



SUPPLEMENT
TO THE
VICTORIA
GOVERNMENT GAZETTE

OF TUESDAY, JUNE 12, 1855.

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WEDNESDAY, JUNE 13.

[1855.]

Colonial Secretary's Office,
Melbourne, 12th June, 1855.

GOLD MINING REGULATIONS.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to authorize the promulgation of the following Regulations under the Act of Council, 18 Victoria, No. 37, in lieu of all former Regulations.

By His Excellency's Command,
WILLIAM C. HAINES.

O.7412.

I.—*Mining Right.*

All persons holding the Miner's Right under the provisions of the Act of the Governor and Council, 18 Victoria, No. 37, will be authorized to mine for gold upon any waste lands of the Crown, and to occupy for the purpose of residence in connection with the object of mining so much of the said lands as may be prescribed under the rules and regulations now and hereafter from time to time made:

Provided that lands reserved by the Government, or enclosed by previous occupants, shall not be entered upon without special authority.

II.—*Business Licenses.*

Licenses to carry on business will be issued and be in force for the respective periods and on payment as follows:—

	£	s.	d.
For Three months	...	2	10 0
Six "	...	5	0 0
Twelve "	...	10	0 0

The above license will entitle the holder to occupy an area of ground not exceeding eleven feet by thirty-three feet (11 x 33), and for every such area or portion thereof occupied in addition, a similar license must be taken out. The first mentioned admeasurement being deemed the frontage and to be protected from encroachment.

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The Business Licenses will be dated on the day of issue, and will have effect for three, six, or twelve months from the 1st day of the month in which it is taken out, if issued prior to the 15th day of such month, and from the 1st of the following month, if taken out after the 15th of the month.

Business Licenses, at whatever place issued, will be available on any Gold Field throughout the Colony of Victoria.

III.—*Unauthorized Occupation.*

Any person not being the holder of the Miner's Right, or Lease or License under the aforesaid Act, and not being an authorized person within the meaning thereof, who shall carry on or follow any business, or become resident upon Crown Lands at any of the Gold Mines or Gold Fields, shall be deemed to be in the unauthorized occupation of such lands, and shall be liable to be dealt with under the provisions of the Act of the Imperial Parliament, 9, 10 Victoria, c. 105, and on conviction be subject to a fine: for the first offence, in a sum not exceeding ten pounds; for the second offence, in a sum not exceeding twenty nor less than ten pounds; and for the third or any subsequent offence, not exceeding fifty nor less than twenty pounds.

IV.—*Authorized Occupation.—Authorized Persons within the meaning of the Act.*

1. All holders of any license or lease for pastoral purposes.
2. All Ministers of Religion and Schoolmasters.
3. The servants of such holders, ministers and schoolmasters, then residing with, and being in the actual employment of any of them.
4. All females, and all children under fourteen years of age, who shall only reside, but not mine for gold, upon any Gold Field.

V.—Miner's Right and Business Licenses not transferable.

The Miner's Right or Business License is not transferable, and any person using any such document, originally granted to any other person, with a view to exercise the privileges conferred on the rightful holder, shall be held guilty of a misdemeanor, and liable to the penalty attached, viz.: to fine, or imprisonment with or without hard labor, or to both.

VI.—Extent of Claims.

The extent of claim to which each "Miner's Right" shall entitle the holder shall be—

For one miner	12 feet by 12
For two miners	12 feet by 24
For three miners	18 feet by 24
For four miners	24 feet by 24

Beyond which no greater area will be granted except that where it can be proved satisfactorily that two or more parties of miners taking up claims in the usual manner on worked or flooded ground, can, by combining, overcome any natural difficulties which may exist, by means not detrimental to the interests of the public or other authorized miners, such combination may be authorized under the distinct condition that the ground must be worked by the same number of miners as would be required were it divided into the smaller claims.

Any such party of miners must be in possession of a written sanction, to be produced when required.

VII.—Working or clearing beds of Creeks.

Where the working or clearing of beds of creeks or waterholes would be no injury to the public, permission may be granted to parties of miners to undertake the same. The portion of such beds of creeks or waterholes allowed to each miner will be ten yards in length, irrespective of the breadth.

Such conditions relative to the working of such beds of creeks and waterholes as the interests of the public may require will be imposed, and if deemed expedient, a sum of money as a deposit may be taken from each miner to ensure the due performance of the same.

VIII.—Sluice Washing, &c.

Sluice washing or other water privileges will be allowed only by special sanction, in order that care may be taken to guard against conferring the privilege in places where the permanent supply of water may be injured by the operation.

When a party of miners have received permission for sluice washing or other privilege, they may obtain a written sanction from the officer authorizing it.

IX.—Inadmissible Claims.

No claim will be allowed or granted on any ground, the working or occupation of which shall be considered injurious to the general interests, such as the interference with the supply of water requisite for the public, and the undermining or digging up of roads; nor will the erection of stores, tents or buildings be permitted which may obstruct general thoroughfares or interfere with mining.

X.—Prospecting.

For the encouragement of prospecting, persons discovering new gold workings may have allotted to them, by special sanction, an extent of ground equal to double or treble the ordinary area of mining claim, provided the discovery be made public without unnecessary delay.

XI.—Plurality of Claims.

No miner or party of miners can at one and the same time hold more than one claim, or hold any claim in reserve or unworked, and such proceeding will be considered as a relinquishment of right to any claim, however much previously worked, unless satisfactory reason, such as sickness or some other urgent cause, can be shewn, on the claim becoming a subject of dispute.

XII.—Leases.

1. Alluvial lands, unworked, may be leased in portions not exceeding forty acres, where the locality is not upon any established Gold Field, and of which the auriferous character has been developed by "prospecting," at the instance of the applicants.

The rent payable for such lands to be Ten pounds per annum per acre, irrespective of any duty or royalty not exceeding one-twentieth part of the gross yield of gold obtained from them.

Claims to be taken in square or rectangular blocks not exceeding in length twice their breadth.

2. Alluvial lands—worked or abandoned.

Such lands may be leased in portions, not exceeding ten acres, at an annual rental of Ten pounds per acre. Such rental to be irrespective of any duty or royalty leviable upon the gross amount of the gold produced from the said lands—not in any case exceeding one-twentieth part thereof.

Claims to be taken, as in unworked lands, in square or rectangular blocks, not exceeding in length twice their breadth.

XIII.—Quartz.—Individual Mining.

Any person mining on a quartz vein will be entitled to twelve feet by twelve feet on the vein, provided he possess the "Miner's Right."

XIV.—Quartz Leases.

Leases for working quartz veins will be granted for portions not exceeding 220 yards along the vein, by such breadth as will include the whole of the vein within the length assigned.

Where the quartz is much disintegrated; or the veins not of great thickness at different inclinations, the area leased will be not exceeding 220 yards along the supposed course of the vein by a breadth not exceeding 50 yards.

In either case the annual rent will be at the rate of One pound per yard in length of the claim, irrespective of any duty or royalty, not exceeding one-twentieth part of the gross amount of gold produced from the claim.

Application for lease is to be made to the Warden, who, on payment of twenty-five per cent. of the annual rent, will put the applicant in possession should no impediment or objection exist, and, having caused a survey and examination of the area to be leased, the lease will be issued on payment of the balance of the first year's rent.

XV.—*Adjustment of Disputes.*

All disputes connected with mining, or the occupation of lands under the "Miner's Right," or lease or license within the gold district, except those held for pastoral purposes, shall be decided by any Justice of the Peace, in conformity with the provisions of the Act aforesaid, and according to the practice and custom as to the modes of mining at present existing on the Gold Fields, and according to such regulations as may be from time to time approved by His

Excellency the Governor, upon the recommendation of the local courts.

Any Justice of the Peace, when required to adjudicate in such disputes, shall demand from the complainant (before entering the complaint) a fee of Two pounds, to be paid by him into the public Treasury, on account of the general revenue.

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