



SUPPLEMENT
TO THE
VICTORIA
GOVERNMENT GAZETTE

OF THURSDAY, DECEMBER 31, 1857.

Published by Authority.

No. 154.]

THURSDAY, DECEMBER 31.

[1857.]

LOCAL COURT REGULATIONS.

BALLAARAT.

REGULATIONS made by the Local Court of the district of Ballaarat:—

LXXXVI. Permission to occupy for residence.—Any person in possession of a miner's right shall be permitted to occupy, for the purpose of residence in connection with mining, twenty perches of the crown lands of the district, provided that the length shall not exceed twice the width.

LXXXVII. Areas for machinery, &c.—The local court shall have power to permit parties to cut races through claims in possession of other parties and to occupy areas of ground on which to erect dams, puddling machines, engines, tramways, or any machinery or appurtenances connected with mining, such permission to be subject to any conditions or restrictions the court may deem necessary to impose at the time of giving such permission, and should any party or parties fail to act in accordance with such conditions or restrictions, the court may cancel such privilege.

LXXXVIII. Notice of application.—Any party or parties applying for a special privilege, as authorised in rules No. lxxxi. and No. lxxxvii. shall, at least eight (8) days previous to the application being considered by the court, give intimation of such application to the chairman of the court, who shall give such party or parties a certificate of such application, which shall be an authority for holding the ground applied for against all other parties until such application shall have been considered as aforesaid, and such party or parties shall for not less than eight clear days previous to such application being considered as aforesaid, keep posted on some conspicuous part of the ground a notice stating the nature of such application and the date upon which it is to be considered by the court.

LXXXIX. Damaging claims, roads, watercourses, &c.—When it is satisfactorily shewn to the surveyor that any party is injuring another party's claim, drive, puddling machine, or any machinery or appurtenances connected with mining, or when any party or parties injure a public road, public watercourse, or public thoroughfare, by allowing water or sludge to accumulate, damming back water, or by any other means whatsoever, the surveyor shall be empowered to make such order as to him may seem best to compel all parties who are thus committing injury to cease from so doing; and in case the party or parties doing such injury shall refuse to make reasonable compensation for the damage done, the local court, upon hearing the complaint, may award such sum to the injured party by way of compensation as it may consider commensurate with the amount of injury done; and any person or persons refusing to obey the order of the surveyor, or refusing to pay the amount awarded by the local court in such matter, shall be deemed guilty of a breach of these regulations.

xc. Surveyor's bench marks.—No person shall be permitted to displace, injure, destroy, or in any way interfere with any peg, bench mark, or reference mark used by any authorised surveyor in the execution of his duty.

No. 154.—DECEMBER 31st, 1857.—1.

xcI. Repealing clause.—From and after the gazettement of this clause, the local court regulations, gazetted on the 9th of January, 1857, shall be and the same are hereby repealed; provided always that any offence committed against the said regulations (of 9th January, 1857,) previous to the gazettement of this clause, may be tried or enquired into and adjudicated upon at any time hereafter.

xcII. Interpretation clause.—In the construction and for the purposes of carrying out the local court regulations gazetted on the 14th day of December of the present year 1857, during the interval between the time of an Act of Council 21 Victoria No. 32 coming into operation, and any bye-law made or to be made by the mining board, the words "local court and chairman of local court" shall be construed to mean "warden of the district or judge of the court of mines" (as the case may be), except so far as regards clause lxxxvii. of the regulations.

The foregoing Regulations, Nos. lxxxvi. to xcII., have been assented to by His Excellency the Governor, with the advice of the Executive Council.

Gazetted on the 31st day of December, 1857, pursuant to 18 Victoria No. 37, sec. 17.

By His Excellency's Command,

WILLIAM C. HAINES.

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LOCAL COURT REGULATION.

CASTLEMAINE.

REGULATION made by the Local Court of the district of Castlemaine:—

XLIII. Combined prospecting.—To encourage ordinary working miners and others to combine for the purpose of prospecting for and facilitating the discovery of auriferous quartz reefs or veins, the warden may, on application, grant permission to any number of miners, not exceeding twelve, to combine for the purpose of sinking a prospecting shaft in common. They shall take up claims in the usual manner and number them north and south from the said shaft, and give a list of the same, together with all the names of the party, to the warden, when application is made; after which they shall be allowed to hold their claims in reserve until the reef or vein is properly tested. Should it afterwards be proved that any party has obtained such grant through false representation, by using fictitious names or otherwise, the grant shall be null and void.

The foregoing Regulation, No. XLIII, has been assented to by His Excellency the Governor, with the advice of the Executive Council.

Gazetted on the 31st day of December, 1857, pursuant to 18 Victoria No. 37, sec. 17.

By His Excellency's Command,

WILLIAM C. HAINES.