



SUPPLEMENT
TO THE
VICTORIA
GOVERNMENT GAZETTE

OF TUESDAY, JANUARY 10, 1860.

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BALLAARAT MINING DISTRICT.

BYE-LAW No. XI.—[2nd December, 1859.]

AT a meeting of the mining board of the mining district of Ballaarat, begun and holden at Ballaarat, in the said district, on the second day of December, One thousand eight hundred and fifty-nine, it is ordained by the said board as follows, that is to say:—

DIVISIONS OF DISTRICT.

1. *Mining district divided into ten (10) divisions.*—The mining district of Ballaarat shall be divided into ten (10) divisions, which shall be numbered consecutively from one (1) to ten (10), and the boundaries of such divisions shall be as follows, that is to say, as shown on a plan marked B, registered in the mining board, and signed by the chairman of the said board, on the 2nd day of December, 1859.

REGISTRARS.

2. *Appointment of mining registrars — their office hours, duties and fees.*—Registrars shall be appointed by the mining board to the several divisions, and such officers shall be called district mining registrars. It shall be the duty of the mining registrar to keep his office open during certain hours (that is to say, from Ten to Twelve o'clock a.m.) each day, and to post outside of said office a notice stating the hours during which he will transact business. It shall also be the duty of the mining registrar to survey claims, and register applicants for said claims at the time or times appointed by himself for that purpose, and any mining registrar neglecting or failing to survey claims or register applicants as aforesaid, shall be deemed guilty of a breach of this bye-law. Upon the application of any person or persons for survey of, and registration for a claim or claims, it shall be in the power of the registrar to demand half the amount of the fee for the survey of such claim or claims, previous to fixing the time for making such survey.

3. *General duties of the mining registrars.*—District mining registrars shall furnish to the mining board quarterly reports of the mining operations within their respective divisions; shall report to the mining board upon all Crown lands which may from time to time be gazetted for sale; shall keep a register of all applications for claims, setting forth the day and hour upon which each application is made; shall make or cause to be made surface surveys of claims; shall register applicants for the same, shall transfer registered claims or shares in registered claims, shall supply gratis all schedules necessary in carrying out this bye-law, shall forward to the clerk of the mining board weekly returns of registrations and transfers of residence claims, and shall generally perform within their respective divisions all the duties imposed upon them by this bye-law.

PROSPECTING.

4. *Size of protection claims.*—Persons holding miners' rights shall, for the purpose of prospecting for gold, be entitled to take possession of protection claims in accordance with schedule i. hereunto appended.

5. *Mode of taking possession of protection claims.*—Persons taking possession of claims in accordance with schedule i. hereunto appended, shall immediately define the boundaries thereof by posts firmly fixed in the ground at each corner of such claim, and projecting above the surface at least three feet, and shall

within 48 hours after so taking possession give notice to the registrar of their having done so, and every such notice shall set forth the day and hour upon which the posts aforesaid were fixed; and the persons so taking possession shall at the same time produce their miners' rights to the registrar and apply to be registered for such claim, and such possession and application shall be deemed a good and sufficient title to such claim for all purposes (subject always to the adjustment of its boundaries by the mining registrar) until such claim shall have been surveyed and the applicants registered for the same by the registrar, or until the registrar shall have refused to register such applicants for such claim; and every such claim so taken possession of, and registered by the registrar, shall be held for protection while prospecting for gold, and such protection shall hold good as against all other persons until a discovery of auriferous ground shall have been made and reported as hereinafter provided, and a prospecting claim laid off, or until such protection claim shall have been forfeited or abandoned.

6. *Application and registration for protection claims.*—Upon receipt of the notice and application as provided in section 5 of this bye-law, the registrar shall enter such notice and application, together with the numbers and dates of the miners' rights of applicants in a book to be kept for that purpose, and every such entry shall be made under the date and hour upon which such notice and application was received by such registrar, and the registrar shall inform the applicants that he will, on a certain day (to be fixed by such registrar), be on the claim for the purpose of making a correct measurement of such claim, and after having made such measurement the registrar shall register the applicants for such claim; but in no case shall the registrar register any person or persons for such claim until he has surveyed such claim. In cases where the registrar considers that it would be injurious to the mining interest to permit persons to occupy a protection claim, he shall have power to refuse to register applicants for such claim, and the title of such applicants to such claim shall thereupon cease and determine.

7. *Affidavit of discovery of new auriferous ground.—Extended or prospecting claim.*—Any person or persons, while in possession of a protection claim, discovering any new auriferous ground, shall, with as little delay as possible, make affidavit of such discovery before a justice of the peace, and shall without delay deliver such affidavit to the registrar of the district; and any person or persons making such discovery and reporting the same as above, shall be entitled to an extended claim, in accordance with schedule ii. hereunto appended, and the registrar shall as soon as convenient lay off such claim, and shall then register for such claim the person or persons making and reporting such discovery; but any person or persons who shall refuse or neglect to make affidavit, as aforesaid, shall forfeit all right and title to the extended areas, in accordance with schedule ii. hereunto appended.

8. *Declaration of new auriferous ground.*—Upon receipt of an affidavit of discovery of any new auriferous ground, the mining registrar shall, with the least possible delay, proceed to the claim and thoroughly examine into the attendant circumstances (a full report of which he shall furnish to the mining board), and shall as soon as possible determine under what system such

auriferous ground shall be worked, and shall post or cause to be posted upon his office and on the ground, notices in the form of schedule iii. hereunto appended, declaring that such auriferous ground shall be worked under the frontage or block system, as the case may be.

9. *Newly discovered auriferous ground not to be taken possession of before declaration.*—No person or persons shall be allowed to take possession of claims upon any newly discovered auriferous ground until the registrar shall have declared, as provided in section 8, under what system such auriferous ground shall be worked.

FRONTAGE CLAIMS.

10. *Size and form of frontage claims.*—All frontage claims shall be laid off by the mining registrar in accordance with the principle set forth in plan A, contained in Bye-law No. VIII. of the mining board of Ballaarat, gazetted on the 15th day of April, 1859, and in accordance with the extent prescribed in schedule iv. hereunto appended; and the length of lead to which one man is entitled shall be a claim.

11. *Size of frontage claims not to be varied.*—The datum for laying off frontage claims shall be fixed by the mining registrar, and the depth of sinking, where not accurately known, shall, for the purpose of fixing size of claims, be estimated by the registrar from the most reliable data at his disposal, and the size of claims shall not be varied after such claims have been laid off by the registrar, though the depth of sinking may be afterwards found to be greater or less than was anticipated.

12. *Application for frontage claims.*—As soon as any lead shall have been declared a frontage lead, in accordance with section 8 of this bye-law, the registrar shall be at liberty to receive applications for claims upon such lead, and every such application shall be registered by the registrar, in a book to be kept for that purpose, under the date and hour upon which such application is made; provided always that such application be made in accordance with the provisions of section 14 of this bye-law.

13. *Mode of taking possession of frontage claims.*—Persons holding miners' rights shall be entitled to take possession of frontage claims, in accordance with schedule iv. hereunto appended, upon any frontage lead; provided always that such claims be taken possession of in accordance with section 14 of this bye-law, and that for the purpose of taking possession all the claims upon a lead be marked off consecutively in one direct line from the prospecting claim.

14. *Application to be registered for frontage claims.*—Any person taking possession of a frontage claim, as provided in section 13, upon a frontage lead, shall immediately define, as nearly as the circumstances of the case will permit, the extent of such claim, by a post firmly fixed in the ground at each end of such claim, and projecting not less than three feet above the surface, and also another post with his name thereon near the centre of such claim, and shall, within 48 hours after the time of so taking possession, make application, in the form of schedule v., hereunto appended, to the registrar for such claim, and such possession shall be a good and sufficient title to such claim (subject always to the adjustment of its boundaries and position by the registrar) until it shall have been properly laid off and registered by the registrar.

15. *Size of frontage claims to be fixed by the registrar.*—As soon as convenient after declaration of a frontage lead, the registrar shall proceed to the ground and ascertain, as nearly as practicable, the depth of the lead, the rate at which it dips, the course in which it runs, and such other information as may be necessary to guide him in laying off claims along said lead; he shall then proceed to lay off claims in accordance with the principles set forth in plan A, contained in Bye-law No. VIII. of the mining board of Ballaarat, gazetted on the 15th day of April, 1859, and he shall then register applicants for such claims, in the order in which such claims had been taken possession of and applied for, but the registrar shall not register or cause to be registered any person or persons for frontage claims until he shall have surveyed and laid off such claims.

16. *Width of frontage claims.*—The width of frontage claims shall not be defined until the lead has been discovered therein. The maximum width of lead to which the holder of a frontage claim shall be entitled shall be (irrespective of the depth of such lead) 200 feet.

17. *Mode of defining lateral boundaries of frontage claims.*—When the lead is discovered in any frontage claim, the owner or owners of such claim shall, with the least possible delay, put a main drive into and thence along the course of such lead throughout such claim, at the lowest level of such lead, the centre of such main drive shall, for the purpose of fixing the lateral boundaries, be considered the centre of such lead, and the lateral boundaries of such claim shall then be defined by pegs placed on each side not more than 100 feet from the centre of such main drive.

18. *Claimowners to define lateral boundaries of frontage claims.*—It shall be the duty of any person or company holding a frontage claim to define, or cause to be defined, the lateral boundaries thereof in the manner prescribed in section 17 of this bye-law, with the least possible delay; and any person or company as aforesaid failing to define the lateral boundaries of his or their claim, or neglecting to keep the pegs by which such boundaries are defined fixed in their proper places, and visible, shall be guilty of a breach of this bye-law.

19. *Claimowners may join as one company.*—Special registration of companies.—Proceeding to work.—Any number of persons holding consecutive claims upon a frontage lead shall be allowed to

join together as one company, for the more efficient working of such claims as one claim; and all such persons so joining together shall be especially registered as one company by the registrar; and every such company shall, within four days after such registration has been effected, proceed to work, and continue to work regularly upon, or in connection with such claim; and any company, or member of a company, not so proceeding to work shall be liable to forfeit all his, or their, right, title and interest, in and to such claim.

20. *Block claims not permitted within the parallels of a frontage lead.*—No person or persons shall be entitled to take possession of or shall be registered for a block claim within the parallels of any person or company holding a frontage claim until the lead has been thoroughly defined throughout such frontage claim, and all the boundaries of said frontage claim have been fixed.

21. *Block claims permitted on parallels after boundaries are fixed.*—If, after the lateral boundaries of a frontage claim have been fixed and defined, it should be found that any auriferous ground extends beyond and outside of such boundaries, the mining registrar shall post a notice stating that such paying reef exists, and that claims can be taken possession of upon such auriferous ground in accordance with sections 13, 33 or 34 of this bye-law, as the case may be.

22. *Stoppage of registration for claims.—Re-opening of registration for claims.*—When it shall appear to any registrar that two or more leads are likely to form a junction, he shall post on his office a notice, in the form of schedule vi. hereunto appended, stating that in consequence of the convergence of the said leads the registration for claims will be stopped on all but one (to be named in said notice) of said leads until further notice, and after the posting of such notice he shall refuse to register any person or persons for any claim or claims upon any of the leads upon which the registration has been so stopped, but if at any time after having stopped the registration upon any lead as aforesaid, the mining registrar shall find that any unoccupied ground exists between the point at which the registration was stopped, and the point at which the said lead joins another lead, he shall post on his office and on the ground notices in the form of schedule vii. hereunto appended, stating that on a certain day and hour (to be named in such notice) he will register applicants for shares or claims upon the aforesaid unoccupied portion of said lead.

23. *Definition of a junction.*—A junction shall be considered to have taken place when but not until two or more leads have actually joined together and formed one lead.

24. *Mode of defining width of frontage claims when leads converge.*—When, from the convergence of two leads, the quantity of ground lying between such leads is insufficient to allow the persons or companies upon the respective leads to get the full width of claim, as provided in section 16 of this bye-law, the mining registrar shall divide equally between the said persons or companies the ground lying between said leads, and the width thus determined shall be the extent of width to which such persons or companies shall be entitled.

25. *Registrars shall avoid creating conflicting interests.*—It shall be the duty of the mining registrars to use every precaution in registering persons for claims upon frontage leads, so as to avoid creating conflicting interests in the event of the confluence of said leads.

26. *Penalty for creating conflicting interests.*—Any registrar who shall register claims upon frontage leads in such a manner that conflicting interests may be created by the confluence of said leads shall be guilty of a breach of this bye-law, and the persons or companies first registered for claims upon either of those leads shall not be damaged by any subsequent registration of persons or companies for claims upon the other lead or leads.

27. *Definition of leads forming a junction.*—In the event of two or more leads forming a junction, the several leads by the confluence of which the junction is formed shall be called and known as tributary leads up to the point of junction; and the lead formed by the confluence of said tributary leads shall be called and known as a junction lead.

28. *Priority of right shall be based on priority of registration.*—When conflicting interests are created by the confluence of two or more leads, priority of registration shall be the basis upon which the priority of right shall rest and shall be determined; provided always that for the purpose of deciding the priority of right, the date of registration shall mean the date upon which the owner or owners of a claim were originally registered for such claim, and such original registration shall not be affected by any transfers or shares in such claim.

29. *Rights on tributary leads shall cease, and new rights obtained.*—Order in which rights shall be obtained on junction leads.—Tributary leads shall cease to exist as tributary leads beyond the point of confluence of said tributary leads, and the rights which have been acquired and retained to any portion or portions of any tributary leads beyond the point of confluence, shall also cease to exist as rights to any such portion or portions of said tributary leads. And the owners of the aforesaid rights shall, in lieu thereof, be entitled to claims upon the junction lead, equal in extent to those which they formerly held upon the tributary leads, in the following order, that is to say: the owners of the claim which was first registered upon any of the tributary leads shall be entitled to the first claim upon the junction lead; the owners of the next registered claim upon any of the tributary leads shall be entitled to the second claim upon the junction lead; and so on in like manner in the order of their registration, until all the persons who were, in consequence of the junction,

deprived of their claims upon the tributary leads, shall have obtained claims upon the junction lead, or until the whole of the junction lead shall have been taken possession of.

BLOCK CLAIMS.

30. *Definition of block claims.*—Block claims shall mean and embrace all claims other than frontage, prospecting, and residence claims, and areas for machinery, &c.

REGISTERED BLOCK CLAIMS.

31. *Size and form of block claims.*—Registered block claims shall be laid off in accordance with the sizes and forms prescribed by schedules viii., ix. and x., hereunto annexed, and the area which one man may occupy singly, or which any number of men may occupy conjointly, shall be a claim.

32. *Owners of block claims entitled to all the gold within said claims.*—Any miner's right shall entitle the owner thereof to a block claim in new ground, in accordance with schedule viii. hereunto annexed; in old or worked and abandoned ground in accordance with schedule ix. hereunto annexed; or on a quartz reef in accordance with schedule x. hereunto annexed; and the occupant of any block claim shall be entitled to all the gold contained within the boundaries of said block claim; provided always that he be registered for such block claim by the registrar of the division in which such claim is situated.

33. *Mode of taking possession of block claims.*—Any person taking possession of a block claim shall immediately define the boundaries thereof by posts firmly fixed in the ground at each corner of said claim, and projecting not less than three feet above the surface, and shall within forty-eight (48) hours thereafter deliver to the mining registrar a notice and application in the form contained in schedule v. hereunto appended, stating the extent and situation of claim, the date and hour of taking possession, and the number and date of miner's right, and such possession shall be deemed a good and sufficient title to such claim (subject always to the adjustment of its boundaries by the registrar), until the person taking possession and applying as aforesaid shall have been registered for the said claim, or until the registrar shall have refused to register the applicant for such claim.

34. *Mode of taking possession of block claims in company.*—Two or more persons taking possession of an area of ground comprising two or more claims shall immediately define the boundaries of said area by posts firmly fixed in the ground at each corner of the said area and projecting not less than three feet above the surface, and shall within forty-eight (48) hours thereafter deliver to the mining registrar a notice and application in the form contained in schedule v. hereunto appended, stating the extent and situation of area, date and hour of taking possession, and the numbers and dates of their miners' rights, and such possession shall be deemed a good and sufficient title to such area (subject always to the adjustment of its boundaries by the registrar), until the persons taking possession as aforesaid shall have been registered for said area, or until the registrar shall have refused to register applicants for such area; provided always that any one person (under his own miner's right) may, as agent for any number of persons, take possession of and apply for claims on behalf of the persons aforesaid.

35. *Registration of block claims.*—Upon the receipt of the notice and application, as provided in section 33 or 34 of this bye-law, the mining registrar shall register and file such notice and application, together with the names of applicants under the date and hour upon which such application was received by him in a book to be kept by him for that purpose, and shall inform the applicant or applicants that he will, on a certain day to be fixed by such registrar, be on the claim for the purpose of making a correct measurement of such claim, and after having made such measurement the mining registrar shall register the applicant or applicants for such claim, but in no case shall the registrar register any person for a claim until he has surveyed the same, and satisfied himself that such claim will not interfere with the rights of others.

36. *Registrar shall settle class of mining.*—It shall be competent for the mining registrar to elect under which of schedules, viii., ix. or x., he will register applicants for block claims.

37. *Conditions of forfeiture.*—In the event of any person failing to comply with the conditions set forth in section 33 or 34 of this bye-law, or in the event of any person failing to have his claim surveyed, or failing to get registered for the same at the time or times appointed by the mining registrar, as provided in section 35 of this bye-law (except in cases where the registrar neglects to perform his duty), he shall forfeit all right and title to such claim.

UNREGISTERED BLOCK CLAIMS.

38. *Unregistered block claims.*—Unregistered claims shall be of the form and size specified in schedule xi. hereunto annexed, and every holder of a miner's right shall have power to take possession of such area, to hold, to occupy, and enjoy the same for the purpose of mining; and it shall not be necessary for the legal holding, occupying, and enjoying of such claims for the occupants thereof to be registered for the same; provided always that no person shall have power to take possession of a claim upon a declared frontage lead excepting in accordance with the bye-laws in that case made and provided.

39. *Taking possession of unregistered claims.*—No person or persons shall be deemed to have taken possession of an unregistered claim until he or they, as the case may be, shall have defined the boundaries thereof, either by a V trench at least six inches deep and six inches wide at the top, that is to say, at the surface; and such trench shall be cut as nearly as practicable at right angles at each and every corner of the claim, and continued

on each line of such right angle to a distance of not less than six (6) feet from the vertex of the angle (that is to say, from the corner of the claim), or by a corner post at each corner of the claim, firmly fixed in the ground, and projecting not less than three (3) feet above the surface; and such trenches or posts, as the case may be, shall be kept visible at all times by the occupants of such claims.

40. *Forfeiture of unregistered claims by abandonment.*—Every unregistered claim, or share in such claim, shall be deemed to be abandoned, and shall be absolutely forfeited by the owner or owners thereof when such claim, or share of such claim, shall have been neglected for a period of three consecutive days, unless good cause can be shown for such neglect.

GENERAL REGULATIONS APPLICABLE TO REGISTERED CLAIMS.

41. *Registered claims shall be numbered.*—All claims taken up for mining purposes (except as provided in sections 38 and 39), shall be numbered in such manner as the registrar may deem best.

42. *Mode of registering claims.*—Claims shall be registered in accordance with the form contained in schedule xii. hereunto appended, and shall set forth the locality and extent of claim, the class of mining, the name or names in full of the owner or owners, and the number and date of the miner's right or miners' rights of such owner or owners, and the registrar shall issue to every holder of a registered claim or share in a registered claim a ticket in the form contained in schedule xiii. hereunto appended.

43. *Persons may unite as one company.*—Any number of persons may unite as one company for the purpose of taking possession of and working claims as one claim, or any number of persons already in possession of and registered for claims, may unite as one company, for the purpose of working said claims conjointly; provided always that such claims join each other, and that the number of men in such company shall not be less than are required under this bye-law for the purpose of holding the extent of ground comprised in such claim, and that every such company shall be registered as a company by the registrar.

44. *Definition of claims and shares.*—When the owners of two or more claims join together for the purpose of working said claims in company, the aggregate of those claims shall be deemed one claim, and each individual claim shall be deemed a share in such claim, that is to say, in all cases where claims are held and worked conjointly, the word "claim" shall mean and be interpreted to mean the area of ground held jointly by a company, and the word "share" shall mean and be interpreted to mean that undivided portion of or interest in the company's claim for which each of the members of such company is originally registered under this bye-law.

45. *Mode of working and time for commencing to work upon claims.*—At the expiration of four days from and after the registration of a claim under this bye-law the owner or owners of such claim shall proceed to work and shall continue to work regularly upon or in connection with such claim, and any person or persons neglecting or failing to work as aforesaid shall be liable to forfeit the claim or share so neglected. Nevertheless any shareholder in a company (unless it be contrary to the rules adopted and signed by each and every shareholder in such company) shall be at liberty to employ a fit and proper representative to work his share, or any company shall be at liberty to employ men by contract or otherwise to work their claim, and the title of such person or company to such share or claim so worked by contract or otherwise shall not be vitiated thereby; provided always that such claim or share be worked efficiently.

46. *Name of company, name of secretary, and names of shareholders, shall be posted.*—Secretary may sue and be sued on behalf of company.—As soon as any company have commenced operations on their claim, such company shall post or cause to be posted on some conspicuous part of their claim the names in full of each shareholder, and such names, together with the name or title by which such company is designated, must continue posted as above, and be kept legible until the claim is worked out or abandoned; and the company shall also keep posted at the head of such list the name of a shareholder, who shall act as secretary and keep the books of the company; and such secretary may sue and be sued in the name of the company, and any judgment or decree for or against such secretary (provided that such judgment or decree be a matter affecting the company) shall be given to the benefit of or be valid against the shareholders of such company. But should any company fail to post a list of names as herein provided, such company shall be guilty of a breach of this bye-law; and should the name of the secretary not be known, any shareholder may be served with notices on behalf of the company, or may be sued in all actions instituted against the company.

47. *Lien upon claims or shares shall be registered.*—Lien take priority in the order of registration.—The holder of any claim or share in a claim may give a lien upon such claim or share as security for the due payment of any debt or liability which he may have contracted, and every such lien shall be binding upon the holder of such claim or share until the debt or liability shall have been paid; provided always that such lien be registered by the registrar in the form contained in schedule xiv. hereunto appended, and that it be marked upon the register or transfer ticket by which such claim or share is held. Liens upon shares or claims shall take priority according to the date of their registration, and every transfer of a claim or share shall be made subject to any and every registered lien thereon; provided always that the registrar shall not register any lien upon a share or claim without the sanction and consent of the holder of such

claim or share, nor cancel any registered lien without the sanction and consent of the holder of such lien.

48. *Claims or shares may be transferred.*—All claims or shares shall be the *bona fide* property of the persons registered for them, and such persons shall be at liberty to transfer the whole or any part or parts thereof, subject always to the provisions contained in section 47 of this bye-law.

49. *Mode of transferring claims or shares.*—When the holder of any registered claim, or of any interest in a registered claim, applies to the registrar for a transfer of the whole or of any portion thereof, he shall present to the registrar the miner's right, register or transfer ticket, by virtue of which he holds the interest he intends to transfer, and the registrar shall execute a transfer in the form contained in schedule xv. hereunto appended, and every such transfer shall set forth the nature and extent of the interest transferred and the conditions upon which the same is transferred, and the registrar shall read the contents of such transfer ticket to the transferor and transferee, and the transferor and transferee shall then sign such transfer and the registrar shall attest such signatures, and no transfer shall be valid unless it be prepared and signed as aforesaid.

50. *Registrar shall retain register or transfer ticket.*—When the whole of the interest held under any register or transfer ticket has been transferred in accordance with section 49 of this bye-law, the registrar shall retain possession of and shall file such register or transfer ticket.

51. *Registrar shall issue certificate.*—When only a portion of the interest held under any register or transfer ticket has been transferred in accordance with section 49 of this bye-law, the registrar shall retain possession of and shall file such register or transfer ticket, and in lieu thereof shall issue to the transferor a certificate in the form contained in schedule xvi. hereunto appended, showing the amount of interest retained by said transferor.

52. *Claims or shares may be transferred as security.*—The holder or holders of any claim or share in a claim shall be at liberty to transfer the whole or any portion thereof as security for the due payment of any money advanced or of any debt or liability, and every such transfer shall be made in the form contained in schedule xvii. hereunto appended, and shall set forth the nature and extent of the interest transferred, the terms and conditions upon which the same is transferred, and the means by which the same shall be redeemed; and every claim or interest in a claim so transferred shall be held by the mortgagee as security (collateral or otherwise) until his demand upon such claim or share shall have been satisfied, and such claim or interest shall then be retransferred to the mortgagee.

53. *Registrar shall mark mortgage upon register or transfer ticket.*—When any claim or interest in a claim has been transferred, as provided in section 52 of this bye-law, the registrar shall issue to the transferee the transfer ticket by which such interest is transferred, and shall mark upon the transfer or register ticket, by virtue of which the transferor held such claim or interest, that the whole or a part (as the case may be) of such claim or interest has been mortgaged.

54. *Companies shall adopt code of rules.*—Copy of rules shall be filed.—Each mining company consisting of twelve or more shareholders shall, within a reasonable time, not to exceed three months after it has obtained from the registrar a register certificate for the claim it holds, adopt a code of rules for its management and government, and such rules shall provide for the appointment of a manager or secretary, who shall be the responsible head of such company; for the periodical meeting of shareholders at least once in twelve months; for the holding of special general meetings of shareholders, and the manner of convening such special general meetings, and the number of shareholders necessary to convene such meetings, and the business which such special general meetings shall be competent to transact; and shall provide that any business relating to the alteration of the rules of the company, making calls exceeding £20 per share, dissolution of partnership, and abandonment of claim, shall not be transacted at any meeting of the company other than a special general meeting duly convened, as hereinafter provided, and that no business shall be transacted at any special general meeting other than that mentioned in the notice convening such meeting; shall also provide for the adoption of a scale of votes to which shareholders shall be entitled at all general meetings of the company, whether special or otherwise, for the keeping of minutes of all meetings of the company, for the keeping of proper and intelligible accounts of all moneys and goods received and expended by such company, of all amounts owing by or to such company, and of all the transactions of said company which shall be necessary to record, and for the preserving of a faithful account of the operations of such company; and shall also provide for the making of calls and for such other matters and things as such company shall deem necessary; and such rules shall be signed by each and every shareholder, and a copy thereof duly verified by declaration shall be forwarded by the manager of such company to the clerk of the mining board to be registered and filed by him in the office of the mining board, and should any company neglect or fail to adopt a code of rules as aforesaid, such company shall be bound by the several provisions herein contained, in so far as they shall be applicable to such company. A special general meeting of a company shall not be deemed to be duly convened unless a notice thereof, in the form or to the effect of schedule xviii. hereunto appended, shall have been posted on the claim or place of business

for at least eight days previous to that for which such meeting is convened, and a copy of such notice shall have been inserted for the same period in at least one newspaper circulating in the district. At all general and special general meetings, unless the rules of the company provide otherwise, each quarter (whether sleeping or working) of a full share shall be entitled to one vote, each one-half share to two votes, each full share to four votes, and so on in like proportion; nevertheless, any company in framing rules for its own management shall have full power to adopt any scale of votes other than the foregoing. And it is hereby provided that no motion for the alteration of rules or the dissolution of partnership shall be deemed to be carried unless two-thirds of each kind of the shareholders, both sleeping and working, who shall be present at a special general meeting, vote in favor of such alteration of rules or dissolution of partnership.

55. *Companies to keep a register of strata, &c.*—It shall be the duty of persons or companies holding claims to keep a book in which the manager, or other person appointed by the owner or owners of the claim, shall record the nature and thickness of the several strata through which the shaft or shafts shall have been sunk, the quantity of gold obtained from time to time, and the quantity of earth or other substance from which the gold was obtained, and such books shall be open for inspection by the mining registrar of the division at all reasonable hours; and the mining registrar shall be permitted to copy therefrom any information that he may require, and any person or company failing to keep a book as aforesaid, or failing to record the facts as aforesaid, or refusing to permit the mining registrar to make extracts therefrom, shall be guilty of a breach of this bye-law.

56. *Secretary to keep a register of shareholders.*—The secretary of every company shall keep a book in which he shall enter the names of all shareholders, whether working or sleeping, together with the respective interest of each shareholder; and it shall be the duty of persons to whom any shares or portions of shares have been transferred immediately to inform the secretary that such transfer has been made, and the secretary shall then enter in the books of the company a duplicate of the transfer made by the registrar, and shall cancel the interest transferred so far as the transferor of such interest is concerned.

57. *Declaration of loss of miner's right, &c.*—When any person loses the miner's right and register or transfer ticket (or either of them), by virtue of which he holds any share or portion of a share, he shall make a declaration of such loss before a justice of the peace, and the registrar shall for all purposes connected with the transfer of such interest receive such declaration in lieu of the miner's right, register, or transfer ticket, or any or either of them.

58. *Miners' rights shall be renewed.*—Previous to or immediately after the expiration of a miner's right, under which any registered mining interest is held, the owner of such interest shall obtain a new miner's right, and shall present both the old and new miners' rights to the registrar, in order that the number and date of the new miner's right may be substituted for that of the old one in the register of the mining interests aforesaid.

59. *Absence from work.*—If any miner be absent from his work when it is his duty to attend, unless he shall have sent a proper representative to work in his absence, the company shall have power to employ a man in the place and at the cost of such absentee.

60. *Shares of absentees shall be declared forfeited.*—Should any working shareholder be absent from his work during four consecutive watches on which it is his duty to attend, unless he send a fit representative in his stead, the secretary and two working shareholders, or, in the absence of a secretary, three working shareholders of such company shall immediately give to the registrar a notice in writing of such absence, and every such notice shall be in the form of schedule xix. hereunto appended, and shall set forth the name of the absentee, the length of time absent, the amount of interest held by such absentee, the conditions upon which such interest was held, and the amount of liabilities thereon; and every such notice shall be signed by the secretary and two working shareholders, or in the absence of a secretary by three working shareholders in the company; and the registrar shall, upon receipt thereof, cause a notice to be posted on his office declaring such share vacant, and stating the conditions under which it was worked, together with the amount of liabilities thereon (if any), and shall conditionally transfer, and give conditional possession of such share to the first applicant after the date of the notice. But should the secretary and two shareholders give false information as to the absence of any person, they shall be held liable for the value of the share, and any expenses that may be incurred thereon.

61. *Conditional transfer of shares.*—When the registrar has made a conditional transfer of any share he shall forthwith post, or cause to be posted, on his office, a notice thereof, in the form contained in schedule xx. hereunto appended, and such notice shall continue posted and be kept legible for the space of eight days thereafter, and the registrar shall give a copy of such notice to the (conditional) transferee, who shall post the same on some conspicuous part of the claim, and such copy of notice shall be posted and kept legible by the company for the space of eight days thereafter; and at the expiration of that time, provided that the original shareholder should not have established his right to said share, and paid all expenses incurred on said share, whether as wages or otherwise, including wages for the person so conditionally registered, the holder of such conditional transfer shall (upon production of a certificate from the

secretary, or other person duly authorised by the company, that all costs and charges upon said share have been paid) be to all intents and purposes the *bona fide* owner of the share so conditionally transferred, and the registrar of the district shall forthwith register him as such for said share.

62. *Portions of shares liable to forfeiture.*—*Forfeited shares subject to liabilities, &c.*—In case the interest held by any claimholder or shareholder shall be forfeited, as provided in sections 45, 60 and 73, such forfeiture shall only affect the interest then the legal property of the person or persons incurring such forfeiture, and shall not extend to any portions of such interest previously disposed of by transfer (except as provided in section 63 of this bye-law), and any person taking possession of a forfeited share shall do so subject to whatever liabilities may be upon it, and also subject to the conditions under which it was previously held.

63. *Liability of holders of sleeping portions of shares.*—In the event of the working portion of a divided share being forfeited, and such working portion being insufficient to induce any other person to take possession of and work it, the owner of working it shall fall upon the holder of that portion of such share which was last transferred from the original share; and in the event of the holder of the last transferred interest aforesaid refusing or neglecting to take possession of and work the said forfeited working portion of such share, he shall forfeit his interest in such share, and the holder of the next last transferred portion of said share shall take possession of and work the forfeited portions of said share, or failing to do so shall forfeit his interest in such share, and so on in like manner until the whole of said share shall have been forfeited, or until the forfeited portion or portions shall be taken up and worked.

64. *Responsibility of holders of working portions of shares.*—The working partner in a share shall be responsible to the company for all calls and expenses incurred in working such share, and for all fines which may be imposed by the company for neglect of work; and when a working partner in a share has incurred expenses by fines, wages, or otherwise, and refuses to pay the same, it shall be lawful for such company to sue such working partner for payment thereof; and should such company neglect to do so, all liabilities incurred by said working partner, over the sum of Ten pounds (£10), shall be at the company's own risk, and shall not be chargeable against the other partner or partners in said share.

65. *Sleeping shareholders may be sued for calls, &c.*—Should any person holding sleeping interest and being a sleeping partner in any share, claim or company, neglect to pay the portions of calls or other liabilities to which he is legally subject, either by special agreement or in any other way, and should the working shareholder or the company sustain any loss by such neglect, the sleeping shareholder shall be liable to make good such loss, and it shall be lawful for the working partner or the company to sue such sleeping partner for payment thereof; but should such sleeping partner not be found so that a summons may be served upon him, a notice shall be posted by the working partner or company on the claim, and such notice shall continue posted and be kept legible for eight days, and an advertisement shall be inserted in one at least of the local papers for eight consecutive days, stating that should such sleeping partner, or his agent, not come forward within that time and pay to the secretary of the company all expenses incurred by said working partner or company through such neglect, the mining registrar shall register the said working partner or company in all the sleeping partner's interest in such claim, on production of a certificate signed by the chairman and secretary of the company, stating that such sleeping partner has failed to comply with such notice.

66. *Shareholders shall receive dividends.*—Any person holding any share or portion of a share in a company, shall, upon application to the secretary, and production of the register or transfer ticket, by virtue of which he holds such share or portion of a share, be entitled to receive the dividend (of gold or money) upon such share or portion of a share, and the secretary of the company shall, upon the register or transfer ticket being produced, pay to the holder thereof the dividend upon the interest represented by such register or transfer ticket; but in the event of the dividends upon any shares or portions of shares not being applied for, the secretary shall pay such moneys into a bank in the names of the chairman, treasurer, and secretary of said company, to be held by them in trust until applied for by the owners thereof.

67. *Disputed title to a share of gold.*—When the title to a share or part of a share of gold or money is disputed by any person or persons, such disputing person or persons shall give notice of such dispute to the secretary of the company, and the secretary shall lodge any gold or money belonging to, or which may from time to time accrue to such disputed share, or portion of a share in a bank to the credit of the company; and the parties to such dispute shall, if practicable, within eight days from the date of the lodging of the said gold or money, as herein provided, bring such dispute before the proper authorities, so that the same may be settled. But should the person or persons so giving notice refuse or neglect to bring the dispute before the proper authorities within a reasonable time, the secretary shall pay the said gold or money to the person or persons holding the register or transfer ticket.

68. *Transfers of shares may be stopped.*—When any legal proceedings affecting any registered claim or portion of a share have been instituted, a written notice of such suit, under the

hand of the warden of the district or the clerk of the court of mines, shall be served by the suitor or suitors upon the registrar, and the registrar upon receipt of such notice shall stop all transfers of such share or portion of a share until he shall receive from the aforesaid warden or clerk of the court of mines a further notice to the effect that such legal proceedings have terminated.

69. *Slabs shall not be drawn from abandoned shafts.*—In no case will parties be allowed to draw slabs from any shaft without filling up such shaft as the slabs are drawn. When a claim is abandoned or left unworked, the registrar of the district shall be empowered to enforce such order as he may deem best for protecting persons holding adjoining claims; and any person or persons not complying with such order when signed by the registrar, shall be guilty of a breach of this bye-law.

70. *Furnishing shares.*—In the event of any person or persons accepting of one or more shares in a company as a consideration for any materials or machinery which he or they may supply to or for the use of such company, such person or persons shall to all intents and purposes be a partner or partners in such company; provided always that such person or persons be registered for such share or shares by the registrar.

71. *Registration and transfer of furnishing shares.*—Upon receipt of a certificate from the owner or owners of a claim, or from the secretary of a company holding a claim stating that said owner or owners or company have agreed to give to the person or persons named in such certificate one or more sleeping or working shares (as the case may be) in such claim, and also stating the terms and conditions upon which such share or shares are given, the registrar shall register the person or persons named in such certificate, for the share or shares named in such certificate, and shall also register the terms and conditions upon which such share or shares are given, and all such shares shall be held and can only be transferred or otherwise disposed of, subject to the conditions under which such shares are registered.

72. *Claims may be held in reserve.*—When companies require time for the purpose of procuring and erecting machinery before commencing operations, or where good cause can be shown for suspending or partially suspending operations at any time subsequently, the registrar may register such companies for permission to suspend or partially suspend operations for any term not exceeding one month, and may renew such permission from time to time; provided that before registering companies for such permission, or a renewal thereof, the registrar shall satisfy himself that such permission shall not be injurious to the public interest; and further provided that a copy of such protection be posted and kept posted on such claim until the time of such protection expires, and no person shall be allowed to take possession of any claim so registered during the term of the aforesaid registration.

73. *Abandonment of claim.*—When any person or company shall have abandoned a registered claim, he or they (as the case may be) shall immediately notify the same in writing to the registrar of the district, and the registrar, upon receipt of such notice, duly signed by the person or company aforesaid, shall forthwith cancel the registration by which such claim shall have been held; provided always that such cancelling of registration shall not in any way affect or invalidate the interest of any shareholder, whether sleeping or working, who has not signed such notice of abandonment, or who has not in some other way specially instructed the registrar of his intention to abandon said claim.

74. *Plurality of applicants for a claim or share.*—In all cases where more than one person or company are applicants for one and the same share or claim at one and the same time, and the registrar has any doubt as to which of said persons or companies has priority of right, he shall refuse to register either of them until the priority of right has been settled by law, or until the dispute has been settled amongst the several applicants by ballot or otherwise.

75. *Auriferous earth and quartz may be stacked and registered.*—Any person or persons having forfeited or abandoned any quartz or other gold workings, shall be at liberty to retain possession of any quartz, stone, or other substance containing gold (the produce of such workings), that may have been raised at the time of forfeiture or abandonment; provided that such quartz stone or other substance shall be stacked in a manner approved of by the registrar, who shall register the title of the owner or owners thereto, for a period of six months (subject to renewal as in the first instance), and the owner or owners shall cause a copy of such registration to be legibly painted or written on a board or metal plate, and firmly attached to the stack; and no person or persons shall remove, deface or damage any such board or metal plate so attached, or remove any quartz, stone, or other substance, stacked and registered in accordance with this regulation, without the consent of the registered owner or owners thereof; and should the owner or owners of any quartz, stone, or other substance containing gold, the produce of an abandoned or forfeited claim or claims, neglect or fail to have his or their title to the same registered, or neglect or fail in any other way to comply with the provisions of this section of this bye-law within eight days, inclusive of the date of abandonment or forfeiture, such quartz, stone, or other substance, shall be deemed to be forfeited and abandoned, and may be taken possession of by any other person or persons.

76. *Registrar may descend any shaft, &c.*—In all cases in which a mining registrar shall deem it necessary, in the execution of his duty, to descend, examine, or measure any shaft, or examine or measure any drives or workings, it shall be imperative on the miners working the claim in which such shaft or workings shall be situated, to give him all necessary assistance in doing so; and

in cases where any person or company refuses to comply with this rule, it shall be competent for the registrar to call in such other assistance as he may require, and the person or company refusing to comply, or refusing to render the assistance, as required by this rule, shall be guilty of a breach of this bye-law, and will be liable for the expense incurred.

77. *Mining partnership.*—Mining partnerships shall embrace all cases wherein mining interests are held or mining operations are conducted by two or more persons conjointly, or wherein two or more persons agree to divide the profits and losses, or either of them, of any mining adventure, or wherein any person or persons agree to receive the profits or any portion thereof arising from any mining interest in lieu of the whole or a portion of the profits of any other business or occupation, or wherein two or more persons agree to participate in any manner whatsoever in the profits of any mining interest or mining operations, and every such mining partnership shall be and continue binding upon all the parties thereto, until such partnership shall have been dissolved by mutual consent, by a competent court of law, or as provided in section 54 of this bye-law.

78. *Claims obtained under previous bye-laws may be increased in size.*—Any person or company occupying any claim or claims under any mining regulations, or under any bye-law or bye-laws of this board published in the *Government Gazette* previous to the passing of this bye-law, shall be at liberty to take advantage of all and every of the privileges conferred by this bye-law; provided always that the rights of other persons or companies be not thereby interfered with.

79. *Number of shareholders may be reduced.*—In cases where the claims cannot be increased to the size allowed under this bye-law, the owners of such claims may reduce the number of men employed upon such claims to the number required by this bye-law to represent the area comprised in such claims, and such reduction may be made in any manner that the whole of the shareholders in, or the whole of the owners of, such claim, shall deem most advantageous.

80. *Areas for machinery, &c.*—Any person or persons shall be entitled to occupy areas of ground through which to cut channels for the purpose of conveying the waste water from one claim to any other claim, to occupy areas of ground on which to erect dams (except as provided in sections 88 and 89), puddling machines, engines, buildings, roads, tramways, or any machinery or appurtenances connected with mining; and the registrar may register persons for areas of ground for the purposes aforesaid upon any claim in the possession of other persons, provided no injury be thereby done to the owners of such claim. It is also provided that persons in possession of other claims shall not be debarred from also occupying areas of ground for the purposes aforesaid.

81. *Mode of taking possession of areas for machinery, &c.*—Any person or persons wishing to obtain any of the areas as provided in section 80 of this bye-law shall give notice thereof to the registrar, and every such notice shall be in the form contained in schedule xxi. hereunto appended, and shall set forth the extent and locality of the site applied for, the purpose for which it is intended to be used, and the names of the applicants, and the numbers and dates of their miners' rights, and copies of such notice shall be posted and continue posted for eight clear days on the most conspicuous portions of the site applied for, in order that any person or persons having any objection to the occupation of the site applied for may forward such objection to the registrar; and if at the expiration of eight days from the date of the notice there be no objection, or if the registrar considers the objections insufficient, he shall register the applicant or applicants for the site applied for; provided always that every such area shall be held subject to the prior rights of other persons, and also subject to the conditions and restrictions imposed thereon by the registrar at the time of registering the applicants for such areas. And should any person or persons fail to act in accordance with the conditions and restrictions aforesaid, he or they shall forfeit such area or areas. And further provided, that in all cases where the registrar considers it would be injurious to the mining or general interest to permit persons to occupy such areas of ground, he shall have power to refuse to register applicants for such areas, and the title of such applicants to such areas shall thereupon cease and determine.

82. *Persons injuring drives, races, roads, &c., &c.*—When it is satisfactorily shown to the registrar that any person or persons are injuring another person's or persons' claim, drive, water-race, dam, puddling machine, or any machinery or appurtenances connected with mining, or that any person or persons are injuring a public road, public watercourse or public thoroughfare, by allowing sludge or water to accumulate, or by damming back water, or by any other means whatsoever, the registrar shall be empowered to make such order as to him may seem best to compel all persons who are thus committing injury to cease from so doing, and in case the person or persons doing such injury shall refuse to make reasonable compensation for damage done, or shall refuse to obey the order of the registrar, such person or persons shall be deemed guilty of a breach of this bye-law.

83. *Ventilation of claims.*—Where the drives of two or more claims have been broken through to each other, and thereby afforded the means of ventilation, such drives shall not be stopped up by the owners of any one claim without the written sanction of the owners of all the claims affected by the ventilation aforesaid. And any person or company who shall fill up any drive or drives, and thereby injure the ventilation of other claims, shall be guilty of a breach of this bye-law.

84. *Timbering drives.*—No person shall remove any props or timber the removal of which may endanger the workings of other claims. Upon the complaint of any person or persons that any other person or persons have neglected or failed to timber his or their drives in a proper manner, the mining registrar may descend and examine said drives, and may, if necessary, order that such additional timber be employed as may be requisite to secure all persons from injury; and any person or company who shall wilfully neglect to timber any drive securely, or who shall refuse to obey any order as aforesaid made by the mining registrar, shall be guilty of a breach of this bye-law.

85. *Penalty for injuring peg, bench mark, &c.*—Any person or persons who shall displace, injure, or destroy, or in any way interfere with any peg, bench mark, or reference mark used by any mining registrar, shall be guilty of a breach of this bye-law.

86. *Mining agreements may be filed and registered.*—Any person or persons may require the clerk of the mining board to register and file any mining agreement of any nature whatsoever, upon payment to the said clerk of the mining board of the sum of one shilling and sixpence.

WATER PRIVILEGES.

87. *Water privileges.*—Every miner's right shall entitle the holder thereof to divert water from any river, creek, or other source, to cut a race or races for conveying such water to any claim or claims, to construct a dam or dams for conserving such water, and to occupy so much of the waste lands of the crown as shall be hereinafter provided for the purposes aforesaid, subject always to the conditions and restrictions hereinafter set forth, and provided always that such water be used for mining purposes.

88. *Taking possession of water privileges.*—Any person or persons shall, in order to obtain the right to divert and use water for mining purposes, give notice in writing to the mining registrar or registrars of the division or divisions in which the source or sources from which the water is to be taken, and in which the claim or claims to which the water is to be conveyed shall be severally situated; and every such notice shall be in the form contained in schedule xxii. hereunto appended, and shall set forth the usual name or names of the river, creek, or other source from which the water is to be obtained, particularising as nearly as practicable the point in such river, creek, or other source whence the water is to be diverted, the quantity of water (in sluice-heads) required, the number of dams (if any) and their situations, the length of race and its supposed course; and every such notice shall contain an application for such water, dams, race, &c., or any of them, and shall also contain the names of all the applicants, and the numbers and dates of their miners' rights; and copies of every such notice and application shall be posted, and shall be kept posted for eight days, by the applicant or applicants at the source or sources from which the water is obtained, and at intervals of not more than a quarter of a mile along the course or supposed course of the race, and also upon the claim or claims to which the water is to be conveyed; and every such notice and application served upon the mining registrar or registrars, and posted as aforesaid, shall be deemed a good and sufficient title to such water, dams, races, &c., until the applicant or applicants shall have been registered for the same by the mining registrar or registrars, or until the registrar or registrars have refused to register the applicant or applicants for such water, dams, races, &c., as hereinafter provided.

89. *Registration for water privileges.*—Upon receipt of the notice and application, as provided in section 88 of this bye-law, the registrar or registrars shall register and file such notice, together with the name or names of the applicant or applicants, and the numbers and dates of the miners' rights of said applicants, in a book or books kept by said registrars for that purpose; and the said registrar or registrars shall post or cause to be posted and kept posted for eight consecutive days upon his or their office or offices a copy or copies of said notice and application, and if at the expiration of the said eight days there be no objection to said application, the registrar or registrars, or either of them, shall examine and survey, or cause to be examined and surveyed, the source or sources from which the water is obtained, the course or courses of the race or races, the position or positions and extent of the dam or dams (if any), and the position or positions and extent of the claim or claims to which the water is to be conveyed; and the said registrar or registrars, or either of them, shall make or cause to be made a plan showing all the sources from which the water is to be obtained, the course or courses of the race or races, the position or positions and the extent of the dam or dams (if any), and the position or positions and the extent of the claim or claims aforesaid, and the said registrar or registrars, or either of them, shall then register the said applicant or applicants for all or any of the privileges aforesaid, subject always to the prior rights of any other person or persons, and also subject to the several provisions of this bye-law, and shall file or cause to be filed a copy of the aforesaid plan of said privileges.

90. *Objections to registration for water privileges.*—Any person or persons having any objection to the registration of any applicant or applicants for all or any of the privileges aforesaid, shall, within eight days from the date of the notice or notices, as provided in sections 88 and 89 of this bye-law, forward to the registrar or registrars a statement of said objections, and the grounds upon which said objections are urged, and if the registrar or registrars consider such objections good and sufficient, he or they shall refuse to register the applicant or applicants for the privileges applied for; but if he or they consider that the objections

are insufficient to justify him or them in withholding the registration aforesaid, he or they shall register said applicant or applicants for the privileges applied for, or any of them, as provided in section 89 of this bye-law, and the objector or objectors shall have redress in the courts of law for any injury which may thereby accrue to them.

91. *Gauge or measurement of water privileges.*—Persons diverting water for mining purposes shall use a gauge or measurement, and the gauge or measurement, which shall be considered a sluice-head, shall be such a quantity of water as will pass through an aperture sixteen (16) inches wide and one (1) inch deep, with a pressure not to exceed six (6) inches, the gate or hatch to be placed in the head of the race, at the source from which the water is drawn, and the quantity of water allowed shall be in accordance with the number of men employed or amount of machinery used, and all water-rights shall be founded on such measurement and regulation; provided always that in cases where the water is obtained from several sources, the gate or hatch shall be placed in the race, as nearly as possible to the head, but below the point of confluence from all the sources from which the water is obtained.

92. *Extent of water privileges.*—The quantity of water to which any person or persons shall be entitled under and by virtue of their miners' rights, and the quantity in addition thereto to which the owners or employers of machinery, or both conjointly, shall be entitled for such machinery, shall be in accordance with schedule xxiii. hereto appended.

93. *Width of ground for protection of race.*—Any person or persons cutting a race for the conveyance of water for mining purposes, shall be entitled to a width of ten (10) feet (measuring from the centre) on each side of the race; provided always that where the depth of a cutting exceeds eight (8) feet, or where a tunnel is used, the width be twenty (20) feet (measuring from the centre) on each side of the race.

94. *Construction of crossings, &c.*—Any person or persons cutting a race across roads or thoroughfares, shall construct and keep in repair good and substantial and suitable crossings over the said race, and shall also construct suitable approaches not less than six (6) feet in length to said crossings on either side of said race; and any person or persons opening up new roads or thoroughfares across any race shall be at liberty to construct and keep in repair suitable crossings over said race, and suitable approaches thereto; provided such last mentioned roads, thoroughfares and crossings, shall not interfere with the security of the race.

95. *Heads of races may not be shifted.*—Persons having obtained, and being registered for, permission to divert water from any given point in any river, creek, or other source, shall not be allowed to shift the head of their race to the injury of other persons.

96. *Water may not be taken from any source not shown on the plan.*—Persons shall not be entitled to any water from any source or sources other than that or those shown on the plan filed by the mining registrar, and described by the registrar in the register of said persons' privilege.

97. *Priority of registration to give priority of right.*—Persons shall take precedence of water rights or privileges in the order in which they are registered for the same, and if at any time the supply of water is insufficient, the person or persons lastly registered shall cease to possess such right during such deficiency of water as against an antecedent registration; but in the event of there being at any time any waste or flood water, persons shall be allowed to construct dams for the purpose of conserving the same, provided no injury be done thereby to the holders of previous rights.

98. *Persons shall not be permitted to waste water.*—Persons holding water privileges under this bye-law shall not be allowed to run any water to waste, but shall shut off such water at all times when it is not being used for mining purposes.

99. *Persons already in possession may register.*—Persons already in possession of, but not registered for, water privileges, shall retain the same; provided that within three (3) calendar months after these regulations shall have become a bye-law, they shall apply to the mining registrar for, and be registered by the mining registrar for, the said water privileges, and such persons shall, after having been duly registered, take precedence according to the date, and in the order in which the privileges aforesaid have been registered by the mining registrar.

AREAS FOR RESIDENCE.

100. *Areas may be occupied for residence.*—Areas of ground occupied under and by virtue of a miner's right for the purpose of residence shall be called residence claims, and shall be divided into two classes—permanent and temporary.

101. *Permanent residence claims shall be registered.*—*Frontage of residence claims.*—All claims taken possession of and occupied, or having been taken possession of and being occupied for permanent residence, shall be registered by the mining registrar for the division in which such claim is situated, and a copy of such registration shall be forwarded to and filed by the clerk of the mining board; and the title of the owner to any registered residence claim, or to any buildings or improvements thereon, shall not be vitiated by temporary absence therefrom; provided always that no one person shall be registered for more than one residence claim at one and the same time, and further provided that within four days after the date of registration the owner of such claim shall commence erecting and shall within a reasonable time complete the erection of a dwelling thereon, or in cases

where a dwelling is already erected shall within the four days aforesaid take possession of and occupy such dwelling. All registered residence claims shall be in the form of parallelograms, and shall have a frontage not exceeding 66 feet.

102. *Residence claims shall not be interfered with by mining.*—Every permanent residence claim registered in accordance with the provisions of section 106 of this bye-law, shall be deemed a chattel interest for all purposes, and shall not be interfered with by mining operations unless compensation be made for any damage done to such claim, or to any buildings or improvements thereon.

103. *Compensation for injury.*—In the event of any residence claim or any buildings or improvements thereon being injured by mining operations, the owner of such residence claim and the persons mining shall mutually agree upon the rate of compensation for such damage, or failing to agree shall refer the matter in dispute to arbitration, each party having the right to choose two arbitrators, and in the event of such arbitrators or a majority of them being unable to adjust the matter in dispute, it shall be referred to an umpire, whose decision shall be final; but in the event of the party who has committed or is alleged to have committed such injury refusing to appoint arbitrators, the party injured, or alleged to have been injured, shall have redress in a suit for encroachment.

104. *Mode of taking possession of a permanent residence claim.*—Any person taking possession of an area for permanent residence shall immediately define the boundaries thereof by a post at each corner, and every such post shall be firmly fixed in the ground, and shall project at least three feet above the surface, and the person so taking possession shall post, and keep posted for eight days, a notice in the form of schedule xxiv. hereto appended, stating that he has taken possession of such claim, and that any persons having any objection to the registration of such residence claim shall within eight (8) days from the date of the notice of possession aforesaid send to the mining registrar a written notice, setting forth the nature and grounds of the objection, and the person taking possession as aforesaid shall within 48 hours after taking possession give notice thereof in writing to the mining registrar, and every such last mentioned notice shall be in the form of schedule xxv. hereto appended, and shall set forth the form, extent, and precise locality of the residence claim, and shall contain an application to be registered for such claim.

105. *Persons in possession of residence claims shall apply for registration.*—Persons already in possession of permanent residence claims shall within one calendar month from and after the date on which this bye-law becomes law, post the notices as provided in section 104 of this bye-law, and shall apply to the mining registrar in the form contained in schedule xxv. hereto appended to be registered for such residence claim.

106. *Registration of residence claims.*—At the expiration of eight days from and after the date of the notice of taking possession as aforesaid (provided there be no objection) the mining registrar shall, upon payment by the applicant of the registration fee, register such applicant for the residence claim so applied for, in the form contained in schedule xxvi. hereto appended, and shall issue to the applicant a register ticket in the form contained in schedule xxvii. hereto appended, and every such register ticket shall be deemed a good and sufficient title for all purposes of occupation, sale, barter or mortgage, subject nevertheless to the provisions hereinafter contained relative to the transfer of residence claims.

107. *Objections to the registration of residence claims.*—Any person or persons objecting to the registration of any applicant for a permanent residence claim, alleging that the claim sought to be registered will encroach upon such objector's claim, or that the objector would be injured by such registration, or that the objector has a better title than the applicant to such claim, shall forward his objection in writing to the mining registrar, and to the applicant at his address as it appears on the posted notice, within eight days from the date of posting the said notice of application, whereupon the mining registrar shall stay registration for eight days further for the purpose of allowing the objector time to institute proceedings at law; but if at the expiration of that time the objector shall not have instituted such proceedings, or having so instituted proceedings at law, and failed to prove any valid objection, the mining registrar shall register the applicant for said claim; provided always that if at the expiration of the said time the proceedings so instituted shall still be pending, the mining registrar shall further stay registration until such proceedings shall have been determined.

108. *Transfer of permanent residence claims.*—The owner of any residence claim wishing to dispose of the whole or any portion of such claim, or of any buildings or improvements thereon, by sale, barter, or otherwise, shall produce to the mining registrar the register or transfer ticket under which he holds such claim, and shall state to the mining registrar the nature and extent of the transfer, and the terms and conditions upon which the same shall be made, and the said mining registrar shall, upon the receipt of the transfer fee, execute a transfer in the form contained in schedule xxviii. hereto appended, setting forth the terms and conditions upon which such transfer shall be made, and the said mining registrar shall read the contents of such transfer ticket to both transferor and transferee, and every such ticket shall bear the signatures of both transferor and transferee attested by the said mining registrar.

109. *Mortgage of permanent residence claims.*—In the event of the owner of a residence claim wishing to mortgage the whole or

any portion of such claim, or the whole or any portion of the buildings or improvements thereon, he shall apply to the mining registrar, and shall produce the register or transfer ticket under which he holds such residence claim, and shall at the same time state to the mining registrar the nature and extent, and the terms and conditions of such transfer, and the issue (if any) upon which the property so transferred shall be forfeited; and the mining registrar, upon the receipt of the transfer fee, shall execute a transfer in the form contained in schedule xxix. hereunto appended, setting forth the terms and conditions upon which such transfer is made, and shall read the contents of such transfer ticket in the hearing of both the mortgagor and the mortgagee, and every such ticket shall bear the signatures of the mortgagor and mortgagee, attested by the mining registrar, and the registrar shall mark upon the register or transfer ticket by virtue of which the mortgagor holds said residence claim, &c., the nature and extent of the mortgage so executed.

110. *Lien upon permanent residence claims.*—Any person holding a lien upon any residence claim, or any building, or both, may, upon payment of the registration fee, require the mining registrar to register such lien, and to forward a copy of such registration to the clerk of the mining board to be filed; and every such lien so registered and filed shall be held to be a legal claim upon such property, and any transfer of such property shall be made subject to every such lien; provided always that no such lien shall be registered without the written consent of the registered owner of such residence claim, and that the person holding such lien upon such residence claim, or any improvements thereon, shall, as soon as his claim upon such property has been satisfied, give notice of the same in writing to the mining registrar, and upon receipt of such notice of release, the mining registrar shall cancel such lien in the register book.

111. *Form, &c., of unregistered residence claims.*—Areas of ground not exceeding twenty perches may be taken possession of in accordance with section 112, and be occupied under and by virtue of a miner's right, for temporary residence, without being registered; provided always that the owner shall reside upon such residence claim, and further provided that unregistered residence claims shall not have a frontage exceeding 33 feet.

112. *Taking possession of a temporary residence claim.*—Any person or persons taking possession of a temporary residence claim shall define the boundaries thereof by posts firmly fixed in the ground at each corner of such claim, and projecting not less than three feet above the surface, and shall, within twenty-four hours thereafter, commence to erect, and shall, within eight days after the date of taking possession, complete the erection of a dwelling thereon, or in cases where a dwelling is already erected, the owner of an unregistered residence claim shall, within twenty-four hours after taking possession, enter upon and occupy such dwelling. And any person or persons failing to fix and keep fixed the posts as aforesaid, or failing to erect or occupy a dwelling as aforesaid, or being absent from such residence claim for eight consecutive days, shall forfeit all right and title to such residence claim, and the same may be taken possession of by any other person or persons.

113. *Returns of registrations, &c., of residence claims.*—On the first day in each week the mining registrar shall forward to the clerk of the mining board a return, made up to the end of the preceding week, of all registrations and transfers of permanent residence claims, together with a return of all mortgages and liens upon such residence claims; and every such return shall contain a duplicate of each and every registration, transfer, mortgage, or lien executed by the said registrars within their respective divisions during the preceding week; and the clerk of the mining board shall register and file such returns in the office of the mining board, and all documents so registered and filed shall be open for inspection by the public during office hours.

114. *Interpretation clause.*—In the construction and for the purposes of this bye-law the following terms shall, if not inconsistent with the context or subject matter, have the respective meanings hereby assigned to them, that is to say:—The word "registrar" or the words "mining registrar" shall mean and be interpreted to mean the "district mining registrar" for the division in which any claim, share, or interest referred to shall be situated, and shall also mean and be interpreted to mean the district mining registrar as aforesaid, or his agent or agents. The words "miner," "holder of a miner's right," "claimholder," "claimowner," "shareholder," "shareowner," "applicant," or "person," shall respectively mean and be interpreted to mean miner or his agent, holder of a miner's right or his agent, claimholder or his agent, claimowner or his agent, shareholder or his agent, shareowner or his agent, applicant or his agent, person or his agent; and for all purposes under this bye-law any act done by an agent duly authorised in writing, shall be deemed to have been done by the person or persons by whom or for whom he was authorised to act. In the interpretation of sections 45, 60, and 73 of this bye-law, the registrar shall not be required to register absolutely any person or persons for any neglected or abandoned share or portion of a share, during the time that any legal proceedings whereby the original owner of such share or portion of a share is seeking to establish his title to such share or portion of a share are actually pending, but the registrar shall, upon receipt of a notice, as provided in section 68 of this bye-law, suspend all registrations and transfers of such share or portion of a share, in accordance with

the provisions of section 68 of this bye-law. In the interpretation of sections 87 to 99, both inclusive, of this bye-law, nothing thereon contained shall be construed to interfere with, set aside, or curtail rights and privileges obtained previous to the 28th day of June, 1859, and registered under Bye-law IX. of the mining board of Ballarat, gazetted on the 7th day of June, 1859, or obtained under and registered under Bye-law IX. aforesaid, but all such privileges shall be and the same are hereby confirmed, and every privilege as aforesaid, obtained and registered as aforesaid, or obtained and registered under this bye-law, shall be deemed a chattel interest for all purposes, and may be disposed of either in whole or in part by sale or otherwise, provided always that the water so disposed of shall be used for mining purposes.

115. *Repealing clause.*—From and after the date on which this bye-law shall have been published twenty-one (21) days in the *Government Gazette*, and shall have the force of law throughout this mining district, as provided in 21st Victoria No. 32, section xxi., the following bye-laws, that is to say, Bye-law numbered III. of the mining board of Ballarat, gazetted on the 15th day of June, 1858; Bye-law numbered V. of the mining board of Ballarat, gazetted on the 6th day of July, 1858; Bye-law numbered IX. of the mining board of Ballarat, gazetted on the 7th day of June, 1859; and Bye-law numbered X. of the mining board of Ballarat, gazetted on the 26th day of July, 1859, shall be, and the same are, hereby repealed, always saving and excepting the rights of all persons obtained previous to and held at the time of this bye-law coming into operation.

SCHEDULE I.

Protection Claims for Prospecting.

A protection claim for one man shall be an area not exceeding 40,000 superficial feet, and in proportion thereto for any greater number of men.

SCHEDULE II.

Prospecting Claims.

A prospecting claim for one man shall be in proportion to the depth of sinking, and shall not exceed twice the length provided in schedule iv. along the course or supposed course of a frontage lead, or 30,000 superficial feet upon any gold workings other than a frontage lead or quartz reef, or 200 feet in addition to 50 feet per man along any quartz reef, by 500 feet in width, and in proportion thereto for any greater number of men.

SCHEDULE III.

Declaration of Auriferous Ground.

I, _____, mining registrar for the _____ division of the mining district of Ballarat, do hereby declare that the auriferous ground lately discovered by _____ at _____ and known (or to be known) as _____, shall be worked under the _____ system; and I further declare that all claims upon _____ shall be taken possession of, and shall be surveyed in accordance with sections _____ and schedules _____ of Bye-law XI. of the mining board of Ballarat.

Date, _____

Mining Registrar

SCHEDULE IV.

Frontage Claims.

The length of a frontage claim for one man shall be in accordance with the following table:—

Depth of Sinking.		Length of claim for one man.	
Exceeding.	Not exceeding.		
feet.	feet.		feet.
50	75	Any length not exceeding	12
75	100	"	14
100	120	"	17
120	140	"	20
140	160	"	24
160	180	"	28
180	200	"	32
200	220	"	36
220	240	"	40
240	260	"	45
260	280	"	50
280	300	"	55
300	320	"	61
320	340	"	67
340	360	"	73
360	380	"	79
380	400	"	85

The mining registrars shall, in laying off frontage claims, adopt the method shown and described on a plan marked C, registered in the mining board of Ballaarat, and signed by the chairman of the said mining board on the second day of December, 1859, or any other method whereby the provisions of section 25 of this bye-law will be complied with.

SCHEDULE V.

Notice of Possession and Application.

I (or we) do hereby give notice to the mining registrar for the division of the mining district of Ballaarat, that have this day of taken possession of a claim for man (or men) upon in accordance with the provisions of section of Bye-law XI, and hereby request the mining registrar to register for said claim.

Names of applicants. Miners' rights.
No. Date.

To Mr. Mining Registrar.

SCHEDULE VI.

Stoppage of Registration.

I, mining registrar for the division of the mining district of Ballaarat, do hereby give notice that in consequence of the convergence of the leads, the registration of persons or companies for claims will cease upon all but the lead until further notice.

Date. Mining Registrar.

SCHEDULE VII.

Re-opening of Registration.

I, mining registrar for the division of the mining district of Ballaarat, do hereby give notice that upon the day of, at the hour of, or at any time thereafter, I will register persons for claims upon leads.

Date. Mining Registrar.

SCHEDULE VIII.

Block Claims on New Ground.

A block claim for one man shall be any area not exceeding 20,000 superficial feet (and in proportion thereto for any greater number of men), bounded by right lines, and shall in all cases, where practicable, be in the form of a parallelogram. The length of a block claim shall not under any circumstances exceed six (6) times the width.

SCHEDULE IX.

Block Claims on Old Ground.

A block claim for one man shall be any area not exceeding 30,000 superficial feet (and in proportion thereto for any greater number of men), bounded by right lines, and shall in all cases, where it is practicable, be in the form of a parallelogram. The length of a block claim in old ground shall under no circumstances exceed six (6) times the width.

SCHEDULE X.

Block Claims on Quartz Reefs.

Upon any quartz reef a claim for one man shall be any area of ground 50 feet in length (and in proportion thereto for any greater number of men) by 500 feet in width, and the length shall be defined by north and south lines, and the width by east and west lines.

SCHEDULE XI.

Unregistered.

The area for unregistered claims in any depth of sinking shall be as follows, that is to say:—An area not exceeding

- For one (1) man, 1000 superficial feet,
- For two (2) men, 2000 ditto,
- For three (3) men, 3000 ditto,
- For four (4) men, 4000 ditto.

beyond which no greater area shall be allowed for an unregistered claim, and such claims shall be, where practicable, in the form of a parallelogram, and in no case shall the length of such claim exceed six times the width.

No. 7.—JANUARY 12, 1860.—3.

SCHEDULE XII.

Form of Registration.

Locality.	Extent of Claims.	Class of Mining.	Date of Registration.	Miner's Right.	
				Number.	Date.
Transfer.	Transferee.	Miner's Right.	Registered Shareholders.	Summers.	Christian Name.
				Number.	Date.

SCHEDULE XIII.

Register Ticket.

I have this day of registered in a claim, situated claim (or a share

Miner's right.
No. Date.

Mining Registrar.

SCHEDULE XIV.

Registration of Liens.

I, holding a claim or share, do hereby agree and consent to give to a lien upon the aforesaid claim or share, as security for the due payment of the sum of, and I do hereby engage and bind myself not to transfer the aforesaid share or claim, or any portion thereof, without the consent of the said until the said sum of shall have been paid in full.

(Signed)

Witness—
Mining Registrar.

SCHEDULE XV.

Form of Transfer.

I, do hereby transfer my claim or share, situated, to, for and in consideration of, and subject to the following conditions:—

Date.

Miner's right.
No. Date.

Transferor.
Transferee.

Witness—
Mining Registrar.

SCHEDULE XVI.
Form of Certificate.

I, _____, mining registrar, do hereby certify that _____, situated _____, holds a _____ share _____ of _____ Miner's right. No. _____ Date. _____ Mining Registrar.

SCHEDULE XVII.
Form of Transfer for Mortgage.

I, _____, do hereby transfer and make over to _____ my _____ share _____ as security for the sum of _____ money advanced by or due to _____, subject always to the following terms and conditions:—
Miner's right. No. _____ Date. _____
Mortgagor. _____
Mortgagee. _____
Witness—
Mining Registrar. _____

SCHEDULE XVIII.
Notice of Special General Meetings.

Notice is hereby given that on the _____ day of _____, at the hour of _____, a special general meeting of all the shareholders in the mining company, occupying a _____ claim, situated _____, will be holden at _____ for the purpose of transacting the following business, that is to say:—

N.B.—No business other than that specified in the above notice can be transacted at the said meeting.

Manager. _____
Secretary. _____

SCHEDULE XIX.
Notice of Abandoned Share.

We, the undersigned, do hereby declare that _____ has been absent from his work since the _____ day of _____, and that in consequence of said absence his _____ share in _____, situated _____, has become forfeited, and we further declare that the liabilities upon said share amount to _____

Secretary. _____
Working Shareholders. _____

To Mr. _____
Mining Registrar. _____

SCHEDULE XX.
Notice of Transfer of Abandoned Share.

I, _____, mining registrar, have this _____ day of _____ conditionally transferred to _____ the _____ share in _____, situated _____, formerly held and now declared to be abandoned by _____, and unless the said _____ make good his title to said share according to law within eight days from and after the date of this notice, I shall absolutely register the said _____ for said share.

Mining Registrar. _____

SCHEDULE XXI.
Application for Site for Machinery, &c.

I (or we) _____, do hereby make application to the mining registrar of the _____ division of the mining district of Ballarat, for permission to occupy _____ at _____ for the purpose of _____, and any person or persons who have any objections to urge against this application shall send a statement of such objections to the mining registrar aforesaid on or before the _____ day of _____

Names of applicants. _____ Miners' rights. No. _____ Date. _____

Date. _____

SCHEDULE XXII.
Notice and Application for Water Privileges.

I, or we, _____, hereby give notice that _____ have taken possession of _____ right of water, consisting of _____ sluice-heads, from _____ that we intend to divert said water from a point in said _____, situated _____; that _____ intend to cut a race from the point aforesaid to _____; that the course of said race will be as follows:—

or thereabouts; that the length of said race will be _____ or thereabouts; that we intend to construct _____ dams, as follows:—

and _____ hereby apply to the mining registrar of the division of the mining district of Ballarat to be registered for the privilege herein described. And any person or persons having any objections to urge against _____ being registered for all or any of the privileges herein described, shall send a statement in writing of such objections to the mining registrar aforesaid on or before the _____ day of _____

Names of applicants. _____ Miners' rights. No. _____ Date. _____

SCHEDULE XXIII.
Scale of Water Rights.

The quantity of water which any person or persons shall be entitled to divert and use for mining purposes, shall be in proportion to the number of men employed, that is to say, in the proportion of three (3) men to one (1) sluice-head of water. And the quantity of water allowed for machinery shall be in accordance with the following table.

Waterwheels.

At the rate of a half a sluice-head for every twenty-five (25) feet measurement, thus multiplying the diameter of the wheel by the width and depth of the buckets.

Example.—Suppose a waterwheel 10 feet in diameter, width of bucket 2 feet 6 inches, depth of buckets 1 foot—

Diameter of Wheel.	Width of Buckets.	Depth of Buckets.
10 feet	x 2 feet 6 inches	x 1 foot = 25 feet

And so on in like proportion for every additional twenty-five feet or fractional part thereof.

Steam Engines.

Diameter of Cylinder in Inches.	Sluice-heads of Water.
6	half (½)
8	one (1)
10	one and a half (1½)
12	two (2)
14	two and a half (2½)
16	three (3)
18	three and a half (3½)
20	four (4)
22	four and a half (4½)
24	five (5)
26	five and a half (5½)
28	six (6)
30	six and a half (6½)
32	seven (7)
34	seven and a half (7½)
36	eight (8)

SCHEDULE XXIV.
Notice of Possession.

I, _____, do hereby give notice that on the _____ day of _____, at the hour of _____, I did take possession of a residence claim, being _____ feet by _____ feet, situated _____; and any person or persons having any objection to my being registered for said residence claim shall send a notice of such objection to the mining registrar of this division, on or before the _____ day of _____

Miner's right. No. _____ Date. _____

(Signed) _____
Address _____

SCHEDULE XXV.
Form of Application.

I, _____, do hereby give notice to the mining registrar that on the _____ day of _____, at the hour of _____, I did take possession of a residence claim _____ feet by _____ feet, situated _____, and I hereby apply to be registered for the same.

Miner's right. No. _____ Date. _____

(Signed) _____

To Mr. _____
Mining Registrar.

SCHEDULE XXVI.
Form of Registration.

Liens.	3rd.	
	2nd.	
	1st.	
References to Transfers.	4th.	
	3rd.	
	2nd.	
	1st.	
Extent of Claim.		
Locality.		
District.		
Miner's Right.	Date.	
	No.	
Name of Holder.	Christian Name.	
	Surname.	
Number.		
Date.		

SCHEDULE XXVII.
Form of Register Ticket.

I, _____ mining registrar for the _____ division of the mining district of Ballaarat, have this registered _____ day of _____ for a residence claim, _____ feet by _____ feet, situated _____
(Signed) _____ Mining Registrar.

SCHEDULE XXVIII.
Form of Transfer.

I, A.B., do hereby transfer and make over to C.D. all my right, title and interest in and to that parcel or allotment of land, situated _____ in the mining district of Ballaarat, in the colony of Victoria, and registered by the mining registrar of the _____ division of the mining district of Ballaarat, on the _____ day of _____, 18____, folio No. _____, together with all buildings and improvements thereon, for and in consideration of the said _____ and subject to the conditions set forth.

Miner's right.
No. _____ Date. _____
Transferor. No. _____ Date. _____
Transferee. No. _____ Date. _____

Witness—

SCHEDULE XXIX.

Form of Transfer (for Mortgage).

I, E.F., do hereby transfer and make over to G.H. (as security for the sum of £ _____ money lent and interest thereon for the term of _____) all my right, title and interest in and to that parcel or allotment of land situated _____ in the mining district of Ballaarat, in the colony of Victoria, and registered by the mining registrar of the _____ division of the mining district of Ballaarat, on the _____ day of _____, 18____, No. _____, folio _____, together with _____ for and in consideration of the said G.H. advancing to me on loan the sum of £ _____ subject always to the following conditions:—

Miner's right.
No. _____ Date. _____
Mortgagor. No. _____ Date. _____
Mortgagee. No. _____ Date. _____

Witness—

SCHEDULE XXX.

Scale of Fees.

	£	s.	d.
Registration for single claim or share ...	0	1	6
Transfer ...	0	2	0
Surface survey of a claim for any number of men not exceeding 12 ...	2	0	0
Surface survey of a claim for any number of persons exceeding 12 ...	3	0	0

Residence claims.

Registration, per claim (including filing, 1s.)...	0	3	0
Transfer, per claim (including filing, 1s.) ...	0	3	0

Water Privileges.

Registration ...	0	1	6
Transfer ...	0	2	0

The undersigned members of the said mining board concurred in making the foregoing bye-laws.

SIDNEY A. WAGG,
ROBT. LAMB,
HY. STEPHENSON,
JOHN MONTGOMERY,
E. G. MILLIGAN,
JAMES BAKER, Chairman. } Members.

It is hereby certified that the foregoing bye-law, No. 11, of the mining board for the district of Ballaarat, has been made in the form and has been signed in the manner prescribed by law; and any person desirous to dispute the validity of such bye-law is hereby required to do so in accordance with the provisions of 21 Victoria No. 32, sec. 112.

Gazetted on the 12th day of January, 1860.

M.12372.

WILLIAM NICHOLSON.

