partnership, or company, or by posting the same to such address or place of abode or business.

113 Shafts, &c. near roads to be secured to prevent accidents.—If any person shall, in carrying on mining, sink any shaft or excavate any kind of hole within a distance of ten feet of any road, footpath, or track in ordinary use, such person shall cause the same to be sufficiently barricaded or fenced in, or otherwise secured to prevent accident; and every person shall for any breach or default hereof forfeit and pay a penalty not exceeding Five Pounds.

114 Conditions under which buildings, &c. may be removed.—Every person, mining partnership, or company who shall have put up any building or other erection upon any residence or business area, or upon any claim held under a miner's right or a consolidated miners' right, which area or claim shall be forfeited or be deemed to be abandoned, may remove the same within three months after such forfeiture or abandonment; and

in default thereof, the same shall vest in Her Majesty, and may be sold by auction, and the proceeds of such sale shall be paid into the Treasury and shall form part of the Consolidated Revenue Fund.

115 Table of Fees.—The several fees set forth in Schedule No. 26 shall be the fees to be paid upon all matters required to be done under "The Gold Fields Regulation Act, 1880," and these Regulations, and the same shall be paid to and collected by the Registrar or Registrars of Gold Fields.

116 Penalty.—Every person shall, for any breach of or default in any provision of these Regulations, forfeit and pay a penalty not exceeding (except as otherwise specially provided) Twenty Pounds.

117 Calculation of "days."—The calculation of "days" for doing any act shall be exclusive of Sundays, Good Friday, Christmas Day, and any general or public holiday.

118 Title not to be injured by neglect of Officer.—The title of any claimholder shall not be vitiated by reason of the non-performance within the prescribed time of any act, matter, or thing required by these Regulations to be done by the holder of such claim, if such holder can prove that the non-performance as aforesaid was caused by the neglect or default of any mining officer.

119 Questions and Disputes.—All questions and disputes arising under these Regulations shall be heard and determined by the Commissioner, who shall make such order as he sees fit in reference thereto.

120 Repeal of existing Regulations.—All previously existing Regulations made by the Governor in Council are hereby revoked, saving that all claims acquired under such Regulations and now subsisting shall be deemed to be held under such Regulations; and these Regulations shall commence and take effect on the Third day of July, 1883.

SCHEDULES.

No. 1.

Tasmania.

No.



FEE—5s.

(Place) _____

(Date) _____

MINER'S RIGHT.

ISSUED to _____

under the provisions of The Gold Fields Regulation Act, 1880.

To be in force until 31st December, 18 .

Officer authorised to issue.

NOT TRANSFERABLE.

No. 2.

Tasmania.

No.



FEE—

(Place) _____

(Date) _____

CONSOLIDATED MINERS' RIGHT.

ISSUED to [here insert Manager's name.]

[here insert description and situation of Registered Claim.]
under the provisions of The Gold Fields Regulation Act, 1880.

To be in force until 31st December, 18 , and to represent
Miners' Rights.

Officer authorised to issue.

No. 3.

Tasmania.

No.



FEE—

(Place) _____

(Date) _____

BUSINESS LICENCE.

ISSUED to _____

under the provisions of The Gold Fields Regulation Act, 1880.

To be in force until 31st December, 18 .

Officer authorised to issue.

No. 4.

PROSPECTOR'S PROTECTION ORDER.

ISSUED under the authority of Section 23 of "The Gold Fields Regulation Act, 1880," to [Name,] [Date and No. of Miner's Right] authorising him, his agents or servants, to prospect for gold (in quartz, or alluvial deposit, or both) 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 Gold Fields.

No. 5.

FORM OF APPLICATION TO REGISTER CLAIM.

(I or We) the undersigned, hereby apply to the Registrar of Gold Fields for registration of a claim held by (me or us), and situate [here state situation] and containing [here state area].

Dated this day of 188 .

Names.	Address of Applicant.	No. of Miners' Rights.	Date of Miners' Rights.

No. 6.

NOTICE OF INTENTION TO REGISTER.

NOTICE is hereby given, that application having been made to me by the under-mentioned persons to register a claim containing and situate that I shall on the make such registration unless on or before that day a notice of objection is given to me.

Dated this day of 18
Registrar of Gold Fields.

[Here state particulars given in the Application.]

No. 7.

CERTIFICATE OF REGISTRATION.

THIS is to certify that I have this day registered the under-men-
tioned person (or persons) as the holder (or holders) of a claim
containing situated at

[illegible]

[Here state particulars given in the Application.]

No. 8.

CERTIFICATE OF REGISTRATION.

THIS is to certify that _____ of _____ is the
registered holder of a share under his Miner's Right, No. _____.
dated _____ in a registered united claim situated at _____
containing an area of _____, the said share
being the _____ part of the whole.

Dated at this day of 188 .
Registrar of Gold Fields.

No. 9.

APPLICATION FOR AMALGAMATION OF CLAIMS.

WE, the undersigned, being the registered holders of
and situated hereby request the Registrar of
Gold Fields of the District of to amalgamate
the claims aforesaid as one claim.

<i>Signatures.</i>	<i>Miners' Rights.</i>	
	<i>Number.</i>	<i>Date.</i>

No. 10.

CERTIFICATE OF AMALGAMATION.

THIS is to certify that I have this day of
amalgamated as one claim the under-mentioned claims, that
is to say,

Given under my hand at this day of *Registrar of Gold Fields.*

No. 11.

TRANSFER OF CLAIM.

(I or We), the undersigned, do hereby transfer (my or our) registered (share or claim) situate _____ to the undersigned (transferree or transferrees), and (I or We) the undersigned, do hereby accept the said (share or claim.)

Dated at this day of 188 .
Transferrors.

(Signatures.)		Witness—(Signature.)	
<i>Transferees.</i>			
(Signature.)	Address.	No. and date of Miner's Right.	Witness.

No. 12.

APPLICATION FOR LEASE OF MACHINERY SITE.

No. _____ (Place) _____
(Date) _____

*To the Honorable the Minister of Lands
and Works.*

SIR,

I HEREBY apply for a Lease of a Machinery Site under "The Gold Fields Regulation Act, 1880," 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.	Date when marked off.	Area.	Town.	Situation of the Land applied for.	General Remarks.

No. 13.

LEASE OF A SITE FOR MACHINERY.

THIS Indenture made the _____ day of _____ 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 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 that piece or parcel of land particularly described in the First Schedule hereto, and as the same is delineated in the map or plan hereon endorsed, and surrounded by a red boundary line, 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, 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 which it may be necessary to use in washing, sifting, smelting, refining, crushing, or otherwise dealing with soil, earth, rock, or stone, for the purpose of obtaining gold 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 Gold Fields Regulation Act, 1880," 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 commence-

ment 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 having been 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 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 Gold Mining 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 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 gold 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—

The Schedule above referred to.

[Here insert a description and plan of the land demised.]

No. 14.

APPLIED FOR WATER RIGHT.

Name _____

Date _____

No. 15.

APPLICATION FOR WATER RIGHT.

(I or We) the undersigned hereby give notice that it is intention to take and divert from _____ sluice-heads of water, and to cut a race for the purpose of leading such water to _____ and to construct _____ at _____ for the purpose of storing such water. The length of the race aforesaid will be _____ or thereabouts, and the course of the race will be _____ or thereabouts.

Dated at _____ this _____ day of _____

Names.	Address of Applicant.	No. of Miner's Right.	Date of Miner's Right.	Date when marked off.

No. 16.

CERTIFICATE OF REGISTRATION OF WATER RIGHT.

THIS is to certify that I have this day registered the under-mentioned person (or persons) as the holder (or holders) of a Water Right authorising him (or them) to take and divert from _____ sluice-heads of water, which on the day of _____ the Crown could lawfully take and divert, and to convey the same in a race to _____ (or to construct a dam or dams or reservoir or reservoirs) at _____ a plan and description of which are deposited in my office.

Name.	Address.	No. of Miner's Right.	Date of Miner's Right.

Dated at _____ this _____ day of _____ 188

Registrar of Gold Fields.

No. 17.

FORM OF APPLICATION FOR A LEASE OF A WATER RIGHT.

(Place.) _____

(Date.) _____

To the Hon. the Minister of Lands and Works.

SIR,

I HEREBY apply for a Lease of a Water Right under "The Gold Fields Regulation Act, 1880," 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 10.	Date when marked off.	No. of Sluice-heads.	Point from which the water is to be diverted, naming river or other source. Length and direction of race, or number, situation, and area of Dams or Reservoirs in which the water is to be collected and stored.

No. 18.

LEASE OF A WATER-RIGHT.

THIS Indenture made the _____ day of _____ 188____ 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 _____ his executors, administrators, and assigns (hereinafter called the lessee) of the other part—Witnesseth that in consideration of rent hereinafter reserved, and pursuant to the power conferred on him by “The Gold Fields Regulation Act, 1880,” and by the Regulations made thereunder, the Minister, with the consent of the Governor in Council, doth, subject to the reservations hereinafter contained, lease to the said lessees, 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 lessee 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 lessee, his executors, administrators, and assigns during the continuance of this lease 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 lessee, his heirs, executors, administrators, and assigns during the continuance of this lease [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 lease, 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 lessee, his 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 lessee doth hereby for himself, his executors and administrators, covenant with the Minister that the lessee, 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 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 lessee 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 lessee, 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 leasing 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 lease may be declared void and forfeited in the

manner provided in the 38th and 39th Sections of “The Gold Fields Regulation Act, 1880,” if default shall be made by the lessee, 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 Treasurer as aforesaid, or if the lessee shall fail or neglect to use the water-right hereby granted in a *bond 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. 19.

APPLIED FOR LEASE.

(Name.) _____

(Area.) _____

(Date.) _____

No. 20.

FORM OF APPLICATION FOR LEASE.

(Place.) _____

(Date.) _____

To the Hon. the Minister of Lands and Works.

SIR,

I HEREBY apply for a Lease under “The Gold Fields Regulation Act, 1880,” 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.	Date when marked off.	Area.	Term.	Situation of the Land applied for.	General Remarks.

No. 21.

NOTICE OF APPLICATION FOR GOLD MINING LEASE.

I (or We) the undersigned, hereby give notice that I did on the _____ day of _____, 188____, mark off under application for lease _____ acres situate _____

Dated this _____ day of _____ 188____.

(Name and Address of each Applicant.) _____

No. 22.

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 Gold Fields
and Mr. _____

No. 23.

FORM OF LEASE.

THIS DEED OF LEASE, made the day of 18 , by the authority of His Excellency the Governor in Council, between the Minister of Lands and Works of the one part and (hereinafter called the lessee) of the other part, WITNESSETH, that, in consideration of the rents, reservations, covenants, provisoes, and agreements hereinafter contained on the part of the said lessee to be paid, observed, and performed, the Minister of Lands and Works doth by these presents DEMISE and LEASE unto the said lessee ALL that piece or parcel of land particularly described in the first Schedule hereto and as the same is delineated in the map or plan hereon endorsed and surrounded by a red boundary line; TOGETHER with full and free liberty for the said lessee to do all things and erect all machinery, buildings, and works which may be necessary, and also to appropriate and use 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 for winning, working, and obtaining the gold therein contained: EXCEPT and always reserved unto the said Minister of Lands and Works, or any person by him in that behalf appointed by writing under his hand, full and free liberty at all proper and seasonable times during the continuance of this demise, with or without assistants, to enter into and upon the land hereby demised and all mines, works, and buildings thereon, in order to view and examine the condition thereof, and for that purpose to make use of any of the roads, ways, machinery, and works belonging to the said land, mines, and premises; AND ALSO to use or make and use any drifts, levels, shafts, watercourses, adits, or passages being in or upon any part of the premises hereby demised or the surface thereof, for the purpose of freeing any other land or mines whatsoever from water, or for conducting water for the use of any such last-mentioned land or mines, or the machinery or works connected therewith, or for supplying the same with good fresh air; AND ALSO full and free liberty at all times during the continuance of the demise to make any level, drift, shaft, adit, watercourses, railroads, and other roads or ways in, through, or upon any parts of the premises hereby demised or the surface thereof, for effectually winning or working any other adjoining or neighbouring mines or for any purpose whatsoever, causing thereby nevertheless as little as possible obstruction or injury to any of the levels, drifts, shafts, adits, watercourses, roads, or ways and works belonging to the said land, mines, and premises hereby demised and in actual use: AND EXCEPT and always reserved unto Her Majesty all such parts and so much of the land hereby demised as may be required for making public ways in, over, and through the same, to be set out by the Governor or some person by him authorised in that respect; AND ALSO all stone, gravel, indigenous timber, and other materials the natural produce of the said land, which may be required at any time or times hereafter for the construction or repair of any public ways, bridges, fences, embankments, dams, sewers, or drains necessary for the same, together with the right of taking and removing all such materials, and of full and free ingress, egress, and regress into, out of, and upon the said land for the several purposes aforesaid: TO HAVE AND TO HOLD the said land, mines, gold, and all and singular other the premises hereinbefore mentioned or referred to and hereby demised, with their appurtenances (except as aforesaid) unto the said lessee from the day of the date hereof, for and during the full term of years next ensuing, and fully to be complete and ended to the intent that the same shall be used for gold-mining operations: YIELDING AND PAYING therefor yearly and every year during the term hereby demised the yearly rental of pounds, by equal yearly payments of each to be made in advance on the first day of July in each and every year of the said term, and all such payments to be free and clear of and from all rates, taxes, and assessments now or which may hereafter be imposed upon and in respect of the land and premises hereby demised, and from all other charges and deductions whatsoever, subject nevertheless to the restrictions, conditions, covenants, and provisoes herein and hereby made, expressed, and referred to: AND THE SAID LESSEE HEREBY COVENANTS with and to the Minister of Lands and Works in manner following, that is to say, that the said Lessee shall and will pay the rent hereby reserved upon the days and times hereinbefore appointed for the payment thereof free and clear as aforesaid, according to the true intent and meaning of these presents: AND ALSO shall and will at all times during the continuance of this demise prepare and

keep correct and proper plans or sections of all the workings and of the actual condition of the mines and premises hereby devised, such plans to be upon such scale and in accordance with such directions as the Minister of Lands and Works or other Officer authorised or appointed by him in that behalf shall from time to time direct, and shall deliver annually during the said term a true copy of such plans or sections to the Minister of Lands and Works or other Officer for the use of the Government of this Colony: AND ALSO shall and will supply annually during the said term to the proper Officer who may be authorised or appointed by the Governor in that behalf such returns, particulars, and statistics of the operations to be carried on upon the said land and the results thereof as he may from time to time in that behalf require, accompanied with a Statutory Declaration of the truth and correctness thereof: AND ALSO that he the said Lessee h agents, workmen, and servants shall and will during the continuance of this demise work and carry on mining operations on the said land, mines, and premises in a fair, orderly, skilful, and workmanlike manner: AND ALSO shall and will employ in the construction of the works or in mining operations on or under the said land during the first months of the said term and during the usual hours of labour, able and competent workmen and miners at the least, and during the remainder of the said term not less than such miners and workmen, unless prevented by inevitable accident or during the execution of repairs: AND ALSO that it shall be lawful for any Officer appointed by the Governor in that behalf at all proper and seasonable times during the continuance of this demise, and whether the said mining operations shall be in progress or not, without any interruption or disturbance from the said lessee , or h agents, workmen, or servants, to enter into and upon the said mines, works, and premises hereby demised, or any part thereof, to view and examine the state and condition thereof, and whether the said mines be worked in a proper, skilful, and workmanlike manner, and for such purposes to make use of the roads, ways, machinery or works belonging to the said mines and premises: AND ALSO that the said lessee , or h miners, workmen, or servants, shall not, nor will, carry on mining operations on the said land, mines, and premises hereby demised out of, or beyond, the limits and boundaries mentioned in the first Schedule hereto: AND shall and will pump out the water from h mines on the said land at all reasonable times, or contribute, or pay rateably with adjoining occupiers or lessees of Crown land for the me being, a fair proportion of water charges for keeping their works free from water, or shall and will pay to meet the loss or expense incurred by the Government, or by such lessees as aforesaid, or the adjacent or neighbouring miners, if any, such proportionate rate to be determined or assessed by the Commissioner of the District or other authorised Officer on his own view, or upon such evidence as may appear to him sufficient, and to be recoverable by distress of the goods, chattels, gold and ore of the lessee being upon the said land to be levied upon warrant under the hand of the Commissioner of the District, or other authorised Officer: AND ALSO shall and will make adequate 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 of 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 posts 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 good repair a sufficient and substantial wall or fence around all the shafts which may at any time during the said term be open in any part of the said demised premises or elsewhere for the purposes of this demise so as to lessen the liability to accident, and further effectually to prevent all access thereto by cattle: AND shall and will fill up with earth or waste heaps, or effectually and substantially shut up and enclose, all shafts which shall be closed or allowed to go out of repair, with the consent in writing or the Commissioner of the District, or other Officer authorised in that behalf: AND ALSO shall and will at all times during the continuance of the said demise keep and preserve the said mines and premises from all unnecessary injury and damage, and also the levels, drifts, shafts, water-courses, erections,

and other conveniences, roads and ways constructed for mining purposes, in good order, repair, and condition, except such of the said works as shall from time to time be certified by the Commissioner of the District, or other proper Officer, to be unnecessary for the further working of the said mine or for any purposes connected with the working of any other mines: AND in such state and condition shall and will at the end or other sooner determination of the said term DELIVER PEACEABLE POSSESSION thereof, and of all and singular the premises hereby demised, to the Minister of Lands and Works, or to the Commissioner of the District, or other Officer authorised to receive possession thereof: AND FURTHER shall and will likewise observe, perform, fulfil, and keep the further conditions, covenants, and provisoes, if any, set forth and contained in the Second Schedule hereto: AND ALSO shall not, nor will, cut or use any timber growing upon the said land, except for the purposes of the mining operations hereby contemplated, or for the domestic purposes of those engaged or employed thereon: 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 Treasurer as aforesaid, and if the conditions with respect to the employment of labour as aforesaid be not complied with for the space of six months, without the permission in writing of the Commissioner of Gold Fields; 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 or metal 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.

*Minister of Lands and Works
for Tasmania.*

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

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

First Schedule above referred to.
[Here insert description and plan of land demised.]

Second Schedule above referred to.
[Here introduce any special provisions.]

No. 24.

TRANSFER OF LEASE.

I, _____ of _____, being the holder of a lease No. _____ under "The Gold Fields Regulation Act, 1880," 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 and address 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, _____ of _____, 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. 25.

PERMISSION TO ERECT WORKS AND REMOVE GOLD.

WHEREAS _____ has applied under "The Gold Fields Regulation Act, 1880," for a lease of _____ acres of Waste Lands of the Crown situate _____ and has paid for twelve months in advance the rent for such lease. I do hereby grant to the said _____ permission to erect works and remove gold from the said land until the _____ day of _____ 188 __, unless this permission shall be sooner suspended.

Dated this _____ day of _____ 188 ____.

Commissioner of Gold Fields.

No. 26.

SCALE OF FEES.

	£	s.	d.
Prospector's protection order	0	5	0
Registration of application for claim under miners' rights (single)	0	2	6
Ditto (united)	0	5	0
Objection to registration of claim	0	2	6
Certificate of registration, single claim	0	2	6
Ditto, united claim	0	5	0
Registration of admission of a shareholder	0	1	0
Registration of division of a claim, per division ...	0	1	0
Registration of amalgamation	0	5	0
Registration of forfeited claim (single)	0	2	6
Ditto (united)	0	5	0
Registration of Transfer (single claim)	0	2	6
Ditto (united)	0	5	0
Registration of protection	0	5	0
Registration of quartz stacked	0	5	0
Registration of application for water right under miners' rights	0	2	6
Application for lease of Water Right, for each sluice-head	1	0	0
All certificates not above mentioned	0	1	0
Application for lease for mining, for each acre.....	1	0	0
Amalgamation of lots under application for lease, (each lot)	1	0	0
Objection fee—Application for lease	0	10	0
Transfer of interest in application for lease	1	0	0
Insertion of another as joint applicant for lease.....	0	5	0
Transfer of lease	1	0	0
Amalgamation under Regulation 96, each claim ...	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

	Ordinary Land.			Densely wooded or Scrub Lands.		
	£	s.	d.	£	s.	d.
Survey Scale,—						
Under 2 acres	1	5	0	1	12	0
2 acres and under 10 ...	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
Water-races, where necessary, per chain	0	1	0	0	1	3
Plan and report where actual survey unnecessary	1	1	0			