



S U P P L E M E N T
TO THE
V I C T O R I A
G O V E R N M E N T G A Z E T T E

OF TUESDAY, AUGUST 26, 1856.

Published by Authority.

No. 106.]

WEDNESDAY, AUGUST 27.

[1856.]

Chief Secretary's Office,
Melbourne, 22nd August, 1856.
SANDHURST GOLD FIELDS.

GENERAL REGULATIONS.

HIS Excellency the Officer administering the Government, with the advice of the Executive Council, has approved and authorised the promulgation of the following General Regulations exclusively applicable to the Local Court District of Sandhurst (in lieu of the General Regulations dated the 3rd of October, 1855), under the Act of Council 18 Victoria No. 37.

By His Excellency's Command,
W. 5044. WILLIAM C. HAINES.

I.—Mining Right.

All persons holding the Miner's Right, under the provision of the Act of the Governor and Council 18 Victoria No. 37, will be authorised 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 on payment as follows:—

	£	s.	d.
For 3 months	2	10	0
For 6 months	5	0	0
For 12 months... ..	10	0	0

The Business Licenses will be dated from the day of issue, and have effect for three, six or twelve months. Business Licenses, at whatever place issued, will be available on any Gold Field throughout the Colony, but no sub-letting will be permitted.

III.—Unauthorised occupation.

Any person not being the holder of the Miner's Right, or lease or license under the aforesaid Act, and not being an authorised 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 unauthorised occupation of such lands, and shall be liable to be dealt with under the provisions of the Act of the Imperial Parliament, 9 and 10 Victoria, c. 104, 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.

No. 106.—August 27th, 1856.—1.

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 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 License not transferable.

The Miner's Right or Business License is not transferable, and any person using 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.—Inadmissible Claims.

No claims 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.

VII.—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 of the gross yield of gold obtained from thence. Claims to be taken in square or rectangular blocks not exceeding in length twice their breadth.

2. Alluvial lands worked or abandoned. Such lands to 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: Provided always that no applications for leases of either worked or unworked alluvial lands subsequent to the date hereof shall be entertained except upon the recommendation of the Local Court of the district.

VIII.—Quartz Leases.

Leases for working quartz veins will be granted for portions not exceeding 220 yards along the vein, by such breadth as shall be assigned by the regulations of the Local Court of the District, assented to by His Excellency the Governor.

In every case the annual rent shall 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 25 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: Provided that no application subsequent to the date hereof will be entertained except on the recommendation of the Local Court of the district.

IX.—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 Districts, 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 from time to time be approved by His Excellency the Governor, upon the recommendation of the Local Court.

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.

X.—Claims belonging to Deceased Individuals.

Where any number of persons holding Miners' Rights or Business Licenses shall be in possession of any claim as co-partners under such Miners' Rights or Business Licenses respectively, and any one of such persons shall die, the surviving partners shall be entitled to hold possession of the claim as against all strangers: Provided that the number of persons holding Miners' Rights working such claim be according to the regulations in force in the district, and without prejudice to the rights of the personal representative of the deceased, by agreement or law against the surviving partners.

Where any person holding a Miner's Right or Business License shall be in sole possession of any claim under such Miner's Right or Business License, and shall die, no other person shall take possession of such claim for the period of one month after the death of such person, or for the further period of three months, if during the first month any person shall serve a written notice upon the Warden of the district stating that he or she is about to obtain probate or administration, as the case may be, of the personal estate and effects of the deceased, and requesting him to protect the claim. And the said Warden shall protect the said claim from intrusion during the above periods respectively; and when such probate or administration respectively is obtained by any one, the personal representative or a person nominated in writing by him or her, such personal representative or nominee holding a Miner's Right or Business License respectively shall be entitled to the possession of the said claim, according to the regulations in force in the district.

XI.—Penalty for the infraction of Regulations made by Local Courts.

The Gold Fields' Act 18 Victoria No. 37 section 23, provides that every breach of the Local Court Rules, whether by omission or commission, subjects the party breaking the same to a penalty of not more than Ten pounds for the first offence, and not more than Twenty pounds for the second or any subsequent offence.

Chief Secretary's Office,
Melbourne.

LOCAL COURT REGULATIONS.

SANDHURST.

REGULATIONS made by the Local Court of the District of Sandhurst:—

i. Repeal of former Regulations.—As it is expedient that the Mining Rules and Regulations of this Gold Field, passed from time to time by the Local Court, and assented to by the Governor, should be revised and consolidated, all rules and regulations therefore which at any time previous to the date hereof have been passed and assented to, shall be repealed, and the following substituted in lieu of them so soon as the repeal of the former and substitution of the present shall have been assented to by His Excellency the Officer administering the Government.

ii. Interpretation of the word "claim."—For the purpose of these Regulations the word "claim" shall be understood to mean the portion of Crown land which each person or company shall be entitled to occupy, or to occupy and mine in, under any document, license or

lease, issued by authority: also that portion of land assigned to any person or persons by any warden, or other competent officer, and which may be occupied by any dwelling-place or stable, with a reasonable amount of ground around them, or by any dam or waterhole, machine, private cart-road, drain, or as drainage ground for the supply of water to any engine, mill or machine.

iii. No person authorized unless in possession of document. No person shall be deemed authorized to hold any claim on this Gold Field unless he shall be at the time in possession of some document, issued by authority, entitling him to occupy and hold any such claim.

iv. Extent of alluvial claim allowed.—Each authorized miner shall be entitled to hold under his Miner's Right an extent of claim on alluvial ground equal to four hundred (400) square feet, and such claim shall be marked off in a square form, each side of which shall be twenty feet in length, and when there shall be two or more in any party not exceeding in any case nine (9) altogether, the claim shall be marked off in a rectangular form, the sides of which, in proportion to the party, shall be in length as follows, that is to say: For two miners forty by twenty (40 x 20) feet, for three miners forty by thirty (40 x 30) feet, for four miners forty by forty (40 x 40) feet, for five miners fifty by forty (50 x 40) feet, for six miners sixty by forty (60 x 40) feet, for seven miners sixty by forty-seven (60 x 47) feet, for eight miners sixty by fifty-four (60 x 54) feet, and for nine miners sixty by sixty (60 x 60) feet; and when from any cause it shall be impracticable to take the claim of ground the party may be entitled to in the form above mentioned, the Warden may sanction a departure from that form, and allow such a total quantity of ground as will give to each miner four hundred (400) superficial square feet, provided that in no case shall any such claim exceed in length twice the breadth, nor shall any such claim be taken up lengthwise on the line of any known lead, but always across such lead, and the same extent of claim may be held on any kind of alluvial ground, without regard to the depth of sinking, or whether it may be ground previously worked or not.

v. Conditions on which claims may be held in reserve.—Any miner or miners who may be unable to work from any accident or illness, or who shall be in attendance upon any sick person or court of justice, or whose absence from his or their claim has been caused by some urgent business (the proof of which shall lie upon him or them), shall be entitled to hold such claim in reserve, or unworked, for the necessary length of time.

vi. Alluvial claims to be properly pegged.—The holder or holders of any claim on whatever kind of auriferous land (except on reefs or veins of quartz, they being specially provided for), shall, for the information of all other persons, mark the boundaries of his or their claim by driving in a substantial peg at each corner of the claim, standing at least one foot above the ground, and kept at all times clear of any rubbish or soil thrown out or deposited, and no person or persons shall remove, injure, destroy or cover any such peg put in for the purpose of marking the corners of any claim.

vii. Wall allowed in alluvial claims.—In all mining claims (except those on any quartz reef or vein), when the washing-stuff shall be taken out by means of drives or adits in different directions, a wall of two (2) feet shall be allowed between the claims of different parties of miners, and whenever any miner or miners shall have neglected to leave sufficient space for the wall between his or their claim and one previously marked, it shall be competent for the Warden to deduct the necessary width from his or their claim, and assign it as a wall between it and the adjoining claim; and whenever any miner or miners shall have marked as a wall a greater space than fixed by the regulations, the Warden may curtail the excess and assign it to the owner or owners of the claim adjoining first marked, or if he deem it advisable, may order the boundary pegs of the claim last marked to be moved to their proper relative position.

viii. Claim may be taken in advance of drive.—When any miner or miners shall, in alluvial ground, sink and then drive in search of gold, and discover any deposit or lead, he or they shall, if the ground be unoccupied immediately over the place where such deposit or lead is situated, be entitled to mark off and hold his or their claim over or in advance of the termination of the drive, and should such discovery of gold be a discovery within the meaning of Clause No. 13 of these regulations, he or they may also occupy such additional quantity of ground as the Warden may on that account authorise him or them to hold, and in all cases the miner or miners exploring in such manner shall enjoy the use of the drive and shaft from which such

exploration shall have been made, and such a thickness of wall around both shaft and drive as shall be necessary for their preservation: Provided that if the said miner or miners shall sink any new shaft within the boundaries of the claim taken up, or if any other miners have been authorised to make, and have made for the explorer or explorers a good and sufficient shaft, then in such case he or they shall relinquish all claim to the shaft and drive first made.

ix. Period of absence from alluvial claim.—Any miner or miners may hold any alluvial claim unworked for the period of twenty-four (24) hours, and for a further period of three (3) days: Provided that after the first twenty-four hours the claim is visited daily during the ordinary working hours by the owner or one of the owners, or by some other person authorised by him or them, for the purpose of warning any miner or miners who may have gone into it that such claim is not abandoned; and with the same proviso any miner or miners may hold his or their claim unworked whilst engaged in extracting by any process whatever the gold from the washing-stuff or other substance in which it may be embedded taken from his or their claim only: Provided further that if after the first twenty-four (24) hours have elapsed the owner or owners of any such alluvial claim so left unworked is or are engaged in mining in any other place, or employed in any other work, for which consideration shall be received (not being necessary domestic work), then in such case the claim may be held to have been relinquished by him or them.

x.—Extent of claim to be in proportion to men employed. Except in cases as hereafter provided for, the extent of claim which may be allowed to any miner or party of miners, shall be absolutely in proportion to the number of authorised miners then and there actually engaged on the claim, or employed in extracting the gold, by any process, from any stone, washing-stuff, or other substance taken from his or their claim only: Provided that where any miner or party of miners is only sinking or driving in search of gold, and has not yet found it in such a quantity as to have induced him or them to extract it from the stone, earth, or other substance it is embedded in, then in such case only one-half the number of men in proportion to the extent of the claim shall be required to be working in or upon it, and when the total number of shareholders or laborers for whom ground is claimed shall be an uneven number, then in such case one may be deducted from the total number, and one-half of the remainder must be employed in the claim in a *bona fide* manner.

xi.—Claims marked out must be worked also.—On this Gold Field the marking out of a claim, and then leaving it, by any authorised miner or miners, or other person, shall not be deemed a *bona fide* taking up and occupation of the same, unless, in addition to the proper marking of any such claim, at least one hour's work shall have been done in or upon it: Provided that if it shall be clearly shewn that the person or persons marking such claim only left the spot for the purpose of getting the necessary tools, posts, or pegs, as the case may be, required by these regulations, then in such case the claim may be adjudged to them.

xii.—No person to work any wall, without consent, &c.—The wall between any two adjoining claims, of whatever kind, being neutral ground, and no portion of it belonging to either, it shall not be competent for any miner or miners to, nor shall he or they, take down, mine into, or remove any part of such wall, unless he or they have first obtained the consent of the owner or owners of the claim next adjoining such wall: Provided that if the owners of any two adjoining claims cannot amicably agree to the division of such wall, or the taking of it down or out, and from its richness in gold it is desirable that such should be done, then in such case the Warden may, after investigation, make such order in the matter as to him shall appear proper and equitable.

xiii. No increased claim for discoveries of gold unless beyond certain distances.—In future, in consideration of the greatly increased claim allowed by these regulations, no double or treble claim shall be granted for any discovery of a new lead or deposit of gold, unless the place of such discovery shall be immediately made public, and shall be situated at least one mile from any other spot where gold shall have been obtained in payable quantity, and in such case an increase of claim (not exceeding three times the quantity any such party is ordinarily entitled to hold), shall be only authorised by the warden, in proportion to the merit of such discovery, and risk of loss and expenditure incurred by the discoverers.

xiv. Shepherding by tools not to be recognized.—In no case shall the posting of any unauthorised notice, or the leaving of any windlass, tools, or other things, in or upon

any claim on this Gold Field, be recognised as conferring upon the poster or posters of any such notice, or the owner or owners of such windlass, tools or other articles, any right whatever to the claim; nor shall any person or persons leave in or upon any claim any unauthorised notice or post, with the view of leading other persons to suppose that the claim is still lawfully held in accordance with these regulations.

xv. Admission to measure claims allowed.—It shall be competent for the Warden of the district, on the request of any miner or miners, to grant permission to any one or two of them (or to any mining surveyor) to enter any claim adjoining his or their own, for the purpose of measuring the direction and length of any drive or drives in such claim, either by verbal permission (when one or more of the owners of the claim to be examined is or are present) or in writing, and such examination and measurement of the drive or drives in any claim shall be made during the ordinary working hours, and when one of the owners, at least, has been informed that such examination has been authorised, and when it will be made, and in no case shall the miner or miners, or the mining surveyor examining any such claim, remain in it longer than is absolutely necessary for the purpose above mentioned, and no person whatever shall in any way resist or impede the examination and measurement of any drive or drives in such claim.

xvi. When in alluvial ground no deep sinking allowed within certain distances of creeks.—When in alluvial ground any lead of gold shall run up to, alongside of, or under the bed of any creek or watercourse, liable to be flooded and overflow its banks, or when in like manner any reef or vein of quartz shall run under or across any such creek or watercourse, it shall be competent for the Warden on examination and enquiry to fix and assign a distance (in no case less than thirty (30) feet from the edge of such creek or watercourse), within which distance so fixed by the Warden no miner or miners shall sink any shaft, or drive towards the bed of the creek or watercourse nearer than fifteen (15) feet, nor shall any miner or miners sink any shaft or make any drive in the bed or side of any such creek or watercourse.

xvii. Miners desirous of working beds of creeks.—When any miner or miners may desire to clean out and work to a small depth only the bed of any creek or watercourse, the Warden of the district may authorise a departure from the general form of alluvial claim prescribed in these regulations, and allow the claim of twenty (20) feet by twenty (20) feet which each authorised miner in the party, not exceeding nine altogether, is entitled to hold, to be taken up adjoining each other in the bed of the creek or watercourse, and following its bends (if any); and should there be any great difficulty to be overcome, such as the cutting of a new channel for the water, then, in such case, the Warden may, if the ground be unoccupied, assign to him or them an increased length of claim in the bed of the creek, not exceeding, however, one-half of the total length fixed by this regulation.

xviii. Washing-stuff to be properly stacked, &c.—Any miner or miners who may be desirous of retaining any auriferous earth or other substance taken from an alluvial claim for a short period of time, shall, whatever the nature of the stuff may be, stack it in such a manner as to occupy as small a portion of ground as possible; and when, for the owner's convenience it shall have been deposited on any other earth or soil previously worked, and has lain there for upwards of three months, he or they shall, on the demand of any other miner or miners, remove it altogether, or remove and restack it in some other place; but whenever any washing stuff has been stacked on ground not previously worked, the labor of removing it shall fall upon the person or persons who may be desirous of working the ground beneath, and he or they shall restack such stuff in a proper manner: Provided that it shall be competent for the Warden to declare any washing stuff to have been abandoned on proof that it has been lying untouched for the period of six months, during any two of which the owner or owners has or have had a sufficient supply of water for puddling purposes, unless good cause for such delay be shown.

xix. Miners may hold any number of claims or shares.—On this Gold Field any authorised miner, party or company of miners may occupy and hold more than one claim, provided that in all cases he or they employ in a *bona fide* manner in or upon such claims, in exact proportion to their extent, the number of authorised miners required by these regulations.

xx. Claims sunk to the depth of thirty feet may be left.—Any miner or party of miners who shall be in possession of any quartz or alluvial claim, and who shall have sunk upon it any shaft, or made any drive or drives from such shaft, of the depth or depths and length conjoined of thirty (30)

feet shall, when duly authorised by the Resident Warden in writing, be entitled to hold such claim unworked for the period of thirty (30) days from the time he or they shall have last worked in such claim regularly and in a *bona fide* manner: Provided that he or they do erect somewhere between the boundary posts or pegs of such claim, for the guidance of all other persons, a post not less than four inches square, standing two feet above the ground and painted over with red paint, bearing in legible characters the number and date of the certificate, to denote that such claim is only left for a short period of time and is not abandoned; but he or they shall not be authorised to leave such claim unworked for a second or any subsequent time, unless immediately previous to their leaving such claim unworked for a second or subsequent time he or they shall have worked in such claim, and in the manner aforesaid, for the full period of one month, and no person or persons shall erect any such post without authority, or remove, damage or deface any such post so erected.

xxi. *Mills, dams, &c., on certain creeks to be removed.*—It shall be competent for the Resident Warden of the district, after the expiration of three months from the day on which these regulations shall have been assented to, to direct the immediate removal or alteration, as the case may be, of any engine, mill, machine, waterhole, dam, bank, or washing stuff, which may obstruct the free passage of the water, and which may now stand, or in future be placed, in or upon the principal channel of any of the creeks commonly known as the Bendigo, Myers, and Sheepwash Creeks, or within the distance of thirty (30) feet from the edge of the channel of any of them: Provided that any tank or waterhole which has been made, or may in future be made, near to the bed of any of the beforementioned creeks for the supply of water to any engine, mill or machine (and having no bank of any kind standing above the natural surface of the ground adjoining), the owner or owners shall be allowed to retain the use of such tank or waterhole, and the removal or alteration of any such engine, mill, machine, waterhole, dam, washing stuff, or other obstruction, shall be commenced immediately on receipt of directions as aforesaid, by the owner or owners, or any other person who may have placed any such obstruction within the limits specified, and shall be by him or them completed within a reasonable time.

xxii. *Flooded claims, how dealt with.*—When any two or more mining claims communicating with each other in such a manner that water can pass from one claim to another, shall be flooded with water, either from natural drainage or other cause, it shall be competent for the owner or owners of any claim so flooded to call upon the Warden of the district to enquire into the matter, and after forty-eight (48) hours notice has been given by the claimholder applying to the Warden, to the owner, or one at least of the owners of each claim flooded (either by personal service or public notice posted on the spot), and when the number of claims flooded has been ascertained, and an examination made by him, it shall be competent for the Warden to make such order relative to the joint pumping or bailing of any claim, or other matter, as to him shall appear proper, and such order may be subsequently added to, or altered, should circumstances require it, and such order, addition to, or alteration thereof shall be served in writing, signed by the Warden, on the owner or owners of every claim to which it may apply, and the owner or owners of any claim who shall neglect to obey any such order, addition to, or alteration thereof so made, shall be deemed to have committed a breach of this regulation, and shall be dealt with accordingly.

xxiii. *Land enclosed or occupied not to be worked without authority.*—No miner or miners shall on any pretence whatever dig upon, or undermine any portion of Crown lands which may have been previously built upon, or enclosed by any authorised occupant or occupants of such lands, or which may be occupied by any garden, or school, or building for religious purposes, or which may have been reserved for public use, or occupied by any Government camp or police station, unless they shall have first obtained the sanction of the Warden of the district for their so doing.

xxiv. *No sludge hole to be cut to the damage of other miners.*—No person or persons shall dig into, cut away, or undermine the bank of any excavation or hole containing sludge or water in such a manner as to cause damage to any claim, water hole, dam bank, drain, roadway, engine, mill, machine, or any substance containing gold, the property of any other miner or miners.

xxv. *Miners uniting for the purpose of prospecting.*—The holder or holders of any claim on a supposed quartz reef, vein, or lead of gold in alluvial ground, who shall have contributed with other miners, and in proportion to the

extent of claim, to the common expense of sinking any prospecting shaft, situated within the distance of fifty yards, and not more, from any part of his or their claim, for the purpose of ascertaining the existence, exact position of such reef, vein, or lead of gold, and its true character, shall be entitled to hold such claim unworked until the expiration of one month from the time when the existence, true position and character of such reef, vein, or lead of gold has been ascertained and determined, or until the expiration of one month from the time such prospecting shall have ceased to be carried on in a *bona fide* manner, and it shall be competent for the Warden of the district, if requested to do so by the owners of one-half of the claims contributing in the manner aforesaid, to require from the whole a reasonable money security for the regular payment of the prospecting party.

xxvi. *Applicants for waterholes to serve notice.*—Any person or persons who may be desirous of making and holding, or holding for his or their sole use any well, waterhole, or dam to contain water, whether the water shall be for domestic use, or for the purpose of extracting gold by its assistance from the substance in which it is embedded, or for any other purpose whatever, shall first obtain the authority of the Resident Warden for the making and holding, or holding for his or their sole use any such well, waterhole or dam, and previous to the issue of such authority the applicant or applicants shall first personally serve on the owner or one of the owners of the four puddling or crushing machines nearest to the site applied for a printed notice of application, and should there not be so many machines or mills within a distance of one quarter of a mile from the site applied for by him or them, then such notice served on the storekeeper, or smith residing, or when there is none such, on the miner or miners working nearest to the site applied for shall be sufficient; and the applicant or applicants shall, if required by any person on whom such notice is served, go to and point out to him the exact site for which application has been made, and any person to whom such notice of application is tendered, if tendered in accordance with this regulation, shall insert in writing on the face of the notice, and in the manner therein prescribed, the date on which it was served on him, and his approval or disapproval of the grant of such authority as aforesaid to the applicant or applicants, and until the expiration of seven clear days from the date on which the notice was served on the neighbours (during which period any authorised miner or other person whatever may enter his objection to the application being granted), and until all and every such objection has been overruled by some officer competent to decide the case, no such authority shall be granted to the applicant or applicants to make, nor shall he or they or any other person make, or commence to make, any well, waterhole, or dam, in that or any other place, until authority to do so has been regularly obtained by him or them; and it shall be competent for the Resident Warden, or Warden of the District, to cancel any written authority which may have been by improper means obtained, and when written or verbal notice to that effect has been given by the Warden to the person or persons to whom it refers, he or they shall desist from the further making of any such well, waterhole, or dam, in that place.

xxvii. *Waterhole to be made in side of gully.*—When any person or persons shall have obtained authority to make and hold for his or their sole use any waterhole or dam, he or they shall excavate and make such waterhole or dam in the side of the gully in which it is situated, and in no case shall any such waterhole or dam be made to extend beyond the centre of the gully, unless the Warden of the district shall have specially authorised such departure from this regulation; and authority to make any dam-bank from side to side, or beyond the centre of the gully, shall only be given when such waterhole or dam is situated immediately at the head of any gully, or in any narrow branch gully of inconsiderable length; and in all cases any such waterhole or dam shall be bottomed and cleaned out to the bed rock, and no greater thickness of bank shall be allowed than is necessary for the secure retention of the water, and whenever it shall be proved to the satisfaction of the Warden that any dam or waterhole contains within it any considerable quantity of earth or soil containing gold, or that the water in any such waterhole or dam prevents the working of any adjoining ground, it shall be competent for him to direct the owner or owners to drain off immediately so much of the water as may cover or prevent the taking out of any earth or soil supposed to contain gold, lying in the waterhole or dam or immediately adjoining it.

xxviii. *Waterholes not to be made in gullies within certain distance of reefs.*—No waterhole or dam shall be excavated or made by any person or persons within the distance of thirty (30) yards from the line of any quartz reef or vein

(crossing any gully or flat), and which is occupied or worked by any miner or miners in such gully or flat.

xxxix. Authority to make waterhole not to give right to washing stuff.—Any authority given by the Resident Warden or other officer to any person or persons to make and hold to his or their sole use any waterhole or dam shall not in any way be interpreted as conferring on the holder or holders any claim whatever to any earth or other substance within the boundary of such waterhole or dam, unless such earth or other substance has been dug up and stacked by him or them, or to any portion of a quartz reef or vein which may lie under any such waterhole or dam.

xxx. Waterholes to be commenced within certain time.—If any person or persons who have received authority from the Resident Warden to make a waterhole or dam in any place, shall not within six weeks from the day on which such authority was granted, have commenced in a *bona fide* manner to make such waterhole or dam, it shall be competent for the Warden, unless good cause for such neglect is shown, to assign such site to any other person or persons who may have applied for it.

xxxvi. Water not to be taken from dams, &c.—No person or persons shall, without the knowledge and consent of the owner or owners thereof, take away from, make use of, or defile any water which may be in any private well, waterhole, or dam, held by him or them by authority; nor shall any person or persons damage, or take away any covering, or portion of any covering, which may have been placed over any well, nor dig into, cut through, nor undermine the bank or side, in such a manner as might cause any well, waterhole or dam to lose water when full.

xxxvii. No puddling mills in new gullies.—No machine for puddling auriferous earth by horse power or steam shall be erected in any portion of a gully, which portion of it shall not have been opened for the full period of six months, nor shall any such machine be erected in any place where any considerable number of miners may be obtaining their livelihood by sinking: Provided that if the applicant or applicants for permission to erect such machine first demonstrated and made public the auriferous character of any such place aforesaid, in such case his or their application may be granted.

xxxviii. No machines to be placed on workable ground.—No person or persons shall on any pretence erect, construct or place any engine, machine, mill or other apparatus for the extraction or separation of gold from any other substance (unless such apparatus can be easily removed) or for any other purpose, upon any earth, soil, or other substance supposed to contain gold in a payable quantity, whether it shall be lying in or upon any gully, flat, or other place, but in all cases such engine, mill or other apparatus shall be erected, constructed or placed on the side or edge of any such gully, flat or other place as aforesaid, unless the Warden of the district on enquiry on the spot has specially authorised a departure from the provisions of this regulation, and he may direct the owner or owners to remove, and he or they shall remove within one month any engine, machine, mill or apparatus as aforesaid which shall be in future erected, constructed or placed contrary to this regulation.

xxxiv. Ground on which machines stand not to be dug upon.—No person or persons shall dig upon or undermine the portion of ground which may have been assigned to any miner or miners, or other persons by any competent officer, for the erection or construction upon it of any engine, machine, mill or other apparatus for the extraction or separation of gold from any other substance, or for any other purpose, nor within the distance of ten (10) feet, unless in the opinion of the Warden such undermining only from its depth below the surface of the ground will not be injurious.

xxxv. Machines, dams, &c., not in accordance with Regulations.—Before the expiration of four months from the day on which these regulations shall have been assented to, the owner or owners of any engine, mill, machine, waterhole, or dam which shall not have been made, placed, or be at that time in strict accordance with any of these regulations referring to engines, mills, machines, waterholes or dams, shall remove the same or make such alteration in them, or any of them, as shall be necessary for that purpose.

xxxvi. Private drains to be made to main drain.—The owner or owners of any engine, mill, machine or other apparatus which discharges sludge or water, shall make for the proper conveyance of such sludge or water, to the main channel of the gully or flat in which such engine, mill, machine or other apparatus is situated, a good and proper drain, and every such private drain shall be excavated and made as nearly as possible to the same depth as

that of the main channel or drain into which it shall fall and join, and when there is no main channel for such private drain to be led to and join, then any such private drain shall be made and united to the private drain of the next engine, mill, machine or apparatus discharging sludge or water situated in the same gully or flat next below, and the owner or owners of any such private drain shall at all times maintain the same in good order and free from obstructions, and also that portion of any main channel which lies between the point of junction of his or their private drain and that of the private drain next below.

xxxvii. No drains to be made over other drains, &c.—When any miner or miners or other person shall for his or their own convenience and advantage, make any water or sludge drain under or over any other drain previously made, he or they shall also provide a good and proper trough-bridge for the conveyance of the water or sludge, as the case may be, across the drain beneath, and keep the trough always clear and properly secured from leakage, and in no case shall any person or persons make any water drain upon drainage ground already claimed by or assigned to others, or cut across or divert any drain previously existing and owned by some other person or persons, with the view of appropriating to himself or themselves a portion of such drainage water, unless the consent of the owner or owners has been first obtained or the special sanction of the Warden has been given to such measure on investigation into the matter.

xxxviii. No sludge-drain to be injured or diverted.—No miner or miners or other persons shall, on any pretence whatever, dig upon or into, divert, undermine or cast into it, anything which may tend to stop up any existing sludge channel, whether the same shall be a public or private channel, unless the neighbours, or any other person or persons working in the adjoining ground, and liable to be damaged thereby, shall have previously consented to such being done, or unless, on examination into the matter on the spot, the Warden of the district has specially authorised him or them to do so.

xxxix. Main drain may be ordered on application, &c.—When the owner or owners of one-half of the total number of engines, mills, or machines erected, or authorised and about to be erected, in any gully or flat, or in any portion of either, shall express to the Warden of the district in writing their desire that a general drain for the more effectual carrying off of sludge or superfluous water should be made down or through the gully or flat, or portion of either, as the case may be, in which their engines, mills or machines may be situated, it shall be competent for the Warden of the district, after due notice has been given to all concerned, and after examination into the matter on the spot, to give such directions relative to the course and position of such general drain, its depth and width in different places, the inclination of the bottom, the slope to be given to the sides, the making of any bridge over such drain, the removal of all obstructions, the allotment of the work among the different owners of engines, mills and machines, the time when such work shall be commenced (not being less than one month from the day on which the course and position of such drain shall have been laid down and marked by pegs, the stoppage, if necessary, of any engine, mill or machine or other apparatus, while such drain is being made, and such other directions relative to the making of the main drain as shall be necessary: Provided that the general depth of any such drain shall not exceed six (6) feet, nor shall any person or persons be required to make a greater length of such drain than shall be equal to the distance in yards between his or their engine, mill or machine, and the next below; and previous to the day appointed for the commencement of the work the owner or owners of any engine, mill, machine, waterhole or dam, situated in the gully or flat, or portion of either, where such drain has been ordered to be made, shall comply with the directions which have been given to him or them by the Warden relative to the removal of, or alteration (as the case may be) of any engine, mill or machine, dam, bank, waterhole, cart road, crossing-place, or other obstruction, standing or being on the course of the proposed drain, and shall within the time appointed for the completion of the drain, execute, and in a workmanlike manner, the portion of the drain, or other work connected therewith, which may have been allotted to him or them to execute, and shall comply also with any additional directions which the Warden may from time to time find it necessary to give relative to the making of such drain.

xl. Alluvial land leased not to be mined for quartz.—When any portion of alluvial land shall be leased to any person or persons for the purpose of mining in, or extracting gold from, any earth or soil lying over the bed rock, or for the erection of machinery upon such land, or for other purposes, such lease shall not be understood to convey to

the lessee or lessees any right to, nor shall he or they mine into any quartz reef or vein which may run through or under any part of such leased land: Provided that if any excavation shall be necessary for some purpose in connection with the legitimate occupation of the land, such excavation may be authorised by the Warden to be made.

XLII. Resident Warden may receive money for leases temporarily.—When the Local Court of this District is not sitting, the resident Warden may (if he deems it advisable) on the application of any person or persons for a lease of any auriferous land, receive from him or them the amount of money payable on account of the rent for such leased land, and reserve the portion applied for until the Court has recommended or declined to recommend the issue of a lease for the land applied for, or any portion of it, and such money so lodged with the Resident Warden shall be considered a guarantee that the applicant or applicants will take out the lease for the land applied for, or any portion of it, when recommended by the Court: Provided that no such application is for a greater length (if on a quartz reef or vein) than one hundred yards, or for a greater extent than one acre, if on any other kind of auriferous land.

XLIII. Definition of the word "reef."—On this Gold Field the word "reef" shall be taken to mean any seam of quartz the average thickness of which, measured in different places actually exposed to view, shall exceed six (6) feet. All other seams of quartz shall, for the purpose of these regulations, be deemed "veins" only.

XLIV. Extent of claim in reefs allowed.—In all cases, unless otherwise provided for, the extent allowed to each party or company of miners on the line of any quartz reef or vein shall be at the rate of twenty (20) feet for every person in possession of his Miner's Right, not exceeding the total number of twelve (12) then and there actually engaged on such claim, or employed in extracting gold from stone or other substance the product of such claim only: Provided that in all cases where any party of miners is only sinking or driving in search of gold, and has not found it in such quantity as to have induced them to extract it from the substance it was embedded in, then, in such case, only one-half the number of men in proportion to the extent of claim shall be required to be working in it; and in case the total number of shareholders in the claim shall be an uneven number, then in such case one may be deducted from the total number and one-half of the remainder must be in a *bona fide* manner employed in the claim.

XLV. Quartz claims to be marked by posts.—Any miner or party of miners who may be in possession of any quartz claim shall, for the information of all other persons, mark the boundaries of his or their claim by the erection of white posts at each end of the claim (bearing the number of the lease, if such claim is leased) at least three (3) inches square, standing two feet above the ground, and kept at all times clear of rubbish, or anything which may tend to conceal them from view; and no person shall on any pretence whatever remove, destroy or deface any such post, erected to mark the boundary of any quartz claim, nor shall any person or persons erect any such posts with the view of inducing other persons to suppose that such ground is lawfully taken up and occupied.

XLVI. Wall between quartz claims to be allowed.—In all cases a wall of three (3) feet shall be allowed between the claims of different parties of miners, under whatever document such claims may be held, and whenever any miner or miners, in marking off a new claim, shall have neglected to leave the proper space for the wall, it shall be competent for the Warden to deduct the necessary length from the claim last marked off, and assign it as a wall between such claim and the adjoining claim first marked. And in like manner, when any miner or miners shall have marked off more than the proper width for a wall, the Warden may curtail such excess, and assign it to the holders of the claim first marked; or, if he should deem it advisable, may order the boundary posts of the claim last marked to be removed to their proper relative position.

XLVII. Thin veins—what quantity allowed.—When in sinking for quartz any miner or miners shall strike a number of veins, none of which shall be a reef within the meaning of these regulations, then in all such cases they shall be entitled to hold and work such a number of the veins, exclusive of any cross course, as shall not exceed in their average thickness, measured in different parts and added together, the total thickness of twenty (20) feet, and they shall be entitled to follow them downwards, as provided for in Clause 49; unless it can be shewn that from the union of two or more of them, or increasing thickness, any united veins have become a reef within the meaning of these regulations, when in such case it shall be competent for the Warden to

assign any other vein or veins to any person requiring a claim, but in all cases the original holder or holders shall be entitled to select which veins adjoining each other they will hold and work: Provided they shall lie within a breadth of thirty (30) yards, and not exceed in total thickness the quantity specified in this regulation.

XLVIII. True position of reefs being uncertain, how dealt with.—As the true position of many reefs and veins on this Gold Field, until actually explored, is uncertain, no person shall sink within fifty yards of any shaft on a supposed line, sunk in search of a reef or vein (unless such shaft shall be abandoned) until it has been satisfactorily proved that two or more nearly parallel reefs or veins do really exist, in which case the miners first sinking in search shall be entitled to select which reef or veins they will themselves hold, and any other or others may be lawfully occupied and worked by any person or persons requiring a claim: Provided that if any miners shall sink at a distance of not less than fifty (50) yards from the line of shafts sunk in search on a supposed line, and find any reef or vein, then in such case the reef or vein struck at such distance shall be adjudged to them, and not to those who first sunk on the supposed line.

XLIX. Surface area attached to quartz claims.—The holder or holders of any quartz claim shall be entitled to occupy in all cases (where practicable) a surface area to the extent of thirty (30) feet on each side of his or their shaft, throughout the length of the claim, for the purpose of depositing rubbish and stone the product of the claim: Provided that when any such reef or vein shall run through or under any alluvial or surface soil supposed to contain gold, it shall be lawful for any person desiring to take away or work any such earth or soil to do so, and such person shall remove the same from within the boundaries of the above-mentioned surface area attached to each quartz claim, within a reasonable time—provided further that no person or persons, shall sink or drive within fifteen (15) feet of the centre of any shaft, and in loose or porous soil he or they shall leave such a thickness of wall around the shaft as will prevent the ingress of water.

L. Miners to follow quartz reefs or veins in any direction.—In all cases, persons occupying any portion of a quartz reef or vein, by virtue of any document issued by authority, shall be entitled to follow and work it, so long as it can be shown to be the same reef or vein, in any direction that such reef or vein may take: Provided they do not trespass upon any part which may be under the claim of any neighbor or neighbors on the same line or which may properly belong to his or their claim, or upon any part of the wall separating the claims: Provided also, that when any reef, vein, or bed of quartz shall lie nearly horizontally, or at a less angle with the horizon than twenty (20) degrees, then in such case the holders of any claim shall be only intitled to follow such reef, vein or bed or quartz in the direction of the dip, for a distance not exceeding fifty (50) yards from the point where they commenced to sink in search of any such reef, vein, or bed of quartz.

L. Reefs of great thickness how dealt with.—When any quartz reef or a portion thereof shall exceed in thickness thirty (30) feet, it shall be competent for the Warden, on the application of any miner requiring a claim, to reduce the length of each individual claim on such reef or portion thereof as shall exceed the above-mentioned thickness, in such proportion as will leave each original holder an extent equal to fifty (50) square yards, measured on the horizontal section of the reef as nearly as the angle at which the reef stands will permit, but in all cases the original holder or holders shall be allowed to retain the whole, provided they employ upon the reef a proportionate number of men.

LI. Miners to be allowed to take up reefs discovered by adits.—When any miner or miners shall make a drive or adit into any hill or range in search of any quartz reefs or veins supposed to exist, it shall be competent for him or them to take up and hold to his or their own use any reef or veins which he or they may elect, so found, being unoccupied on the surface by any other person or persons, and he or they shall enjoy the use of the drive or adit so made, and with it such a reasonable amount of wall around it (in no case less than three feet in thickness) as shall be necessary for its preservation, and no miner or miners working in any claim adjoining any such drive or adit shall in any way disturb or interfere with it, or with the wall attached to it.

LII. Reefs uniting, whom to be adjudged to.—When any two or more nearly parallel reefs or veins of quartz, occupied and worked near the surface by different parties, shall be found in their descent to unite and join together, the united reef or vein shall be deemed to belong to the party of miners who first opened and worked one of the reefs or

veins before they united, or to any person or persons to whom they may have transferred their claim: Provided that if it is shown that the claim just opened has not been worked in a *bona fide* manner throughout, it shall be competent for the Warden to make such an equitable division of that portion of the united reef or vein as shall appear to him just and proper.

LIII. Reefs dividing as they descend, how adjudged.—When any reef or vein of quartz, occupied and worked, shall be found in its descent to divide into two or more distinct veins, any one of which shall be a reef within the meaning of these regulations, it shall be competent for the warden to call upon the holder or holders of the claim first opened and worked to elect which reef or vein he or they will hold for his or their own use, and to assign any other reef or vein to any person or persons requiring a claim: Provided that in all cases the original holder or holders shall be allowed to work both veins until the miner or miners claiming one shall have sunk down and struck it, and the use also of any shaft or dive which he or they may have himself or themselves sunk or driven.

LIV. Side lines of quartz claims, how laid down.—When in any mining dispute the exact boundary of a claim has to be laid down on a quartz reef, the general plane of which descends at an angle with the horizon less than ninety (90) degrees, that is to say, when the plane of the reef is not truly perpendicular, the boundary line shall in all cases be a line laid off at a right angle with another line passing through the surface peg marking the boundary of the claim at the end in dispute and another point visible and as distant as possible on the known line of the reef, and in all cases where the general direction of the reef is not known with certainty, it shall be competent for the Warden, previous to any measurement made below, to fix upon some distant point which shall be taken to mark the direction of the reef for the purpose of deciding the particular dispute then before him.

LV. Persons to stack quartz properly.—Any person who wishes to retain possession of any quartz-stone, casing, or other substance containing gold, the product of a quartz claim, may do so for any period of time not exceeding one year, although the claim from which it came has been relinquished: Provided that he stack such stone, casing or other substance in a proper manner upon ground not supposed to be workable, and erects close to such stack a post with his name, address and date of stacking legibly painted thereon, and no person or persons shall remove, deface or damage any such post so erected, quartz-stone, casing or other substance stacked in accordance with this regulation, and it shall be competent for the Warden of the district to declare relinquished any stone, casing or other substance not so stacked and taken from a claim then abandoned.

LVI. One shaft sufficient for two or more short claims, &c.—When any miner or party of miners shall hold two or more adjoining portions of any quartz reef or vein under several documents, the working of any one of such portions in a *bona fide* manner shall be deemed a working of the whole: Provided that such united portions do not exceed one hundred yards in their total length, if held under two or more leases, or if they shall be held under two or more documents of different kinds.

LVII. Registration of quartz claims.—Any miner or miners desirous of holding any quartz claim unworked for a short period of time, may on application to the Resident Warden obtain from him a certificate (which shall be registered), enabling him or them to hold such claim unworked: Provided that such applicant shall first furnish to the Warden full particulars as to the situation of such claim, the amount of work done in it, the names of the owners of the adjoining claims (if any), and such other information as the Warden may require in the matter: Provided that the Warden shall not empower any person or persons to hold a claim unworked for a longer period of time (unless for some special reason to be stated in the certificate) than is equal to the time the applicant or applicants, and his partners or laborers, shall have been employed in such claim, and should any such claim so held unworked be taken possession of by any other miner or miners, on the ground that the amount of work done in the claim did not justify (within the meaning of this regulation) the grant of time allowed in the certificate, then in such case the decision of the Warden of the district shall be taken as to the amount of work done at the time such certificate was obtained, and if it shall appear that the amount of work done did not correspond with the statements of the applicants as set forth in the certificate, then such Warden may declare such certificate to be absolutely null and void, and of no effect: Provided also, that it shall not be competent for the Resident Warden to issue any certificate enabling any person to hold any quartz claim unworked, unless at least three months *bona fide* work

has been done in such claim; and in all cases such person or persons holding a certificate of registration, enabling him or them to hold any claim unworked, shall, for the information of all other persons, erect, somewhere between the boundary posts of the claim, a post at least six inches square, painted with red paint, and standing two feet above the ground, with the letter R and the number of the certificate painted legibly on the side facing towards the post at the other end of the claim; and no person shall in any way injure, deface, cast down, or remove any such post erected to denote that such ground is lawfully held unworked, nor shall any person erect any such post without proper authority, with the view of deceiving any other person or persons.

LVIII. Warning to be given previous to blasting.—Ten minutes previous to the discharge of any blast of gunpowder, or other explosive substance, due notice of such discharge shall be given to each miner, or party of miners working in any claim situated within the distance of fifty (50) yards from the place of such discharge, by the owner, or one of the owners, or other person working in the claim where such discharge is about to take place, and he or they shall, when such place as aforesaid is situated within fifty (50) yards of any public road or footpath, properly warn any person or persons who may be passing that such discharge is about to take place: Provided that if the site of such discharge is more than forty feet below the surface, timely notice to the owners of the claims immediately adjoining shall be sufficient.

LIX. Extent of ground allowed for Business Licenses.—When the premises of the holder of any Business License or Licenses stand in the line of any street or main road, or in a line of stores and shops, situated on Crown lands, the extent of ground he or she shall be entitled to occupy and hold shall be a frontage of thirty (30) feet for each license held by a depth of seventy (70) feet, and a space of ground ten (10) feet in width for the passage of carts from front to rear and greater security from fire shall, in all cases where practicable, be allowed, in addition to the frontage above mentioned, even although two or more frontages shall be held by the same person.

LX. Stores standing alone—extent of ground allowed.—When the premises of the holder of any Business License or Licenses stand detached from any other tents or buildings, and away from any main road or line of stores or shops situated on Crown lands, the holder shall be entitled to occupy an extent of ground equal to four hundred (400) superficial square yards for each license held; and such ground shall, in all cases where practicable, be marked off in a rectangular form, the length of which shall not in any case exceed twice the breadth.

LXI. Claims under Business License to be marked.—All persons holding any ground under any Business License or Licenses shall, for the information of all other persons, mark the boundaries of their respective claims by posts erected at the corners, standing at least three feet six inches above the ground; and no person or persons shall injure, destroy, cast down or remove any such post so erected, nor shall any person dig upon or undermine, unless in the opinion of the Warden, such undermining only will not in any way tend to injure any tent or building standing on any such claim held under a business license.

LXII. No mining within certain distance of roads.—No miner or miners shall work, sink, or drive within fifteen (15) feet of the centre of any public road or crossing-place in common use on this Gold Field, unless, on enquiry, the Warden of the district shall have sanctioned his or their doing so.

LXIII. No business or machine within certain distance of roads.—No person or persons whatever shall erect or place on Crown Lands any house, tent or stable, forge or other building, nor any dam, machine, engine, mill, trough or other apparatus for extracting gold from any substance within twenty-five feet of the centre of any public road or crossing-place in ordinary use on this Gold Field.

LXIV. No timber, &c., to be allowed to remain on roads.—Any person or persons who may fell or cause to be felled for his or their convenience and advantage any timber upon, or place upon it anything whatever, which may obstruct any public road, footpath or crossing-place in common use, shall, for the convenience and advantage of the public remove the same within the ensuing twelve (12) hours.

LXV. No sludge to be allowed to run on roads.—No person or persons shall, on any pretence whatever, allow any water or sludge to run upon or across any public road or footpath in common use, and any person or persons who may be in possession of any drain crossing any public road or footpath, or who shall in future for his or their own convenience or

advantage, make any drain of any kind across any public road or footpath, shall immediately bridge such drain in a solid and workmanlike manner, and in no case shall the slope of the roadway over any such drain-bridge exceed an inclination of twelve measured horizontally to one perpendicularly.

LXVI. Warden may allow new roads to be made.—On the information of any four or more persons that it is desirable that a road or crossing-place should be made over any gully, creek, quartz reef, or other obstruction, and that they are willing, if allowed, to make it, it shall be competent for the Warden of the district to make enquiry into the matter, and if he deems it advisable, to point out the position of such road or crossing-place, and make such other order relative thereto as may be necessary; and no person or persons shall in any way obstruct or resist the making of any such road or crossing-place so sanctioned and authorised to be made.

LXVII. Roads may be worked on security being taken.—On taking sufficient security for the satisfactory re-making of any road or crossing-place (public or private), the Warden may sanction the temporary working of the ground under such road or crossing-place, if he deems it (on examination) advisable.

LXVIII. Private roads to be protected.—The holder or holders of any private cart road made by him or them, and in actual use for mining purposes, shall be entitled to hold ground to the extent of five feet on the outside of either wheel track, and no miner or miners shall sink within or drive under such width assigned, unless such drive shall be more than ten feet below the surface of the road; nor shall he or they in any way whatever interfere with any such private cart road, unless on enquiry made on the spot he or they shall have been authorised by the Warden of the district to do so: Provided that it shall be lawful for any miner or miners to lay down a new road across any such existing private road, should he or they desire to do so, and such crossing shall be by him or them kept (so long as it is used) in good order.

LXIX. Barrow roads to be protected.—No person or persons shall dig upon or within a distance of two feet from the wheel track of a wheelbarrow leading from any mining claim and actually in use, nor shall he or they undermine any such track within the width assigned, unless the depth of the drive below the surface is so considerable that no injury to the track is likely to occur therefrom.

LXX. Damage to roads, &c. by sludge, &c., remedied by owners of mills, &c., within a quarter of a mile.—When the united sludge or water discharged by any number of engines, mills, machines or other apparatus shall run upon, or in any way damage any public road, footpath, or crossing place in ordinary use, or workable ground, it shall be competent for the Warden of the district to direct the owners of all the engines, mills, machines or other apparatus situated within the distance of one quarter of a mile of such road, footpath, crossing-place, or workable ground, and discharging sludge or water into the drain or course complained of, to stop such discharge, and every owner of any engine, mill, machine or apparatus, when so directed, shall cease such discharge of sludge or water until the evil complained of has been by them sufficiently remedied.

LXXI. Holes sunk near roads to be fenced.—Any person or persons who shall have sunk any shaft or excavated any kind of hole of whatever depth within the distance of twenty (20) feet from any road, footpath, or crossing-place in ordinary use, shall, for the prevention of accidents (unless such shaft or hole is sufficiently barricaded by any mound of earth thrown up to the height of four (4) feet above the surface of the adjoining ground, or to the same height completely enclosed by the framework for a windlass to stand upon), erect around such shaft or hole a substantial two-rail fence, the upper rail of which shall be at least three feet six inches above the surface of the ground adjoining, and when any miner or miners shall leave any claim unworked for a short period of time, or abandon it altogether, he or they shall either properly fill up any such shaft or hole being within the distance above mentioned, completely cover it over with logs not less than six inches in diameter, or erect around it such fence as aforesaid, and no person or persons shall remove, cast down, or destroy any portion of such barricade, timber or fence placed over or around any shaft or hole, whether the same is abandoned or not.

LXXII. No interference with other jurisdictions.—Nothing in any of the preceding regulations, relative to roads, footpaths, or crossing-places, shall be taken to apply to any road, footpath or crossing-place the property of the Road

Board, or of the Municipal Council of Sandhurst, or within their respective control.

The foregoing Regulations Nos. I. to LXXII. have been assented to by His Excellency the Officer administering the Government, with the advice of the Executive Council. Gazetted on the 27th day of August, 1856, pursuant to 18 Victoria No. 37 section 17.

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

W.5044.

Chief Secretary's Office,
Melbourne.

LOCAL COURT REGULATIONS.

CASTLEMAINE.

REGULATIONS made by the Local Court of the District of Castlemaine:—

VI. Extent of claim on alluvial workings.—On new ground, or ground which can be worked in the ordinary way, that is, without the application of horse or steam-power, tail race or other expensive process, the extent of claim shall be twelve (12) feet by twelve (12) feet to each miner for parties of four.

VII. Extent of claim on old workings.—Old workings, that is, ground partially worked and abandoned, first, when the sinking is under thirteen feet, the extent of the claim shall be twenty (20) feet by twenty (20) feet to each miner; secondly, when the working is thirteen (13) feet and upwards, requiring tail race or other expensive outlay, the extent of claim shall be thirty (30) feet by thirty (30) feet to each miner; third, when the ground is wet or flooded, of an average depth of twenty (20) feet at the least, and the application of horse, water, or steam power is introduced for the effectual working of the same, forty (40) feet by forty (40) feet shall be allowed to each miner.

The rule No. IV., assented to on the 27th November, 1855, is hereby annulled.

VIII. Extent of quartz claims.—That the extent of quartz claim for each miner shall be twenty (20) feet along the vein with the dip, to be limited to six men, beyond which no greater claim shall be allowed except by amalgamation of claims or leases.

The rule No. III., assented to on the 30th October, 1855, is hereby annulled.

IX. Amalgamation of quartz claims.—Parties of miners holding adjoining quartz claims may combine for the purpose of expediting their work by the introduction of machinery, the areas of amalgamated claims shall in all cases be proportionate to the number of men holding miner's rights in such company.

Applications for amalgamation must be accompanied with a copy of general rules for the management of such company. 2. Situation and plan of the reef. 3. Description of machinery. 4. Names in full, also date and number of Miner's Right of each shareholder. In no case will amalgamated claims be permitted without a written sanction from the Warden.

When permissions for the amalgamation of claims are made by the Local Court, such permissions, with the names of each shareholder and the rules for the management of such company, shall be registered by the Clerk of the Court.

X. Applications.—That all applications for amalgamated quartz and extended alluvial claims shall be made in writing to the Clerk of the Local Court; and prior to such application being entertained, the Warden or other duly authorised person shall inspect such ground or quartz reef and report thereon to the Court.

XI. Plurality of claims.—No miner or party of miners shall hold at one and the same time more than one claim, nor hold any claim in reserve or unworked (except claims specially registered), and if so left for three (3) clear working days it shall be considered abandoned.

XII. Marking of claims.—That all leases, quartz, extended alluvial and registered claims be marked by posts placed firmly in the ground three feet high above the surface, and painted white, with the number of lease or claim and area occupied painted on the inner side facing the ground so occupied.

XIII. Registration of claims.—A party sinking for or on a quartz vein, who are compelled to abandon the same for want of means, shall be allowed to register their claim for one month at a time, provided the claim shall be sufficiently worked to justify the Court in allowing such privileges. Any party who shall have expended considerable labor on an alluvial claim, and may be unable to obtain the reward of their labor through flooding or other uncontrollable

circumstances, shall be allowed to register such claims as unworkable, but the allowing of such registration shall be at the discretion of the Warden.

xiv. Leases.—That leases for mining auriferous lands be approved for periods not exceeding twelve (12) months. Such leases will be renewable, provided the regulations of the Local Court be complied with, but in every case subject to the recommendation of the court. Alluvial lands partially worked and abandoned in square or rectangular blocks, and quartz reefs with the dip or underlay, may be leased in areas proportionate to the number of miners and the description and power of machinery. Applicants for said leases to state in writing to the clerk of the court (having previously pegged the ground as in ordinary cases), the number of hands they guarantee to employ, and the description and power of machinery they will have actually at work within a given time of the date of application.

xv. Erection of machinery.—Any party requiring ground whereon to erect machinery shall make a written application to the Clerk of the Local Court. Notice of such application to be posted on the ground applied for, and on the court house for eight (8) days. If no sufficient objections to such permission shall have been made in writing, the Court may allow the exclusive possession (except as against the Crown only) by the occupant of such ground.

xvi. Prospecting.—For the encouragement of prospecting, persons discovering any 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 claims, provided the discovery be made public without unnecessary delay.

xvii. Water privileges.—Any person or persons desirous of making and holding any water-hole, race or dam to contain water shall make application to the Warden, and post a notice of such application on the site applied for, for one week, when, if it can be satisfactorily proved that no injury will result to the public by conferring such privilege, a written authority may be given to such applicant. All such reservoirs (where practicable) to be constructed on the side of the gully or flat, and excavated to the bed rock.

xviii. Puddling machines, sludge, &c.—No machine for puddling auriferous earth by horse or steam power shall be erected in any place where any number of miners may be obtaining their livelihood by sinking, nor shall any such machine be placed on workable ground supposed to contain gold in a payable quantity, nor in any place where the sludge from such machine shall be injurious to other mining operations, or the supply of water.

All parties discharging sludge or water from any engine, mill, machine, or other apparatus shall make a good and proper drain, to join and fall into the main channel or drain of the gully or flat in which such machine is situated. Should there exist no main channel for the effectual carrying off of sludge or superfluous water, the Warden may direct the owners of such machines to make a general drain and shall prescribe the course and position, depth and inclination, removal of obstructions, the allotment of work among the different owners, or such other directions as he may deem desirable. In no case shall such water or sludge be allowed to run upon or across any public road or foot-path in common use, or on workable ground, to the detriment of other miners.

xix. Extent of claim for deep sinkings.—The Local Court wishing to encourage miners in prospecting and working deep and hard hills, extends the claim of each miner to eighteen (18) feet square, provided the depth of sinking exceeds thirty-five (35) feet.

xx. Management of quartz crushing machines.—All machinists crushing quartz for the public shall keep on the premises a correct weighing machine, and shall weigh the quartz by avoirdupois weight, viz: 112 pounds to the hundredweight. The premises connected with all such quartz crushing machines shall be enclosed, and the quartz (if circumstances compel it to be detained in the premises over night) shall be deposited under a covered shed and accommodation afforded for a watchman when required by the owners of quartz.

The foregoing Regulations, Nos. vi. to xx., have been assented to by His Excellency the Officer administering the Government, with the advice of the Executive Council.

Gazetted on the 27th day of August, 1856, pursuant to 18 Victoria No. 37 sec. 17.

By His Excellency's Command,
W. 6948.—6690.—6554. WILLIAM C. HAINES.
No. 106.—August 27th, 1856.—3.

Chief Secretary's Office,
Melbourne.

LOCAL COURT REGULATION.

BALLAARAT.

(Mining Series.)

REGULATION made by the Local Court of the District of Ballaarat:—

xxxvii. Number of men required to hold claims on Frenchman's Lead, allotted under Regulations of 7th March, 1856.—All parties who have taken up and now occupy claims on Frenchman's Lead, under the special regulations of 7th March, 1856, shall be allowed (should they be desirous of doing so) to hold their claims with eight (8) men instead of twelve (12) men, as at present.

The foregoing Regulation, No. xxxvii., has been assented to by the Officer administering the Government, with the advice of the Executive Council.
Gazetted on the 27th day of August, 1856, pursuant to 18 Victoria No. 37 sec. 17.

By His Excellency's Command,
X.6506. WILLIAM C. HAINES.

Chief Secretary's Office,
Melbourne.

LOCAL COURT REGULATIONS.

BALLAARAT.

(Surfacing Series.)

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

In order to develop the surface workings in the Ballaarat District, the following rules shall be adopted:—

i. Areas of claims.—The areas of all claims for surface working shall not exceed the following, viz:—

Where the average depth of surface working does not exceed three (3) feet—

For 1 man	100 feet x 100 feet	or 10,000 superficial feet.
2 men	142 " x 142 "	or 20,164 "
3 "	173 " x 173 "	or 29,929 "
4 "	200 " x 200 "	or 40,000 "
5 "	223 " x 223 "	or 49,729 "
6 "	245 " x 245 "	or 60,025 "
7 "	265 " x 265 "	or 70,225 "
8 "	283 " x 283 "	or 80,089 "

And in like proportion for any greater number of men.

Where the average depth of surface taken exceeds three (3) and does not exceed six (6) feet—

For 4 men	142 x 142,	or 20,164 superficial feet
6 "	173 x 173,	or 29,929 "
8 "	200 x 200,	or 40,000 "

And in a like proportion for any greater number of men.

ii. Permission and application.—In no case will these areas for surface workings be permitted without a grant from the Resident Warden of the district through the recommendation of the Local Court, and in all such cases application must be made to the Local Court at least eight (8) days previous to the entertainment of such application.

iii. Surface claims not to prevent the working of leads.—Claims granted for surfacing shall not in any case prevent working of leads or other general sinking. The Warden of the district shall have power, upon the recommendation of the Local Court, to enforce such regulations as may be deemed necessary to enable such lead or other general sinking to be worked.

iv. Applications to be accompanied by names of applicants, &c.—All applications for claims under these regulations must be accompanied by the names of the applicants, together with the number and date of their Miners' Rights.

v. Water privilege.—The water privilege to which parties receiving grants under these regulations shall be entitled, will be defined in the conditions imposed through the Local Court by the Warden.

vi. Posting of names of claimholders.—As soon as any party or company have legal possession of their claim, such party or company shall post their names, together with the number and date of the Miner's Right of every shareholder on some conspicuous part of their claim, and such must continue to be posted and kept legible until the claim be abandoned.

vii. Power of the Warden.—When application has been made as hereinbefore provided, the Warden of the district shall have power to issue to the applicants a written autho-

rity to hold possession of the ground applied for until the Local Court has decided whether it will make the grant or not.

The foregoing Regulations, Nos. I. to VII., have been assented to by His Excellency the Officer administering the Government, with the advice of the Executive Council.

Gazetted on the 27th day of August, 1856, pursuant to 18 Victoria No. 37 sec. 17.

X.5862.

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

Chief Secretary's Office,
Melbourne, 22nd August, 1856.

CHAIRMAN OF LOCAL COURT.

HIS Excellency the Officer administering the Government, with the advice of the Executive Council, has been pleased to appoint

THOMPSON G. ARNOLD, Esquire,

to be the Chairman of the Local Court District of Waranga, vice J. A. Panton, Esq.

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

W.5804.