



## SECOND SUPPLEMENT

TO THE

# VICTORIA GOVERNMENT GAZETTE

OF FRIDAY, SEPTEMBER 21, 1900.

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WEDNESDAY, SEPTEMBER 26.

[1900.]

### CASTLEMAINE MINING DISTRICT.—BY-LAWS OF THE CASTLEMAINE MINING BOARD.

**A**T a meeting of the Mining Board of the Mining District of Castlemaine, begun and holden at the Mining Board room at Castlemaine, in the said district, on the 14th day of August, 1900, it is ordained by the said Board as follows (that is to say):—

#### REPEAL OF EXISTING BY-LAWS.

*Repeal.*—From and after the date at which these by-laws shall come into operation, all and singular the by-laws hitherto framed by the Mining Board of and for the Castlemaine Mining District, and now in force for the said mining district, or any part thereof, shall be and the same are hereby revoked, annulled, and repealed; nevertheless no existing right, interest, privilege, liability, or obligation shall be affected by the repeal of the by-law under which such right, interest, privilege, liability, or obligation is occupied or enjoyed or shall have been incurred.

#### BY-LAW No. 1.

##### INTERPRETATION CLAUSES.

In the construction and for the purposes of these by-laws and any others that may subsequently be made, the following terms shall, if not inconsistent with the context or subject-matter thereof, have the respective meanings hereby assigned to them (that is to say):—

*“Mining Registrar.”*—The word “registrar” or the words “mining registrar” shall mean the mining registrar appointed by the Governor in Council to act in and for the division of the Castlemaine Mining District for which he shall have been appointed, or any person appointed as his deputy.

*“Mining Surveyor.”*—The word “surveyor” or the words “mining surveyor” shall mean the mining surveyor appointed by the Governor in Council to act in and for the division of the Castlemaine Mining District for which he shall have been appointed.

*“Constantly employed.”*—The words “constantly employed” shall mean employment during ordinary working hours.

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*“Lead.”*—The word “lead” shall mean any auriferous deposit or alluvial deposit, earth, drift, or gutter containing or supposed to contain gold.

*“Depth of sinking.”*—The words “depth of sinking” shall mean the depth to which it shall be necessary to sink a shaft for the purpose of working or mining a lead or of reaching the bed-rock immediately under the lead.

*“Tail race.”*—The words “tail race” shall mean a race cut or constructed for the purpose of diverting water for mining purposes or for running off debris or tailings, and for collecting the gold from such debris or tailings, or for the purpose of draining any claim or claims, or for carrying off water or water and tailings from any sluice or other gold-washing apparatus used on or in connexion with any claim, and shall include, as well as the race, so much of the land on either side thereof as shall be necessary to protect such race.

*“Race.”*—The word “race” shall mean a channel made for the purpose of conveying water for mining purposes.

*“Water-right.”*—The words “water-right” shall mean the privilege of diverting and using water.

*“Division.”*—The word “division” in these by-laws shall mean any division or subdivision into which the district shall have been or may hereafter be divided.

*“Old or abandoned ground.”*—The words “old or abandoned ground” shall mean all alluvial ground, the greater part of which has been mined upon or partially worked, and which has been abandoned for a period of at least six months.

*“Mining tenement.”*—The words “mining tenement” shall mean, and be interpreted to mean and include, any parcel or parcels of Crown land held or occupied for the purpose of mining for gold, silver, or any other metals or minerals, or any share or interest therein; or any water taken, diverted, stored, conserved, or used for the purpose, or for or in connexion with the pursuit of mining for gold, silver, or any other metals or minerals, or any share or interest therein; or any race, tail-race, drain, dam, channel, or reservoir held, occupied, or used for the purpose of diverting, conducting, storing or conserving water for the purpose of or in connexion with the pursuit of mining for gold, silver, or any other metal or mineral, or any share or interest therein; or any Crown land held, occupied, used, or enjoyed as a site for residence or business under a miner's right or business licence, or for a dam, reservoir, or machinery, or for a road, tramway, channel, drain, water-course, or easement, or a water-right, or any share or interest therein.

"*Payable gold.*"—The words "payable gold" shall mean any quantity of quartz, stone, earth, or other auriferous substance obtained by any miner or miners which shall pay the expenses of crushing or washing the same, as the case may be, and which shall also pay the miner or miners, while actually employed in raising such substance, the current rate of wages in that particular district.

"*Plant or machinery.*"—The words "plant or machinery" shall mean, and be interpreted to mean, and shall include any machine or machinery, appliance or appliances, material, gear, or implements used, employed, or fixed in or for raising, extracting, or treating any earth, stone, rock, cement, gravel, metal, or mineral; or in or for raising, leading, conducting, or storing any water; or in or for sinking or boring in or through any earth, rock, cement, drift, or gravel; or in or for supporting any shaft, tunnel, gallery, adit, drive, or other underground works or excavations.

"*Month.*"—The word "month" shall mean a calendar month.

"*Claim.*"—A claim shall be such a parcel of land as may, in accordance with the provisions of any mining board by-law in force in this district, be taken possession of by or for any holder of a miner's right, or by or for any number of persons, each being the holder of a miner's right, acting in conjunction, or any number of such parcels as shall be lawfully amalgamated, or any divided portion or subdivision of a claim which shall have been transferred from the claim-holders to other persons; and for the purposes of fixing and defining the dimensions thereof, and fixing the position of the boundaries with respect to any reef or lead, claims shall be divided into two classes, namely, alluvial claims and quartz claims.

"*Singular includes plural.*"—Words importing the singular number shall include the plural number, words importing the plural number shall include the singular number, and words importing the masculine gender shall include the feminine gender.

"*Computation of time.*"—When the time limited for doing any act under these by-laws is less than eight days, such time shall be reckoned exclusive of Sundays, Christmas Day, and Good Friday.

When any day, or the last of any number of days, allowed for doing any act under these by-laws falls upon a Sunday, Christmas Day, or Good Friday, such act shall be deemed to have been properly done if performed on the next following day.

"*Miner or party.*"—The words "miner" or "party" shall also be taken to mean and include any person holding a miner's right, or any party of miners, or a mining company or co-partnership for mining purposes.

"*Crown land.*"—The words "Crown land" shall include all lands of the Crown, and also all lands entered upon, marked out, or taken possession of, held, occupied, worked, or used under and by virtue of a miner's right and the provisions of Part II. of the *Mines Act 1897* (No. 1514).

"*Earth.*"—The word "earth" shall include any rock, stone, quartz, clay, sand, soil, and mineral.

"*Gold.*"—The word "gold" shall signify as well any gold as any earth containing gold or having gold mixed in the substance thereof or set apart for the purpose of extracting gold therefrom.

"*Mine.*"—The word "mine" shall mean and include any place, pit, shaft, drive, level, or other excavation, drift, gutter, lead, vein, lode, or reef wherein or whereby any operation for or in connexion with mining purposes is or shall be carried on upon Crown land.

"*To mine.*"—The words "to mine" shall mean to disturb, remove, cart, carry, wash, sift, smelt, crush, or otherwise to deal with any earth by any mode or method whatsoever for the purpose of extracting or obtaining gold, silver, or any other metal or mineral therefrom.

"*Warden.*"—The word "warden" shall mean one of Her Majesty's wardens of the gold-fields in and for Victoria, or in and for any district thereof.

"*Miner's right.*"—The words "miner's right" shall include a consolidated miner's right.

"*Mining purposes.*"—The words "mining purposes" shall mean the purpose of obtaining gold, silver, or any metal or mineral other than gold, by any mode or method, and of stacking or otherwise storing any earth.

"*Agent.*"—Where any act is required to be done by the holder of a miner's right or business license under these by-laws, such act shall be held to have been properly done if performed by his or her agent.

#### BY-LAW No. 2.

##### DISPUTED ELECTIONS.

1. *Petition may be lodged.*—It shall be competent for any candidate to dispute the validity of the election of any member thereof within fourteen days from the date of such member having been officially declared elected by forwarding to the chairman a petition, in writing, setting forth the grounds of objection to the validity of such member's election. But no petition shall be entertained unless it be signed by not less than duly qualified electors.

2. *Security to be deposited.*—Upon the presentation of any such petition, it shall be necessary for the parties so petitioning to deposit with the clerk of the board the sum of Five pounds, to cover any expenses not hereinafter specially provided for; and, in the event of such sum proving excessive, any balance remaining after payment of such expenses shall be returned to the depositors; and no petition as above shall be entertained by the board unless such sum shall have been so deposited.

3. *Meeting to be convened.*—The chairman shall convene a meeting of the board within fourteen days from the date of the reception of such petition to try the validity of the election petitioned against.

4. *Notice of meeting.*—Upon the receipt by the chairman of any such petition he shall give to the petitioner, and to the member whose election is petitioned against, not less than seven days' notice of the time when such petition will be investigated by the board.

5. *Parties to attend.*—At the time appointed for the hearing of the dispute, the petitioner and the persons signing the petition, and also the member petitioned against shall produce their miners' rights or business licences, as the case may be; and the board shall then proceed to investigate the matter, and shall hear statements in evidence from either party. The hearing of the dispute on such petition may be adjourned from time to time in the discretion of the board.

6. *How parties may appear.*—The petitioner and also the person petitioned against in the case of any disputed election may appear personally or by counsel at any meeting of the mining board held to try the validity of such disputed election.

7. *Decision of the board.*—The decision of the board shall, after due consideration, be arrived at by ballot, and the person or persons so determined to be, or not to be, duly elected shall be declared by the chairman, and such decision shall be final, record whereof shall be inserted in the minutes, and signed by the chairman of the board. Should the voting be equal, the chairman shall have a casting vote.

8. *Notice to Returning Officer.*—Should the decision of the board be that the member objected to has not been duly elected, the chairman shall forward to the returning officer a copy of the resolution to that effect.

9. *Decision as to new election.*—The board shall then decide, according to the nature of the case, whether the candidate next on the poll shall be declared elected, or if a new election shall be called to fill the seat thus rendered vacant, and shall forward a copy of such decision to the returning officer.

10. *Summons to be issued.*—It shall be lawful for the clerk of the board to issue a summons (as per Schedule 23 hereto or to the like effect) at the request of any party petitioning as aforesaid, calling upon any person therein named to give evidence in the matter of the election so petitioned against, and to produce any documentary evidence relating thereto which may be in the custody of the party named in the summons.

#### BY-LAW No. 3.

##### QUARTZ WORKINGS.

1. *Extent of and labour in ordinary claims.*—The extent of claims on quartz reefs shall be one hundred (100) feet along the line of reef by a width of 500 feet for every man employed thereon or in connexion therewith (excepting where otherwise provided for in these by-laws), but it shall be sufficient if half the number of men work the ground during the time it does not yield payable gold.

2. *Taking possession of claims.*—Every claim shall be taken possession of by placing two pegs, standing at least 2 feet out of the ground and to be securely fixed therein, on the supposed or ascertained line of the lode or vein.

3. *Width of claims.*—The width of claims shall be 500 feet, 250 feet on each side of the line defined between the pegs fixed in taking possession. It shall not be necessary for any person marking off a claim to have such claim surveyed; but if such person desires to have a survey, he shall make application to the mining surveyor, who, in making the survey, shall mark the boundaries of such claim at right angles with the line as aforesaid defined between the pegs fixed in taking possession, and shall cause to be fixed at each angle of the claim a substantial peg, at least 3 inches in diameter, to be securely fixed in the ground, and standing at least 2 feet above the surface. If no survey is made, then the person taking possession shall mark off the claim in the same manner herein prescribed for the surveyor when making a survey.

4. *Prospecting claims.*—Any party prospecting on or for quartz reefs shall be entitled to take possession of and hold a claim of five hundred (500) feet along the line or supposed line of reef, provided such party prospect and work the same efficiently, and that such claim be not within 500 feet of any other quartz claim on the same line of reef, or worked by less than two men.

5. *Quartz Tunnelling Claims.*—Size of claim.—Any person holding a quartz claim or a quartz prospecting claim by virtue of his miner's right shall be entitled to take possession of an area of ground out and beyond the limits of his claim for the purpose of making or using a tunnel

level or adit; such area shall not exceed 1,000 yards in length by a width of 12 feet on each side from the centre of such tunnel level or adit, as also an area of 100 yards in length by a width of 40 yards at the entrance of such tunnel level or adit; such area shall be held as an easement to the claim with which it is connected, and shall be taken possession of by placing two pegs, not less than 2 inches each in diameter, standing at least 2 feet out of the ground, and to be securely fixed therein, one peg at each end of the said tunnel level or adit. The holder of any such tunnel level or adit site may register the same with the mining registrar in the manner provided by By-law No. 10. Provided always that such area shall not obstruct any water-course, road, or thoroughfare in general use, or interfere with any existing right held under these by-laws. No person shall mine upon or under or otherwise interfere with such areas without the consent of the holder or holders thereof.

#### BY-LAW No. 4.

##### ALLUVIAL WORKINGS.

1. *Marking claims.*—In marking alluvial claims, all parties shall do so by placing a substantial peg, of not less than 2 inches in diameter, at each corner of the claim, which shall stand at least 2 feet out of the ground; they shall also cut a well-defined V trench, where practicable, which shall extend at least 2 feet from each post along each boundary line of said claim. Claims in alluvial workings shall be taken and ad-measured, where practicable, in square or rectangular blocks, and not exceeding in length thrice the breadth thereof, except as otherwise provided for in these by-laws.

2. *Extent of claim in new ground.*—Mining on new ground shall be divided into shallow and deep sinking. Shallow sinking shall mean all ground less than forty feet in depth. The extent of ground for each man employed shall not exceed 60 feet by 60 feet. Deep sinking shall mean all ground exceeding 40 feet in depth. The extent of ground for each man employed shall not exceed 80 feet by 80 feet in ground from 40 feet to 60 feet deep; 100 feet by 100 feet in ground from 60 feet to 80 feet deep; 200 feet by 200 feet in ground from 80 feet to 100 feet deep; 350 feet by 350 feet in ground from 100 feet to 150 feet deep.

Where the depth of sinking exceeds 150 feet and does not exceed 200 feet—

- A claim for one person shall be any area not exceeding 5 acres;
- A claim for two persons shall be any area not exceeding 10 acres;
- A claim for three persons shall be any area not exceeding 15 acres.

And so on in like proportion according to the number of persons, that is to say—

A claim for a number of persons who take possession conjointly may be any size, provided the dimensions thereof do not exceed such an area as would be equal to 5 acres of land for each and every of the persons taking possession of such claim.

Where the depth of sinking exceeds 200 feet and does not exceed 300 feet—

- A claim for one person shall be any area not exceeding 9 acres;
- A claim for two persons shall be any area not exceeding 18 acres;
- A claim for three persons shall be any area not exceeding 27 acres.

And so on in like proportion according to the number of persons, that is to say—

A claim for a number of persons who take possession conjointly may be any size, provided the dimensions thereof do not exceed such an area as would be equal to 9 acres of land for each and every of the persons taking possession of such claim.

Where the depth of sinking exceeds 300 feet and does not exceed 400 feet—

- A claim for one person shall be any area not exceeding 13 acres;
- A claim for two persons shall be any area not exceeding 26 acres;
- A claim for three persons shall be any area not exceeding 39 acres.

And so on in like proportion according to the number of persons, that is to say—

A claim for a number of persons who take possession conjointly may be any size, provided the dimensions thereof do not exceed such an area as would be equal to 13 acres of land for each and every of the persons taking possession of such claim.

Where the depth of sinking exceeds 400 feet—

- A claim for one person shall be any area not exceeding 20 acres;
- A claim for two persons shall be any area not exceeding 40 acres;
- A claim for three persons shall be any area not exceeding 60 acres.

And so on in like proportion according to the number of persons, that is to say—

A claim for any number of persons who take possession conjointly may be any size, provided the dimensions thereof do not exceed such an area as would be equal to 20 acres of land for each and every of the persons taking possession of such claim.

In deep sinking, one-half the number of men shall be sufficient to work the claim until the expiration of one month after the same shall have been bottomed, when the full number shall be employed.

3. *Old alluvial workings.*—The extent of ground for each man employed on old or abandoned ground shall not exceed 150 feet by 150 feet in ground under 40 feet in depth; 200 feet by 200 feet in ground over 40 feet and under 80 feet in depth; 250 feet by 250 feet in ground 80 feet and upwards in depth.

4. *Discovery of deposits and leads of gold.*—When any miner or miners shall, in alluvial ground, sink and then drive in search of and discover any deposit or lead of gold, he or they shall, if the ground be unoccupied and immediately over the place where such lead or deposit shall be situated, be entitled to mark off and hold his or their claim over and in advance of the termination of the drive; and in all cases the party prospecting in such manner shall enjoy the use of the drive and shaft from which such prospecting shall have been made, and such a thickness of wall around both shaft and drive as shall be necessary for its preservation.

5. *Alluvial prospecting.*—Any person or party prospecting for alluvial gold deposits shall be entitled to the following areas:—If at a distance of 300 yards and under 1 mile from any gold workings, 200 feet by 200 feet in ground under 40 feet in depth; 250 feet by 250 feet in ground over 40 feet and under 80 feet in depth; 300 feet by 300 feet in ground 80 feet and upwards in depth. When a prospecting party shall have discovered gold in their claim, they shall within one month thereafter give written notice of the same to the registrar of the division, who shall post a notice thereof at his office: and if such party shall neglect to give said notice and register the claim, then, in such case, the extra ground shall be forfeited.

6. *Claims in banks and beds of rivers.*—To give greater encouragement for the working of the beds and banks of rivers, it shall be lawful for any person, being the holder of a miner's right, to take up and hold a claim on the course of any river, such claim not to exceed 10 acres in extent; provided there shall be employed in connexion with such claim one man for every acre so held; and in no case shall the said claim exceed in length four times the breadth thereof; and where it is considered necessary or advisable to divert the course of any river by expensive cutting to provide a channel for the same, the miner shall be allowed sufficient ground for such purpose, exclusive of his claim, provided he mark off the course of such channel by pegs fixed in the ground at a distance of 20 yards or thereabouts, and make application to the mining surveyor, who shall mark off the ground necessary for the same.

##### PUDDLING AND SLUICING.

7. *Ordinary puddling and sluicing claims.*—In old or partially worked ground (or in new ground where the average depth from the surface shall not exceed 10 feet) the extent of claim shall not exceed 1 acre for each man employed. Claims taken up under this section in the beds of creeks or main gullies, forming a regular water-course, shall not in length exceed three times the width thereof, provided also that no claim shall exceed four (4) acres in extent.

8. *Extended claim for puddling, sluicing, and cement crushing.*—Whereas it is expedient to afford facilities for and to encourage the investment of capital in reworking of auriferous alluvial lands, and where the proposed mode of working is such that a preliminary expense of not less than one hundred pounds is necessary in making a race, or cutting, or timbering, or machinery, every holder of a miner's right shall be entitled to take up and hold a claim not exceeding 10 acres in extent; and he shall employ on or in connexion with the said claim one person for every 2 acres so held. No such claim under this section shall be allowed except on ground which has been previously worked and abandoned, and any such claim shall be forfeited, provided the conditions imposed by this by-law be not complied with within three months from the date of such claim being taken possession of.

9. *Puddling and sluicing claims in narrow gullies.*—It shall be lawful for any party taking up ground in narrow gullies to mark the same in any form such parties may think fit, provided the whole width of such previously abandoned ground in such gullies be taken in the admeasurement of such claim.

10. *Tunnelling ground.*—Ground where the sinking shall exceed 40 feet in depth, and principally through rock or cement, or alluvial sinking which shall exceed 80 feet in depth, shall be considered tunnelling ground, and may be taken up and worked either by sinking or tunnelling. The extent of claim shall be 150 feet in frontage for each man employed. Parties taking up claims under this by-law shall peg off the extent of frontage by two rows of pegs parallel to each other, and at right angles with the supposed lead or frontage of the hill, said rows of pegs to be carried to any

distance not exceeding three-quarters of a mile. The pegs in said parallel lines shall be within 20 yards of each other. All parties shall run their tunnels within their own parallels; nevertheless, where it shall appear that considerable time and expense can be saved by driving at any distance outside the parallels, they shall be permitted to do so, and shall mark off the ground necessary for the purpose, provided that such permission shall not interfere with any existing rights; and 12 feet shall be allowed on each side from the centre of the tunnel as a protection to the same, and sufficient space at the mouth thereof on which to deposit all material taken from the said tunnel or claim. Parties may work their claim with one-half the number of men during the time it does not yield payable gold, after which the full number shall be employed. When gold shall have been found, the owners shall mark off their claim in breadth by two cross lines of pegs not exceeding 300 feet apart, excepting where a tunnel shall exceed 1,000 feet in length, or when the shaft shall be 150 feet in depth, then the cross lines shall not be more than 500 feet apart, and in each case to be marked off at right angles with the side parallel lines, after which any party may take up a claim between the same parallels.

11. *Extended claims in old and abandoned tunnelling ground.*—In all tunnelling ground partially worked and abandoned, the extent of claim for each man employed shall be 200 feet of frontage by 400 feet in depth.

12. *Priority of claims in tunnelling ground.*—In tunnelling under hills on the frontage of which angles may occur or which may be of an oblong or elliptical form, no party shall be allowed to tunnel from any of the said angles, nor from either end of such hills, so as to interfere with any parties tunnelling from the main frontage of such hills. In cases of two or more parties tunnelling from the opposite sides of the same hill and their side or boundary lines meeting or intersecting, or their claims meeting, the party that first marks off their claim shall be entitled to priority of claim thereon. In cases of tunnelling under hills or fronts of hills, such as occur at the junction of creeks, in which there may be two leads or gutters, all parties shall if required take their claim or claims on the lead or gutter nearest the side of the hill at which their tunnel commences.

#### BY-LAW No. 5.

##### WATER PRIVILEGES.

1. Water privileges shall be taken possession of by marking in the manner prescribed by this by-law, and within forty-eight hours thereafter making application to the registrar, who shall deliver to the applicant a notice in the form of Schedule 4 annexed to these by-laws, such notice to be posted on some conspicuous place proposed to be occupied by such privilege, and to remain posted for seven consecutive days; and at the expiry of such time, if there shall be no objection to such privilege, then the registrar shall register the same in a book to be kept for that purpose, and shall deliver to the applicant a certificate in the form of Schedule 5 annexed to these by-laws.

2. *Races.*—Any miner or miners may cut a race from any river, creek, or other water-course, and may convey water therein at the rate of one sluice-head for every two men employed in any claim worked by means of such race; provided first they mark off the course of said race by means of pegs fixed at distances of 20 yards or thereabouts. No miner shall be entitled to more than five sluice-heads of water in any one race; nevertheless, when there shall be an excess of water at the source of any race, the owners may divert the same, or any portion thereof, provided it does not interfere with the right of any other party then existing or subsequently obtained.

3. *Tail races.*—Any holder of a miner's right shall be entitled to take possession of and occupy a tail race in connexion with any claim held by him, and for such purpose he may occupy an area for the site of such tail race not exceeding 2 miles in length, by a width of 27 feet, for a distance of 20 yards from the upper end of such tail race, and a width of 12 feet for the remaining portion thereof. Nevertheless, no person shall be entitled to occupy any greater length of tail race than is necessary for his requirements.

4. *Width of ground for protection of race.*—Any holder of a miner's right occupying a race for the conveyance of water for mining purposes, or any holder of a tail race, shall be entitled to a width of 6 feet on each side of the race, measuring from the centre thereof. Provided always that where the depth of a cutting exceeds 8 feet, or where a tunnel is used, the width shall be 12 feet on each side of such race, measuring from the centre thereof.

5. *Damage to races.*—No person shall cut or damage any race, tail race, dam, or reservoir, or obstruct the flow of water in them, or sink or approach within six (6) feet of them without first securing them to the satisfaction of the proprietors.

6. *Tail races.*—Any party may be allowed to cut a tail race through any claim between their work and the creek, gully, or other water-course, provided they give notice to the owners of such claims, and make application to the surveyor, who shall define the width and course of such tail race.

7. *Extension of races.*—Any party holding a water privilege, and conveying water to any claim or machinery by means of any race, shall be at liberty to extend or alter the course of the said race, and he or they shall continue to enjoy his or their original right to such privileges.

8. *Water wheels.*—Any party shall be allowed to cut a race and use one sluice-head of water to propel any water wheel or other machinery for mining purposes; but should there be an excess of water after others who may be interested therein are fully supplied, the owner of such water wheel or machinery may then apply to his use so much of the surplus as may be deemed necessary.

9. *Measurement of water.*—Every sluice-head of water shall be measured by means of a box placed at the head of the race, to be 6 feet in length by 10 inches in width and  $3\frac{1}{2}$  inches in depth inside measurement, to be placed on a level and above the water mark in the race; the said box to be kept full by means of a wing dam, and an opening of 2 inches across the bottom at the end next the race shall be considered a sluice-head. When the race shall exceed a mile in length, the width of the box may be increased half-an-inch for each mile.

10. *Side streams not claimable.*—When any race shall cross a gully, creek, or stream the owner of such race shall conduct all water in such gully, creek, or stream either under or over said race so as to flow in its usual course if such owner be requested to do so, in writing, by any party requiring the same.

11. *Priority of right.*—Should there not be sufficient water to supply all the races cut from the same river, creek, or water-course, the rights shall be held in accordance with the priority of the dates of the registration of such races. But, if at the time that any party shall have been put in possession of a forfeited race, or any party shall have taken possession of an abandoned race, any other party shall be entitled to and shall be using water conveyed by means of a race cut from the same river, creek, or other water-course, then such other party shall have a prior right to the use of such water over the party in possession of such forfeited or abandoned race. One sluice-head of water shall at all times be allowed to flow in the natural course of any river or creek, if required for mining purposes.

12. *Water-holes and dams.*—Any party desirous of constructing a dam or holding an abandoned one, shall mark off the ground, and post and keep posted for seven consecutive days a notice on the same, stating the approximate area applied for. No person shall, without the consent in writing of the owner of such dam, take water from (except for domestic purposes only), make use of, or in any wise damage any covering placed over and protecting such dam, or dig into, cut through, or undermine the bank or side thereof in such manner as to cause the said dam to lose the water therein. Any water-hole or dam which remains unused for three consecutive months shall be considered abandoned, unless protected by these by-laws.

13. *Water-holes and springs for domestic purposes.*—Any party wishing to preserve a water-hole or spring for domestic purposes must make application to the registrar, who shall deliver to such applicant an authority in the form of Schedule 24, to set apart the same, when the applicant must erect an upright pole near the hole, crossed by two bars of wood thus  $\perp$ ; and any person defiling or polluting the same shall be subject to the penalty incurred for breach of these by-laws, as determined by the 289th section *Mines Act 1890*.

#### BY-LAW No. 6.

1. *Events in which claims shall be forfeitable.*—Any claim upon which work shall not be *bona fide* commenced within fourteen days, and shall not be carried on for at least one month after such commencement, or any claim as aforesaid which shall be held in reserve and unworked under protection-registration, if it shall appear to a court of competent jurisdiction that the reasons assigned in the application under which such protection-registration shall have been obtained were insufficient, or that such reasons were untrue, or any claim as aforesaid upon which the payment of money shall have been secured under lien, and shall not have been made in the terms of such lien, shall in any or either of the cases aforesaid be forfeitable, and may, by a competent court, be declared forfeited.

2. If any working shareholder shall absent himself from his claim, and shall fail to provide an efficient substitute as his representative, the remaining shareholders may hire labour to work his interest therein; and if such shareholder shall fail to pay, within fourteen days after receiving written notice, all moneys due and expenses incurred in the working of his share, such share shall be forfeited.

3. If any person the holder of a share shall fail to pay all lawful calls made upon such share, after fourteen days' notice in writing to that effect, or shall fail to pay any moneys secured upon any share under lien at the time such moneys shall be due, such share shall be forfeited; provided always that when any claim or share shall by a competent court be declared forfeited under this by-law, such court may, by way of fine in lieu of forfeiture, inflict a penalty not exceeding Fifty pounds.

4. When any share shall be forfeitable through the non-performance of work or non-payment of expenses thereon, or for the non-payment of calls, the company or co-partners may enforce such forfeiture, and shall have a prior right to be put in possession of such share, and when any share shall be forfeitable for non-payment of moneys secured under lien, then the licensee may enforce such forfeiture, and shall have a prior right to be put in possession of the same.

5. *Forfeited and abandoned races.*—If any race cut and used for the purpose of conveying water for mining purposes shall remain unused for a period of twelve months, then the title to such race shall be liable to be forfeited, and the warden may, on the application of any person being the holder of a miner's right, declare such race to be forfeited, and place the person making the application in possession of the same, and any race as aforesaid which shall remain unused for a period of three years shall be deemed to be absolutely abandoned and may be taken possession of by marking off and making application for the same in accordance with and subject to the provisions of sections 1 and 2 of By-law No. 5.

6. In all cases where the interest of a shareholder in any claim shall by any means become forfeited such forfeiture shall be deemed and held to extend to and include the portion, share, or interest only of the shareholder incurring such forfeiture at the time such forfeiture is incurred.

#### BY-LAW No. 7.

##### RELINQUISHED, ABANDONED, OR DESERTED CLAIMS.

1. *Relinquishment of claims and shares.*—Any person holding a share or shares, or a portion or portions thereof of any land occupied under a business licence, or any claim, race, drain, dam, reservoir, or easement enjoyed under a miner's right, may relinquish the same, provided that previous to such relinquishment the said shareholder or shareholders shall give to his partner or partners a notice in writing to that effect; and the said shareholder shall thereupon be released from all further liability in respect of such share, provided that nothing herein contained shall be deemed or taken to interfere with or cancel any debt, agreement, engagement, or contract which may, at the date of any relinquishment, exist between said shareholder and his co-partner or co-partners.

2. Ground which, having been occupied or held under miners' rights, shall have been unworked and unoccupied for a period of two months shall be deemed to be and shall be treated as ground absolutely deserted and abandoned, and may, by the holders of miners' rights, be taken possession of for mining purposes or for purposes in connexion with mining in the same manner as ground which had not previously been held or occupied under miners' rights.

#### BY-LAW No. 8.

##### RESIDENCE AREAS AND BUSINESS SITES.

1. *Residence area.*—An area of ground occupied on any gold-field under and by virtue of a miner's right for the purposes of residence shall be called "a residence area," and such area must be registered with the mining registrar.

2. *Business site.*—An area of ground on any gold-field occupied for the purpose of business under a business licence shall be called a "business site," and such site must be registered with the mining registrar.

3. *Extent of residence area or business site.*—The holder of any miner's right or business licence may take up and occupy as a residence area or business site any Crown lands not exceeding 1 acre in extent, provided that where such area or site is taken up or occupied within fifty (50) yards of any road, street, or thoroughfare existing at the time of taking possession, the frontage of such area or site towards such road, street, or thoroughfare shall not exceed one hundred and thirty-two (132) feet.

4. *Mode of taking possession of residence area or business site.*—Any person taking up land under this by-law shall do so by erecting or causing to be erected a post at each corner of the ground; such post to be not less than three (3) inches in diameter, and extending not less than three (3) feet above the ground, and trenches not less than five (5) feet in length and 6 inches in depth shall be cut at each post, showing the direction of the boundary lines. Such person shall register such area or site with the mining registrar of the mining division in which such land is situated.

No person shall be entitled to occupy any land as a residence area, or business site unless such person be registered as the holder thereof, and the miner's right or business licence by virtue of which he is entitled to occupy such area or site is also registered.

5. *Mode of application for and registration of residence area or business site.*—Any person having taken possession of a residence area or business site as aforesaid, shall, within forty-eight hours after taking such possession, apply to the mining registrar and shall so describe the situation of the land taken possession of, with relation to any street, road, or public thoroughfare, as shall enable the mining registrar to locate the same, and the registrar shall deliver to the person

so applying a notice in the form of Schedule 6, and the applicant shall post and keep posted such notice on the ground applied for, for a period of fourteen days from the date thereof, and if no objection to such application be lodged before the expiry of the said fourteen days, the registrar shall, at the request of the applicant, complete the registration of the same, and shall deliver to the applicant a certificate in the form of Schedule 7, and thereafter the indorsement by the registrar of the fact of such registration on the subsequent miner's right or business licence of the applicant shall be deemed to be a certificate of registration, and no other certificate shall be required.

6. *Objections.*—Any person objecting to the registration of any residence area or business site shall, within fourteen days from the date of the applicant's notice being posted on the ground, lodge and prosecute his objections in the manner otherwise prescribed by section 2 of By-law No. 10.

7. *Auriferous ground exempted from occupation.*—No person shall take possession of, or have registered as a residence area or business site, any land situated on any known lead of gold or any auriferous quartz reef or any other land known to be auriferous.

8. *Lapse of registration.*—In the event of the registered holder of a residence area or business site neglecting to renew his miner's right in continuation of the right previously registered, then the registration of the area so held shall cease to be effective, and before the holder of such residence area or business site shall apply for re-registration of the same he shall mark off the ground and post a notice as required by section 5 of this by-law.

#### BY-LAW No. 9.

##### LIENS.

1. *Registration of liens.*—The holder or holders of a miner's right or business licence being possessed of any residence or business site, or any claim, race, drain, dam, reservoir, easement, or any share or interest therein, registered under these by-laws, may, in the form in the Schedule hereto numbered 8, and the holder of any share or interest created in any claim or other easement or mining tenement may in the form in the Schedule hereto numbered 9 grant a lien upon the same to any other person or persons as security for the due payment of any debt or liability; and upon production to the registrar of the transfer ticket or certificate under which the intending lienor holds the claim or other easement or mining tenement or share or interest intended to be made the subject of a lien, and of the miners' rights of the lienor and licensee and upon the execution of a lien ticket by the lienor and licensee in duplicate in the form aforesaid duly attested, the registrar shall register a lien upon the aforesaid claim or other easement or mining tenement or share or interest, and after having made such registration the registrar shall issue to the licensee a duplicate of the lien ticket as aforesaid, and shall indorse on the registration in such registrar's books, as also on the transfer ticket, the date and amount of the lien, the name of the licensee, and the date when such lien is payable. Every such lien granted and duly registered as aforesaid shall be a specific charge upon the claim or other easement or mining tenement or share or interest therein which shall have been so made the subject of a lien until the debt or liability shall have been discharged in full, and shall take precedence according to the dates of the respective registrations by the registrar; and every transfer of any claim or other easement or mining tenement or share or interest therein held under lien shall be made subject to every registered lien thereon. In the event of the sum of money named in the lien ticket not being paid within the time named in the lien ticket for the payment thereof, the licensee may, on the expiration of fourteen days after making a demand in writing for payment of the sum of money aforesaid, and after advertising in some newspaper published at or circulating in the locality in which the subject of the lien is situated, sell by public auction the claim or other easement or mining tenement, share, or interest the subject of the lien, and may as agent for the lienor transfer and assign such claim or other easement or mining tenement or share or interest, and may, for the purpose of effecting such transfer or assignment, sign the name of the lienor to any form or document required by the mining registrar, and the provisions of these by-laws relating to transfers shall thereupon apply.

2. *Release.*—Where the sum secured under any lien has been paid, together with all lawful costs and charges, the licensee shall sign in the presence of a witness a release in the form contained in the Schedule numbered 10 hereto, and upon receipt by the registrar of the lien ticket, together with the release, he shall record such release in the register, and on the lienor's transfer ticket or certificate, and shall forthwith cancel such lien.

3. *Lienee not a partner.*—Notwithstanding anything contained in this by-law, a licensee shall not be held to be a co-partner or co-adventurer with any person in respect to any claim or other mining tenement on which he may hold a lien or liens. When any lien is granted in accordance with this by-law no such lien shall have the effect of absolutely vesting in the licensee an interest and property in the claim or other easement or mining tenement beyond the amount of such lien.

## BY-LAW No. 10.

## FOR PROVIDING FOR THE REGISTRATION OF CLAIMS.

1. Possession shall be taken of all registered claims by marking off the same in the manner prescribed by these by-laws, and the party who shall first have marked in accordance therewith shall be deemed in possession; provided that application be made to the registrar to register said claim within the space of forty-eight hours from the time of marking off the same. The registrar, shall, on application, deliver a notice in the form of Schedule 2 to the applicant, who shall within twenty-four hours thereafter cause the same to be posted on some conspicuous part of the claim applied for, where it shall continue posted for seven consecutive days from the date thereof; and, if no objections shall be lodged with the registrar, he shall, at the request of the applicant, complete the registration by insertion of the names of all persons by or on whose behalf such application shall have been made; and the registrar shall also deliver to the applicant, for and on behalf of each party named and entered as interested and entitled in the registry, a certificate in form of Schedule 3, setting forth the nature and amount of interest held by each party.

2. Any party objecting to the registration of any claim, water privilege, or other easement, shall, within the seven days hereinbefore mentioned, send a written notice to the registrar, stating his objections, and lodge a complaint with the warden against the party making such application. The registrar shall, on receipt of the notice of objections, defer the registration until the warden shall have heard and adjudged the dispute. And if the party or parties objecting shall fail to prosecute his or their objections within a further period of seven (7) days, such objections shall be null and void, and the registrar shall proceed to complete such registration as if no objection had been made.

3. The holder of any claim or share of interest in any claim, or of any interest registered in accordance with these by-laws, may transfer such claim, share, or interest to any party by delivering to the registrar a notice, in writing, requesting him to register such transfer in the name of the transferee, together with the certificate of the registration originally delivered to the transferor; and on production of the miners' rights of both parties, and written notice from the holders of liens (if any) which may have been registered in respect of and as against such claim, share, or interest in approval of such transfer, the registrar shall complete the same by delivering to the transferee a certificate in the form of Schedule 11, to be signed by both parties. No transfer of any claim, share, or interest in any claim shall prejudice any lien or liens effected thereon and registered prior to and existing at the time of such transfer.

4. That in the event of the death of any person holding a share or shares, or a portion or portions thereof, of any land occupied under a business licence, or any claim, race, drain, dam, reservoir or easement enjoyed under a miner's right, application shall be made, in writing, to the registrar of the division, by the party authorized so to do, who shall register in the name of the executor, or such other person as shall be entitled to the same by the then existing law of the colony of Victoria; in the case of insolvency, in the name of the official assignee, or such other person as shall be entitled to receive the same under the Insolvency Statute; in case of lunacy, of his committee, or such other persons who shall be appointed for that purpose by the Supreme Court of the colony of Victoria. In the event of any sale of any residence or business site, or any claim, race, drain, dam, reservoir, or easement, or share or interest therein, under the decree, judgment, or order of any court, or the decision of any warden authorized by the *Mines Act* 1890, the person selling shall give to the purchaser a certificate which shall be handed to the said registrar, who shall enter it in a book, and shall file the same in his office; said registrar shall then deliver to the purchaser a certificate, in form of Schedule 3, setting forth the share or interest of the purchaser.

## BY-LAW No. 11.

## PROTECTION AGAINST FORFEITURE OF RESIDENCE AREA OR BUSINESS SITE, CLAIMS, ETC.

Notwithstanding anything contained in these by-laws, the title to any land occupied as a residence area or business site, or to any claim, race, dam, drain, reservoir, or easement enjoyed under a miner's right, or to any share or interest therein, shall not be deemed to be forfeited when held under any one or more of the following conditions, viz.:—

1. Any parcel of land occupied as a residence area or business site, and which shall be *bond fide* used for the purpose of residence or business (and in the case of residence the owner thereof shall not be the holder of more than one other parcel of land as a residence area), may be protected for a period of six months, provided that application be made to the mining registrar for the registration of the same by the owner thereof, or, if transferred, by the transferee; or in case of death, by a personal representative; or in case of insolvency, by the official assignee; or in case of lunacy, by a committee, or such other person as may be appointed for the purpose by the Supreme Court of the Colony of Victoria; and the mining

registrar shall register the same, and shall deliver to the applicant a certificate of protection in the form of Schedule 14, stating the time and reason why the residence is protected, a copy of which certificate shall be posted, and kept posted, on the area or site for the period for which the same is registered. If any further protection is desired, the owner shall apply to the mining registrar, who shall register the same, and deliver to the applicant a certificate in the form of Schedule 14, which shall be posted, and kept posted, as aforesaid.

2. Water-rights, sluicing, and puddling claims shall not be forfeitable during the want of sufficient water.

3. No claim of whatsoever nature shall be forfeitable during the time the holders thereof may be engaged in the obtaining of timber for their own personal use, or for the use of the claim, or whilst engaged in the extraction of gold or in any other necessary work connected with such claim, or during the erection of machinery, or for the non-working of the same in obedience to any injunction issued by any court of competent jurisdiction.

4. No party shall forfeit or lose his interest in any claim by being absent through accident, sickness, or attendance at a court of justice or the mining board. All claims or shares therein shall be protected for any period not exceeding fourteen days for any urgent cause, and such protection may be renewed from time to time on application to the registrar so long as the cause for such protection shall continue to exist; and, further, no claim shall be forfeited through absence during public holidays, or during fourteen days commencing 22nd December in each year.

5. *Protection to mining companies or associations.*—Notwithstanding anything hereinbefore contained in these by-laws, the registrar shall, on application, issue to any company or association having a capital of Five hundred pounds and upwards, or to any party during the formation of such company or such association, a certificate of protection in the form of Schedule 13, for any period not exceeding three months, for the ground held by them, while making preliminary arrangements; no second certificate of protection shall be issued unless it can be shown that a sum of at least Three hundred pounds has been expended in connexion with such claim.

6. *Protective registration.*—Any party searching for gold in any claim duly registered may have the same protected for a period not exceeding three months, provided that at least three months' *bond fide* work shall have been done by the party applying for the protection in the following cases:—1st. Where at least one-half of the working shareholders would be compelled to temporarily abandon their claim through the actual want of funds, either with or without the consent of the remaining owners. 2nd. In claims where the water is too heavy for hand-baling, and arrangements shall have been made, or are being made, for the erection of steam or other efficient machinery to pump out the same.

7. Protection of claims and other privileges shall be allowed when the owners are compelled to suspend operations in consequence of an overflow of water. No claim or share therein shall be protected in which there shall be water that may be detrimental to adjoining claims, save as provided for during the erection of machinery. No claim shall be protected a second time unless three months' work, where practicable, intervene between each protection. Where any party shall have obtained the protection of any claim or other privilege through or by false representations, such protection shall be null and void. Application for protection under this by-law shall be made in writing, and shall contain a statement of the reasons for seeking such protection, and the same shall be filed by the registrar during the time that such protection shall continue, and the registrar shall deliver to the applicant a notice in the form of Schedule 12, which shall be posted and kept posted every day on some conspicuous place on the ground desired to be protected for seven consecutive days; at the expiry of such time, if no objection be made, the registrar shall, on application, register the same, and deliver to the applicant a certificate in the form of Schedule 13 annexed to these by-laws, a true copy of which shall be kept posted on the claim during the period of protection.

## BY-LAW No. 12.

## FOR PREVENTING THE ACCUMULATION OF SLUDGE.

The owner or occupier of any machine which discharges sludge or water shall make, for the proper conveyance of such sludge or water to the main of the gully or flat in which such machine shall be situate, a good and sufficient drain; and when there shall be no main drain into which any such private drain can fall, then such private drain shall be made to unite with the private drain of any other machine situate in the same gully or flat, and the owners of such private drains shall be compelled to maintain the same in good order and free from obstruction. And, further, the owner of any such machine shall not on any pretence whatever allow any sludge or water to run upon or spread over any road or crossing-place in common use in this district. And, further, when two or more private drains shall unite, they shall be considered a main drain, which in all cases shall be carried to the main channel or creek, and be kept free from obstruction at the joint expense of all parties using the same.

## BY-LAW No. 13.

## GENERAL PROVISIONS.

1. No person shall injure or destroy, whether by design or culpable negligence, any races, dams, reservoirs, or the water therein, or posts, fences, notices, or any plant or any appliances used in connexion with mining, or obstruct such races and dams, or channels, drains, creeks, or rivers used for mining purposes.

2. *For constructing embankments, dams, &c.*—That all embankments, dams, and reservoirs shall be well and substantially built of solid earthwork, with by-washes to prevent the breaking of such embankments or earthwork through floods or excessive rain; that the inner face of such embankments, dams, and reservoirs shall be made at the natural angle, that is to say, 2 feet to 1 foot, and the back of said embankments shall be built at 1 foot 6 inches to 1 foot.

3. *Roads, bridges, and crossings.*—No road or crossing-place shall be made over or through any mining claim, unless compensation for damage or loss shall be immediately paid or tendered to the owner thereof; and provided, further, that such road, bridge, or crossing-place shall be of a breadth, when practicable, of not less than fifteen (15) feet, and be so constructed that no injury shall accrue to any drain, creek, or culvert passing under it. When any such bridge, road, or crossing shall have been unused for a period of two months for the purpose for which the same was originally granted, such bridge, road, or crossing shall be forfeited, unless otherwise protected.

4. *Bridges.*—When any race or sludge-channel shall be carried through any private or public road, the party cutting or using the said race or sludge-channel shall build a substantial bridge over such race or sludge-channel, and keep such bridge in efficient repair.

5. *Holes near roads to be fenced.*—If any party, shall in carrying on mining sink any shaft, or excavate any kind of hole of whatever depth, within the distance of 10 feet from any road, footpath, or crossing-place in ordinary use, unless such hole or shaft be sufficiently barricaded by a mound of earth thrown up to the height of 4 feet above the surface of the adjoining ground, or logged up to a like height for a windlass, such party shall erect around such shaft or hole a substantial two-railed fence, the upper rail whereof shall be at least 3 ft. 6 in. above the surface of the adjoining ground. Should any party leave any claim unworked for a short period, such party shall properly fill up the shaft or hole, or completely cover the same with logs not less than 6 inches in diameter, or erect around it a fence as aforesaid. No person shall remove, cast down, damage, or destroy any portion of such barricade, railing, timbers, or fence, and no person shall cut any drain which shall conduct any water into abandoned shafts which may be injurious to adjoining workings.

6. *Mining, &c., on reserves.*—The lands which under the *Mines Act 1890*, section 15, are exempted from occupation for mining purposes, or for residence and business under a miner's right or business licence, that is to say, all Crown lands which shall be lawfully and *bona fide* used as a yard, garden, cultivated field, or orchard, or upon which any house, outhouse, shed, or other building, provided the same shall be in actual use and occupation, or any artificial dam or reservoir shall be lawfully standing, may, notwithstanding such exemption, be occupied and held for mining purposes under a miner's right, subject to the provisions generally of this by-law, and also to the special conditions following, that is to say, the condition upon which any lands which shall be lawfully and *bona fide* used as a yard, garden, cultivated field, or orchard or, upon which any house, outhouse, shed, or other building, or any artificial dam or reservoir shall be lawfully standing, shall be mined upon or under, shall be that compensation shall be paid to the owner for all damage done or caused by such mining or occupation; and should such owner and the person or persons doing or causing such damage disagree as to the amount of such compensation, the matter shall be referred to the arbitration of two indifferent persons, one of whom shall be appointed by the owner and one by the person or persons doing or causing such damage; and should such arbitrators fail to agree upon an award, they shall select a third person, and the decision of any two of such arbitrators shall be binding upon the parties.

7. *Private roads through claims, &c.*—Private roads, tramways, and races may be constructed, and, when necessary, the direction altered through ground held by virtue of a miner's right or business licence, on payment of a reasonable compensation to the occupiers thereof, which shall be awarded by arbitration in the same way as is provided in clause 6 of this by-law.

8. *Felling trees across private roads.*—Any person who may fell or cause to be felled any trees across or upon any private road, footpath, or crossing-place, claim, water-race, or channel in common use shall remove or cause the same to be removed within twelve hours after the felling of such tree or notice of such obstruction given.

9. *For regulating mining near roads or crossing-places.*—No party shall mine within a distance of 15 feet from the centre of any public road or crossing-place in common use in this district.

10. *Prevention of nuisances.*—All persons occupying sites either for residence or business shall keep them in a proper state of cleanliness, and make and maintain the necessary and requisite drains, and keep them free and clear of every obstruction, so that the same shall in no wise be or become an annoyance or nuisance.

11. *Prevention of injury from bailing water.*—The owners of wet claims shall cut a sufficient drain to convey the water to a main channel, which channel shall be cut and kept clear from any mining workings by or at the expense of all parties interested in such wet claims.

12. *Area for machinery.*—Parties requiring ground whereon to erect machinery, or for purposes in connexion therewith, shall mark the ground to be applied for by a post at each corner thereof, standing at least 3 feet out of the ground, and post and keep posted for seven consecutive days a notice in the form of Schedule 15 thereon, stating the area and purpose for which such ground is required; if no objection shall be made the registrar shall register the same and give to the applicant a certificate in form of Schedule 16; said ground shall be considered abandoned when the machinery has not been used for a period of three months, but where the machinery is of less value than Fifty pounds the ground shall be forfeited, if for the space of two months the site shall have ceased to be used for the purpose for which it had been obtained, except where otherwise provided for by these by-laws. The area for steam machinery shall not exceed 2 acres; for horse pumps, one quarter of an acre; for puddling machines, one quarter of an acre; such areas shall be used only for the purposes for which the same shall have been taken possession.

13. *Protection to purchased land.*—No person shall mine within a distance of 10 feet of any building or brick or stone wall or fence on private property without obtaining the consent in writing of the owner thereof.

14. *Protection to claims under injunction.*—Whenever any injunction issued by the judge of the court of mines, or by any warden, shall prohibit any party or parties from working any claim held under these by-laws, and such party or parties, in obedience to such injunction, shall be absent from such claim, it is hereby ordained that until such injunction shall be dissolved or expire by effluxion of time no person by virtue of a miner's right or business licence shall trespass upon, occupy, or interfere with such claim or any portion thereof.

15. *Valuation of mining plant allowed.*—In case any claim deemed relinquished or forfeited in accordance with these by-laws be adjudged to any other party, should there be any mining plant, slabs, or other material on or in such claim, which the incoming occupant shall consider beneficial to him, the value of the same shall be assessed by arbitrators mutually appointed, or by the warden or judge of the court of mines, as the case may be, and the amount of such assessment shall be paid to the former owner within one month from the day on which such assessment shall have been made, or in default the claim, mining plant, &c., shall revert to the former owner. In case the party to whom such claim shall be adjudged shall not require the mining plant, &c., therein or thereon, the former occupant shall have power to remove the said plant within one month from the date of adjudication.

16. *Tailings not to obstruct creeks or rivers.*—No party mining, washing, or crushing in or on the banks of any main creek or river shall deposit any soil, stones, or tailings, or other substances in the bed of such creek or river which may obstruct the flow of water or change the course thereof.

17. *Compensation for damage.*—In case of any injury, damage, or loss accruing to the owner or occupier of any building, garden, or other premises held and occupied by virtue of a miner's right or business licence, or to any claim, shaft, tunnel, or mining plant, road, drain, dam, race or bridge by the working of the adjoining claim, or by the overflow of sludge, tailings, or other substance, the party so injured shall be entitled to compensation from the parties causing such injuries. Parties taking up claims through which tunnels, tramways, sluices, or water-drains are constructed, shall be responsible for any injury done to the same through the working of such claims. In cases of disagreement between the parties as to the amount of compensation to be paid under this section, the party aggrieved may bring a suit before the warden, who shall hear the case and determine the amount to be paid as such compensation.

18. *Loss of miner's right, &c.*—When any person loses the miner's right, consolidated miner's right, certificate, or transfer, or lien ticket, by virtue of which he holds any mining tenement, share, or portion of a share, or lien, he may 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, consolidated miner's right, certificate, or transfer, or lien ticket.

19. *Re-survey not required.*—When any miner has been put in possession by the warden of an abandoned or forfeited claim, which has been previously surveyed at the instance of the former owners, it shall not be necessary to have a re-survey; but such miner can, by applying to the registrar, obtain a tracing or duplicate to be taken from the office plan, showing the claim as held by previous owners, and such claim with



such boundaries as are herein set forth shall be deemed the boundaries of the claim held by the new owner, the same as if the survey had been made at his request.

20. *Plurality of claims.*—It shall be lawful for any person, being the holder of a miner's right, to mark off, hold, and occupy any number of claims not exceeding ten, or any number of shares in any claim or claims, or any privileges.

#### BY-LAW No. 14.

##### UNREGISTERED CLAIMS, ETC., ETC.

Unregistered claims shall be all ordinary alluvial claims taken up under sections 2, 3, and 7 of by-law 4. All other claims shall be registered claims within the meaning of these by-laws. Parties prospecting in either quartz or alluvial may make application to the registrar for a prospecting claim, and such application shall be sufficient protection for a period of three months; provided they shall work the said claim in a *bona fide* manner, and at the expiry of such time they may complete the necessary registration.

But it shall not be necessary that any claim shall be surveyed preliminary to such registration.

Any person holding a claim under sections 2, 3, or 7 of by-law 4 may make application and have such claim registered the same as if it were by this by-law required to be registered.

#### BY-LAW No. 15.

##### REGULATIONS FOR CLAIM-HOLDERS ON NEW RUSHES IN SHALLOW SINKING.

All claim-holders must be present on his or their claim every working day (after that on which the claim was taken possession of) at least for three hours between the hours of 6 a.m. and 6 p.m. until the shaft thereon has been bottomed. Any miner or miners not complying herewith shall have forfeited his or their claim or share unless, in case of dispute, he or they can justify such absence under the by-laws of this board.

#### BY-LAW No. 16.

##### AMALGAMATION OF CLAIMS.

1. Any two or more adjacent claims may be amalgamated, and, for the purpose of working the claims which are amalgamated, shall be deemed to be one claim; and work done upon or in connexion with any one of the claims so amalgamated shall be deemed to be done upon or in connexion with each and every of the claims so amalgamated, provided always that the extent of ground held in any claim so amalgamated shall not exceed in the case of quartz reefs 800 yards in length on the line of reef, and in the case of alluvial workings such amalgamated claim shall not exceed in extent the area allowed for 30 men in the class of ground upon which such amalgamated claim shall be situated.

2. Subject to the preceding section, and upon the application of the holders of any two or more adjoining claims, made in the form in the schedule hereto numbered 17, and signed by the persons interested therein, the mining registrar shall forthwith amalgamate such claims, and shall record such amalgamation upon the register relating to such claims under the proper date, and shall issue to the holders of such amalgamated claim a certificate in the form in the Schedule hereto numbered 18.

3. At the time of, or at any time subsequent to, the amalgamation of any two or more claims, the holders of such claims may, on payment of the fees prescribed for registration, require the mining registrar to re-register such claims as one claim, and to re-register the holders of the several claims as the holders of the claim amalgamated.

4. The number of men necessary to be employed on or in connexion with the claims, if occupied singly, shall be employed on or in connexion with the amalgamated claim.

5. *Temporary union of claims.*—Where it is considered advantageous to work two or more adjoining claims by baling water, or carrying on mining operations at one or more place or places in one or other of said claims, the owners may unite their claims and privileges connected therewith for said or any other purpose defined in the agreement between the parties, provided they shall employ the full number of men in the united claim they required to employ when the claims were separate. The owners of each separate claim may put an end to this union by giving the notice of separation fixed in their terms of agreement, said agreement to be registered with the mining registrar of the district, by depositing with him a copy of such agreement, for which no fee shall be paid.

#### BY-LAW No. 17.

##### SHARES OR INTERESTS IN CLAIMS.

1. *Creation of share or interest.*—After a claim or other mining tenement has been registered, but not before, the holder or holders thereof may create any number of shares or interests in such claim or other mining tenement, and may appropriate such shares or interests or any portion thereof.

2. *Registration of share or interest.*—For the purpose of registering the share or interest so created, the registered

holder or holders of any such claim or other mining tenement may, in the form in the Schedule hereto numbered 19, notify the mining registrar of the creation and appropriation of shares or interests therein; and the persons to whom the shares or interests so created have been appropriated may, in the form in the Schedule hereto numbered 20, require the mining registrar to make registration of such shares or interests, in accordance with the terms of the notice of the creation and appropriation thereof. The person or persons in whose favour such shares or interests have been registered may demand from the mining registrar a certificate in respect of each such share or interest, and every such certificate shall be in the form in the Schedule hereto numbered 21, and shall describe fully the claim or other mining tenement, and the share or interest therein to which the said certificate relates.

The registrar shall make registration (under the date of the original registration) of the share or interest in the claim or other mining tenement retained by the persons who were at the date of the creation of such shares or interests therein the registered holders of the entire claim or other mining tenement, and shall make a separate registration of the shares or interests which have been appropriated, and upon the face of the original registration of the entire claim or other mining tenement, the registrar shall make a minute of such creation and appropriation.

3. *Shares in claims may be increased.*—After the creation and appropriation of shares or interests, as provided for in sections 1 and 2 of this by-law, the holders of any claim or other mining tenement may, by a vote of the holders of a majority of the shares, increase the number of such shares or interests, and the registrar, on receipt of an application in the form contained in the Schedule hereto numbered 22 signed by the said holders of a majority of the shares, and on the production of the miners' rights and certificates under which such claim or other mining tenement is held, shall register the holders thereof for such increased number of shares, and shall furnish new certificates in the form contained in the Schedule hereto numbered 21 to such holders in lieu of their previous certificates, and shall thereupon cancel the original certificates relating to such shares or interests. No registration under this clause shall interfere with, set aside, or curtail any right, title, or interest held by the said holders at the date of such registration, nor shall it affect the date of the first registration. Provided always that unless the increased number of shares be allotted *pro rata* amongst all the said holders, the consent of every holder in the claim or other mining tenement shall be obtained, and the mining registrar shall, before making registration of such increased number of shares or interests, require the signature of every said holder to the application.

#### BY-LAW No. 18.

##### TO PROVIDE FOR MINING FOR METALS OR MINERALS OTHER THAN GOLD.

1. Any person being the holder of a miner's right may take possession of, and occupy under the same conditions, a claim for the purpose of mining for any metal or mineral other than gold an area of Crown lands equal in extent to that allowed under these by-laws as a claim for the purpose of mining for gold.

#### BY-LAW No. 19.

##### STANDING ORDERS.

1. *Business conducted with open doors.*—Strangers may be excluded.—That the business of the board shall be conducted on all ordinary occasions with open doors; but any one member present may require the exclusion of strangers until it shall have been decided by the board whether any particular question proposed to be introduced shall be discussed with open doors.

2. *Business to commence at the time appointed.*—That the business of the board shall commence upon the expiration of the time of meeting, or as soon after as a quorum shall be present.

3. *Minutes shall be taken.*—That minutes of the proceedings of each meeting of the board shall be taken regularly and entered in a book.

4. *When there is not a quorum names recorded.*—At any time appointed for the board to meet when there is not a quorum of the members present, or when the board is counted out, such circumstance, together with the names of the members then present, shall be recorded in the minute-book.

5. *Order of proceedings.*—That at each meeting of the board the business shall be proceeded with in the following order:—

- 1st. The minutes shall be read and errors (if any) corrected, after which the minutes shall be confirmed and signed by the chairman.
- 2nd. Correspondence.
- 3rd. Petitions presented by members of the board.
- 4th. Reports of committees.
- 5th. Incidental business.
- 6th. Orders of the day (to mean all matters arising out of the proceedings of former meetings, and any business which the chairman shall think fit to bring under consideration).



6. *Course of proposed by-laws.*—Notice shall be given to move for leave to introduce, alter, or amend a by-law. If leave shall be obtained it shall be read a first time without discussion and a time fixed for its second reading. If read a second time it shall be passed into committee, brought up, read a third time, and finally passed.

7. *Order of orders of the day.*—Orders of the day shall take precedence in the order in which they stand in the minute-book.

8. *Calls of the board.*—Calls of the board may be made on the motion of a member duly carried, and such motion shall state the business for which such calls are made, and the day and the hour of meeting.

9. *Fine for non-attendance.*—Should the board at any time make a special call for a full meeting of the members of the board, any member who does not attend such meeting shall be subject to a fine of Ten shillings unless he shall furnish to the board a satisfactory reason for his absence, such fine to be paid before such member shall be permitted to take his seat at the board or exercise his right to vote on any question before the board.

10. *Four days' notice for a call of the board.*—No order for a call of the board shall be made for any day earlier than four days from the date of such order inclusive of the day of such order.

11. *Copy of the order shall be sent to each member.*—A copy of the order for a call of the board shall be forwarded to each member of the board signed by the chairman or clerk.

12. *Members to register names and addresses.*—Each member shall, upon first taking his seat at the Mining Board, enter his name and address in a book to be kept for that purpose.

13. *Attendance-book.*—An attendance-book shall be kept by the clerk of the board, and the names of only those members shall be inserted, who take their seats at the board at or before half-past Ten o'clock, after which time the appearance-book shall be closed.

14. *Motions introducing new matters.*—When notice of motion may be given.—No member shall make any motion initiating a subject for discussion but in pursuance of a notice openly given at a previous meeting of the board, and duly entered on the minutes, and such notices must be given either previous to the board entering upon the orders of the day or after such orders shall have been disposed of.

15. *Notices of motion shall be written and signed.*—Every member in giving notice of motion shall read it aloud and deliver to the chairman a copy of such notice fairly written, together with his name and the day proposed for bringing on such motion.

16. *Members shall not give two notices consecutively.*—No member shall be entitled to give two notices of motion consecutively on the same day unless no other member has any notice to submit.

17. *One member may give notice for an absent member.*—A member may give notice for any other member not then present, by putting the name of the member for whom the notice is given on the notice of motion.

18. *Members who have given notice shall be present.*—No motion entered on the notice-paper shall be proceeded with unless the member who has given such notice or some one authorized by him be present when the business is called in order. Notices not so proceeded with shall be struck out of the paper.

19. *Motions not seconded shall lapse.*—Any motion not seconded shall not be further debated but shall lapse.

20. *Motions proposed and seconded.*—When a motion has been proposed and seconded a question thereon shall be proposed by the board to the chairman.

21. *Motions may be withdrawn.*—A member who has proposed a motion may withdraw the same by leave of the board.

22. *Questions may be superseded.*—A question may be superseded:—1st. By the adjournment of the board on the motion of a member—"That the board do now adjourn;" 2nd. By a motion—"That the orders of the day be now read;" 3rd. By the previous question, viz.:—"That this question be now put," being proposed and negatived.

23. *The previous question.*—If the previous question be resolved in the affirmative, the original question shall be put forthwith without any amendment or debate.

24. *Complicated questions.*—The board may order a complicated question to be divided.

25. *Question shall be put.*—So soon as the debate upon a question shall be concluded, the chairman shall put the question to the board in a distinct and audible manner.

26. *Questions once carried cannot be questioned again.*—A question being once made and carried in the affirmative or negative cannot be questioned again in the same mining board year during which it has been so resolved unless a call of the board be made for that purpose.

27. *Questions once resolved may be reversed by two-thirds of the members.*—No question or amendment which is the same in substance as any question which, during the same mining board year, has been resolved in the affirmative or negative, shall be a resolution of the board, unless carried by the majority of the members present upon a call of the board.

28. *Motions withdrawn may be made again.*—A motion which has been withdrawn may be made again during the same mining board year.

29. *Questions may be amended.*—A question having been proposed may be amended by leaving out certain words, or by inserting or adding words.

30. *Amendments not seconded.*—An amendment proposed but not seconded will not be entertained by the board nor entered in the minutes.

31. *Amendment to leave out words.*—When the proposed amendment is to leave out certain words the chairman shall put a question—"That the words proposed to be left out stand part of the question," which shall be resolved in the affirmative or negative as the case may be.

32. *Amendment to substitute words.*—When the proposed amendment is to leave out certain words in order to insert or add other words, the chairman shall put a question—"That the words proposed to be left out stand part of the question," which, if resolved in the affirmative, will dispose of the amendment; but, if in the negative, and there is no motion before the board for amending the proposed amendment, another question shall be put—"That the words of the amendment be inserted or added instead thereof," which shall be resolved in the affirmative or negative as the case may be.

33. *Amendment to insert or add words.*—When the proposed amendment is to insert or add certain words, the chairman shall put a question—"That such words be inserted or added," which shall be resolved in the affirmative or negative, as the case may be.

34. *No amendment shall be made to a question after a later part has been amended.*—No amendment shall be proposed in any part of a question after a later part has been amended, or has been proposed to be amended, unless the proposed amendment has been withdrawn by leave of the board.

35. *Words resolved may not be amended.*—No amendment shall be proposed to be made in any words which the board has resolved shall stand part of a question or shall be inserted in or added to a question except the addition of other words thereto.

36. *Amendment may be withdrawn.*—A proposed amendment may be by leave of the board withdrawn.

37. *Amendments may be amended.*—Amendments may be proposed to a proposed amendment as if such proposed amendment were an original question.

38. *Amended questions.*—When amendments have been made the main question as amended shall be put.

39. *Amendments not carried.*—When amendments have been proposed but not carried, the question shall be put as originally proposed.

40. *Debate.*—Members shall rise to speak.—Every member desiring to speak shall rise in his place uncovered, and address himself to the chairman.

41. *Members may not speak during a division.*—Members can only speak while the board is dividing by permission of the chairman, and then only to a point of order.

42. *Members may not speak to a question after the votes have been taken.*—No member may speak to any question after the same has been put by the chairman and the votes have been given in the affirmative and negative thereon.

43. *When two members rise to speak.*—When two or more members rise to speak the chairman shall call upon the member who, in his opinion, first rose in his place.

44. *Motion for a member to be heard.*—A motion may be made that any member who has risen "be now heard" or "do now speak."

45. *Members may speak.*—A member may speak to any question before the board or upon any amendment proposed thereto, or upon a question or amendment to be proposed by himself, or upon a question of order arising out of the debate; but not otherwise.

46. *Members may explain matters of a personal nature.*—By the indulgence of the board a member may explain matters of a personal nature, although there be no question before the board; but such matters may not be debated.

47. *Members may not speak twice.*—No member may speak twice to a question before the board except in explanation or reply, or in committee of the whole board.

48. *A member who has spoken may again be heard.*—A member who has spoken to a question may again be heard to explain himself in regard to some material part of his speech, but shall not introduce any new matter.

49. *A member may reply.*—A reply shall be allowed to a member who made a substantive motion to the board, but not to any member who has moved an order of the day, an amendment, or an instruction to a committee.

50. *To propose or second in to speak.*—That any member proposing or seconding a resolution or amendment shall be held to have spoken.

51. *A point of order.*—That any member rising to a point of order shall be allowed simply to direct attention to the point complained of, and submit it to the decision of the chairman.

52. *Member may not allude to a previous debate.*—No member shall allude to any debate of the same mining board year upon a question or by-law not being then under discussion, except by the indulgence of the board for personal explanations.

53. *Member may not reflect on any vote of the board.*—No member shall reflect upon any vote of the board, except for the purpose of moving that such vote be rescinded.

54. *Member may not use offensive words against legislation.*—No member shall use offensive words against any mining legislation of this district, unless for the purpose of moving for its appeal.

55. *Member may not apply offensive words to any member.*—No member shall use offensive or unbecoming words in reference to any member of the board.

56. *Members using objectionable words shall apologise.*—Any member having used objectionable words, and not explaining or retracting the same, or offering an apology for the use thereof to the satisfaction of the board, will be censured by the board, and shall not be allowed to hold his seat or vote on any question before the board until the offensive words shall have been retracted by him, and an apology rendered to the satisfaction of the board.

57. *Rules shall be observed in committees of the whole.*—The several rules for maintaining order in debate shall be observed in every committee of the whole board.

58. *When the chairman rises during a debate.*—Whenever the chairman rises during a debate, any member then speaking, or offering to speak, shall sit down, so that the chairman may be heard without interruption.

59. *Charges against members.*—Every member against whom any charge has been made, having been heard in his place, shall withdraw while such charge shall be under debate.

60. *Members must vote.*—Every member present at the board when the question is put will be required to vote.

#### SHOW OF HANDS.

61. *Strangers to withdraw.*—Previously to any show of hands, strangers shall, if ordered, withdraw.

62. *In case of confusion.*—In case of confusion or error concerning the number of votes, unless the same can be otherwise corrected, the board shall proceed to another show of hands.

#### COMMITTEES OF THE WHOLE.

63. *Committee appointed by resolution.*—A committee of the whole board will be appointed by resolution—"That this board do now resolve itself into a committee."

64. *Chairman of committees.*—A member shall be appointed chairman of committees of the whole board, and shall continue to act as such during the pleasure of the members of the board.

65. *Quorum of committees.*—The quorum of the committees of the whole shall be the same number as required for a quorum of the board.

66. *Matters to be considered.*—Committees shall consider such matters only as have been referred to them by the board.

67. *Members may speak more than once.*—In committee members may speak more than once to one question.

68. *Chairman's casting vote.*—Every question in committee shall be decided by a majority of votes, and, in case of an equality of votes, the chairman of committee shall give the casting vote.

69. *Instruction to report progress.*—At any stage of a measure in committee the chairman may be instructed to report progress, and ask leave to sit again at a future day.

70. *If any disorder arise.*—If any disorder arise in committee, the chairman of the board may resume his seat without any question being put.

71. *No quorum present.*—If while in committee there should not be a quorum, the chairman will resume his chair, and adjourn the board to a future day.

72. *Business disposed of.*—When matters referred to a committee of the whole have been considered, the chairman of committees shall report the same to the board.

73. *Motion to report progress.*—A motion may be made during the sittings of a committee—"That the chairman do now report progress, and ask leave to sit again."

74. *Reports of committees.*—Every report of a committee of the whole board shall be brought up without any question being put.

75. *Resolutions of committees may be recommended.*—Resolutions agreed to by a committee of the whole may be affirmed or negatived by the board. If negatived, they must be re-committed for further consideration in committee.

#### PETITIONS.

76. *When petitions may be presented.*—No petition shall be presented during any debate, nor after the board shall have proceeded to the notices of motion or orders of the day, unless petitions referring to the questions before the chair, which may be received immediately upon the reading of the order of the day or notice of motion.

77. *Member to acquaint himself with the contents.*—It shall be incumbent on every member presenting a petition to acquaint himself with the contents thereof, and to ascertain that it does not contain language disrespectful to the board.

78. *Member shall prefix his name.*—Every member presenting a petition to the board shall write his name at the beginning thereof.

79. *Petitions must be in conformity with rules.*—Every member presenting a petition shall take care that the same is in conformity with the rules and orders of the board.

80. *Petition shall be respectful.*—Every petition shall be respectful, decorous, and temperate in its language.

81. *Petition shall be presented by a member.*—Petitions can only be presented to the board by a member.

82. *Petitioner shall not present petition from himself.*—A member cannot present a petition from himself.

83. *Member's duty when presenting petition.*—Every member offering to present a petition to the board shall confine himself to a statement of the parties from whom it comes, of the number of signatures attached to it, and of the material statements contained in it, and to the reading of such petition.

84. *Petitions may not be discussed.*—No discussion shall take place upon petitions at the time of their presentation, except by special permission of the board, by a motion proposed, seconded, and duly carried to that effect.

#### SUSPENSION OF STANDING ORDERS.

85. *Standing orders may be suspended.*—It shall be competent by a vote of the majority of the members present, for the board to suspend any standing order herein contained, provided the effect of such suspension shall not be the rescinding of any resolution previously adopted by the board.

#### BY-LAW No. 20.

##### REGISTRARS AND THEIR DUTIES.

The mining registrars in their several divisions shall, on application, register any claim, share, or interest held by virtue of a miner's right; and shall be entitled to demand and receive for the performance of the same the fees prescribed in the schedule hereto numbered 1.

Any duties which under these by-laws the mining registrar is required to perform for which a fee is not herein prescribed, shall be by the registrar performed free of charge.

#### SCHEDULE 1.

	£	s.	d.
Registration of application for claim, &c.—			
For any number of persons, including form of application	0	1	6
Registration for single claim or share	0	0	6
Registration of lien	0	2	0
Transfers, each share or interest	0	1	0
Certificates, each	0	0	6
Cancelling registration, per share	0	1	0
Registration of reserve, or protection per claim—			
For any number of persons	0	1	0
Amalgamation of two or more claims	0	2	0
Registration of quartz, &c., stacked	0	1	0
Re-registration, per single claim or share	0	1	0
Application for registration of residence or business area, including form of application	0	0	6
Registration of residence area or business site (only necessary in the first instance)	0	1	0
Indorsing notification of registration on miner's right and every subsequent miner's right	0	0	6
Registration of machinery area	0	1	0
Certified copy of registration, &c., per folio of sixty (60) words	0	1	0
Inspecting records, each inspection	0	1	0

#### SCHEDULE 2.

##### NOTICE OF APPLICATION FOR REGISTRATION OF CLAIM.

This is to certify that the undermentioned person did this day of at the hour of o'clock .m. make application for such quantity of land at as may under the provisions of the by-laws be held under miner's right as a claim, and did at the time of making such application produce to me the miner's right hereunder set forth. If no objection be lodged with me within seven days from the posting of this notice I shall proceed to complete the registration of the above claim.

Given under my hand at this day of Mining Registrar.  
Name. Miners' Rights: No. Date.

September 26, 1900.

## SCHEDULE 3.

## CERTIFICATE OF REGISTRATION OF CLAIM.

This is to certify that I have this day, at the hour of  
o'clock .m., registered the name of  
of , as the holder (or one of the holders) of a  
claim numbered , situated at , and  
styled

Given under my hand at, this day of  
Mining Registrar.

Miner's Right.  
No. Date.

## SCHEDULE 4.

## NOTICE OF APPLICATION FOR REGISTRATION OF RACE.

This is to certify that the undermentioned person did  
this day of at the hour of o'clock  
.m., make application for the right to take and divert from  
Creek sluice-heads of water, and  
to cut a race for the purpose of leading such water to  
and to construct a dam (or reservoir) at for the  
purpose of storing such water.

If no objection be lodged with me within seven days from  
the posting of this notice, I shall proceed to complete the  
registration of the same.

Dated at this day of  
Mining Registrar.

Names. Miners' Rights.  
No. Date.

## SCHEDULE 5.

CERTIFICATE OF REGISTRATION OF WATER-RIGHT,  
RACE, ETC.

This is to certify that I have this day, at the hour of  
o'clock .m., registered the name of of  
as the holder (or one of the holders) of a water-right to take  
and divert sluice-heads of water from , and also  
Creek, and to lead such water to , and also  
for the construction and use of a race and dam (or reservoir)  
at in connexion therewith.

Dated at this day of  
Mining Registrar.

Miner's Right.  
No. Date.

## SCHEDULE 6.

NOTICE OF APPLICATION FOR REGISTRATION OF RESIDENCE  
AREA OR BUSINESS SITE.

This is to certify that the undermentioned person did this  
day of at the hour of o'clock .m.,  
make application for a residence area [or business site],  
situated at , having a frontage of  
feet to street or road by a depth of  
feet. If no objection be lodged with me within fourteen  
days from the posting of this notice, I shall proceed to com-  
plete the registration of the area [or site].

Given under my hand at this day of  
Mining Registrar.

Name. Miner's Right.  
No. Date.  
[Business Licence.]

## SCHEDULE 7.

CERTIFICATE OF REGISTRATION OF RESIDENCE AREA  
OR BUSINESS SITE.

This is to certify that I have this day, at the hour of  
o'clock .m., registered as the owner of  
a residence area [or business site], situated at  
and having a frontage of feet to  
street or road, by a depth of feet.  
Given under my hand at this day of

Miner's Right.  
No. Date.  
[Business Licence.]

## SCHEDULE 8.

## FORM OF LIEN.

I, the undersigned, being the registered holder of the  
situated at known as  
and numbered in the books of the  
mining registrar at do hereby for valuable  
consideration grant to of  
a lien upon the aforesaid as security for the  
payment on or before the day of  
of the sum of £ ; and I, the said lienor, hereby agree  
that until the said sum, together with all lawful costs and  
charges thereon, shall have been paid in full this lien shall  
remain in force, and I hereby engage until such payment not  
to transfer or assign the said or any portion thereof  
without the written consent of the said  
and at any time after the expiration of the time hereinbefore  
specified for payment, if, upon demand in writing by the  
lienee, payment of the said sum of money, costs, and charges  
be not made within fourteen days of such demand I hereby  
authorize the lienee to cause the said to be  
sold by auction, and I hereby appoint my  
agent, for me and on my behalf and as my act, to transfer,  
set over, and assign to the purchaser the whole of my right,  
title, and interest in and to the said and for that pur-  
pose to sign my name to any transfer or other document.  
And I, the undersigned lienee, hereby accept this lien as  
security for payment within the specified time of the afore-  
said sum of £ together with all lawful costs and  
charges thereon ; and I agree and engage that upon such pay-  
ment being made I will forthwith release the said

Dated at this day of  
Signed Lienor.

Signed Lienee.

Witness—

The within lien was registered by me this day of  
at the hour of o'clock .m.  
Mining Registrar.

## SCHEDULE 9.

## FORM OF LIEN OF SHARE.

I, of do hereby grant to  
of a lien upon  
my share numbered in a numbered  
situated at as security for the payment on  
or before the day of of the sum  
of £ , being the amount due and owing by me to the  
said , and until the sum aforesaid, together with  
all lawful costs and charges, shall have been paid in full I  
hereby engage not to transfer or assign the said share, or any  
portion thereof, without the written consent of the said  
and at any time after the expiration of the time  
hereinbefore specified for payment, if, upon demand in writing  
by the lienee, payment of the said sum of money, costs, and  
charges be not made, I hereby authorize the lienee to cause  
the said to be sold by auction ; and I hereby appoint  
my agent for me and on my behalf, and as my act  
to transfer, set over, and assign to the purchaser the whole  
of my right, title, and interest in and to the said  
and for that purpose to sign my name to any transfer or  
other document ; and I, the undersigned lienee,  
hereby accept this lien as security for the payment within  
the specified time of the aforesaid sum of £ , together  
with all lawful costs and charges thereon. And I agree and  
engage that upon such payment being made I will forthwith  
release the said

Dated at this day of  
Signed— Lienor.  
Signed— Lienee.

Witness—

The within lien was registered by me this day of  
at the hour of o'clock .m.  
Mining Registrar.

## SCHEDULE 10.

## FORM OF RELEASE OF LIEN.

I, the undersigned, being the lienee named in  
the within lien, having received payment in full of all de-  
mands in respect of the sum of £ secured to me by the  
within lien, hereby release the within-mentioned

As witness my hand this day of  
Signature of Lienee.  
Witness—

## SCHEDULE 11.

## FORM OF TRANSFER.

I, \_\_\_\_\_ of \_\_\_\_\_, my \_\_\_\_\_, numbered \_\_\_\_\_, situated \_\_\_\_\_, subject to all and singular the terms and conditions under which the said \_\_\_\_\_ has been held by me; and I, \_\_\_\_\_, do hereby accept of the said \_\_\_\_\_ subject to the terms and conditions aforesaid.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Miner's Right.  
Number \_\_\_\_\_ Date \_\_\_\_\_

Transferor—  
Transferee—

Witness—

The within transfer was registered by me this \_\_\_\_\_ day of \_\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ m.

\_\_\_\_\_  
Mining Registrar.

## SCHEDULE 12.

## NOTICE OF APPLICATION FOR PROTECTIVE REGISTRATION.

This is to certify that \_\_\_\_\_ did this \_\_\_\_\_ day of \_\_\_\_\_ make application for protection for a claim numbered \_\_\_\_\_, for the following reasons:—

And if no objection be made within seven days from this date I shall proceed to the registration of the same.

Miner's Right.  
No. \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Mining Registrar.

## SCHEDULE 13.

## CERTIFICATE OF PROTECTION REGISTRATION.

Notice is hereby given that I have this \_\_\_\_\_ day of \_\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ m., registered the \_\_\_\_\_, numbered \_\_\_\_\_, situate at \_\_\_\_\_, and known as \_\_\_\_\_, under the provisions of the by-law of the mining board of Castlemaine, numbered \_\_\_\_\_, clause \_\_\_\_\_; and provided the reasons or causes assigned for holding the said \_\_\_\_\_ in reserve and unworked be good and sufficient, the owners of the said \_\_\_\_\_ are hereby protected for a period of \_\_\_\_\_ months from the date hereof from fine or forfeiture for non-performance of work.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Mining Registrar.

## SCHEDULE 14.

## CERTIFICATE—PROTECTIVE REGISTRATION FOR RESIDENCE AREAS OR BUSINESS SITES.

Notice is hereby given that I have this \_\_\_\_\_ day of \_\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ m., registered the \_\_\_\_\_ area [or site] \_\_\_\_\_, situated \_\_\_\_\_, under the provisions of the by-law of the mining board, for the following reasons:—

And provided the reason or cause assigned for holding the said \_\_\_\_\_ in reserve be good and sufficient, the owners of the said \_\_\_\_\_ are hereby protected for a period of \_\_\_\_\_ months from the date hereof.

Miners' Rights.  
No. \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Mining Registrar.

## SCHEDULE 15.

## MACHINERY AREAS.

This is to certify that the undermentioned person did, this \_\_\_\_\_ day of \_\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ m., make application for a machinery area containing \_\_\_\_\_, situated at \_\_\_\_\_, to be held and occupied in connexion with \_\_\_\_\_.

Given under my hand at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Miners' Rights.  
No. \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Mining Registrar.

Names—  
No. \_\_\_\_\_ Date \_\_\_\_\_

## SCHEDULE 16.

## CERTIFICATE FOR MACHINERY AREA.

This is to certify that I have this \_\_\_\_\_ day of \_\_\_\_\_ registered \_\_\_\_\_ for a machinery area situated at \_\_\_\_\_, and containing \_\_\_\_\_ a. r. p.

Miner's Right.  
No. \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Mining Registrar.

## SCHEDULE 17.

## FORM OF APPLICATION FOR REGISTRATION OF AMALGAMATION OF CLAIMS.

The undersigned being the registered holders of claims numbered respectively \_\_\_\_\_ and \_\_\_\_\_ situated \_\_\_\_\_, hereby request the mining registrar for the \_\_\_\_\_ division of the mining district of Castlemaine to register the amalgamation of the claims aforesaid under the style of—

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Signatures. Miners' Rights.  
No. \_\_\_\_\_ Date \_\_\_\_\_

## SCHEDULE 18.

## FORM OF CERTIFICATE OF AMALGAMATION OF CLAIMS.

This is to certify that I have this \_\_\_\_\_ day of \_\_\_\_\_ at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ m., registered the amalgamation of \_\_\_\_\_ and \_\_\_\_\_, situated \_\_\_\_\_, and styled \_\_\_\_\_.

Given under my hand at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

No. in Register. \_\_\_\_\_

\_\_\_\_\_  
Mining Registrar.

## SCHEDULE 19.

## FORM OF NOTICE OF CREATION OF SHARES.

Notice is hereby given that the undersigned, being the registered holder of the claim numbered \_\_\_\_\_, and known as \_\_\_\_\_, situated \_\_\_\_\_, has or have created \_\_\_\_\_ shares therein, and has or have appropriated such shares in accordance with the list hereto annexed.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Signatures. Miners' Rights.  
No. \_\_\_\_\_ Date \_\_\_\_\_

## SCHEDULE 20.

## FORM OF APPLICATION FOR REGISTRATION OF SHARES CREATED.

We, the undersigned, being the holders of the shares created in the claim numbered \_\_\_\_\_, and known as \_\_\_\_\_, situated \_\_\_\_\_, hereby request the mining registrar of the \_\_\_\_\_ division of the mining district of Castlemaine to make registration of our respective shares in such claim.

Signatures.	Nos. of Shares.	Miners' Rights.	
		No.	Date.

## SCHEDULE 21.

## FORM OF CERTIFICATE OF REGISTRATION OF SHARE OR INTEREST.

This is to certify that I have this day, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ m., registered the name of \_\_\_\_\_, as the holder of an interest of \_\_\_\_\_ share in a claim numbered \_\_\_\_\_ situated at \_\_\_\_\_.

Given under my hand at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Miner's Right.  
No. \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Mining Registrar.

September 26, 1900.

## SCHEDULE 22.

## FORM OF APPLICATION FOR INCREASE OF SHARES.

We, the undersigned, being (a majority of) the holders of the claim numbered , situate , hereby make application for an increase of the shares in the said claim from to , and we hereby request the mining registrar of the division of the mining district of Castlemaine to make registration of such increase of shares in accordance with the resolution of the said holders, a copy of which is hereto annexed.

Dated at this day of

Signatures.

Witness to signatures—

## SCHEDULE 23.

## SUMMONS TO WITNESS IN CASE OF DISPUTED ELECTION.

To

You are hereby summoned to appear on the day of 18 , at the hour of o'clock in the , at , before the mining board for the Castlemaine District, to bear witness in the matter of a petition disputing the validity of the election of as a member of the said board. *[Should documentary evidence be required, the following to be added:—]*

And you are hereby required to produce, at the same time and place, the undermentioned documents relating to the matter of the said petition:—

Given under my hand at , this day of

Clerk of the Board.

## SCHEDULE 24.

## CERTIFICATE OF REGISTRATION OF WATER-HOLE OR SPRING FOR DOMESTIC PURPOSES.

I do hereby certify that I have this day registered , of , as the holder of a water-hole or spring, situated at , for domestic purposes.

Dated this day of

Mining Registrar.

Miner's Right.  
No. Date.

The undersigned members of the Castlemaine Mining Board concurred in making the foregoing by-laws:—

E. H. CAMERON, Chairman.  
W. H. ORCHARD,  
THOMAS HART,  
JOHN WILLIAMS,  
WM. MACLAREN,  
THOS. HARDING,  
GEO. HAYWOOD,  
T. W. J. H. FELSTEAD,  
W. LAMBERT,  
RICHARD JAMES.

We certify that these by-laws are not contrary to law.

WM. H. IRVINE, Attorney-General.

JNO. M. DAVIES, Solicitor-General.

Crown Law Offices, Melbourne,  
10th September, 1900.

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