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The Mining on Private Property Act, 1898.

*Department of Mines,
Perth, 23rd November, 1898.*

HIS Excellency the Governor, by his Deputy, in Executive Council, under the powers conferred upon him by Section 55 of "The Mining on Private Property Act, 1898," has been pleased to make the following Regulations.

H. B. LEFROY,
Minister of Mines.

Regulations made pursuant to "The Mining on Private Property Act, 1898."

1. Any person desiring to enter upon any private land shall apply to the Warden of the goldfield or the Resident Magistrate of the district within which the land is situate in the manner prescribed by Section 8 of the Act; and upon such application being made, and before any authority is granted, evidence shall be adduced to the satisfaction of the Warden or Resident Magistrate that every necessary consent required by the said Act has been given.

2. In taking possession of any private land and in marking out the same as a claim, the holder shall observe and follow the regulations made under the provisions of "The Goldfields Act, 1895"; and every claim shall be registered, within the time and in the manner prescribed by the said Act and the regulations thereunder as if the land were Crown land.

3. Prior to making an application for a lease, the intending applicant, or some person duly authorised in writing in his behalf, shall, at each corner of the land intended to be applied for, erect a post not less than three inches in diameter, or a cairn of stones, such post or cairn of stones to project not less than three feet above the ground, set in the angle of an L trench, the arms of which shall be not less than six feet long and not less than six inches deep, and cut in the general direction of the boundary lines. One of such posts or cairns of stones shall be deemed the datum point from which the mining surveyor shall commence his survey of the land. On such post or cairn of stones the applicant shall post a legibly written or printed notice in the form of Schedule 1 hereto; and such notice shall be kept visible and the words legible until the survey of the area is made, and he shall also cut or clear the boundary lines so that each post or cairn of stones may be clearly visible at all times from end to end of such lines.

4. The area of any lease shall not exceed twenty-four acres, and the length thereof shall not exceed twice the width thereof, and such area shall be in the form of a parallelogram so far as practicable.

5. An application for a lease shall be in the form of Schedule 2 hereto, and shall be lodged in duplicate with the Warden of the goldfield or the Resident Magistrate of the district within which the land applied for is situate and within ten days after marking out the land.

6. A fee of One pound, and the survey fees hereinafter prescribed, shall be paid with every application, but it shall not be necessary for any payment of rent to be made with the application.

7. On receipt of every application a notice in the form of Schedule 3 shall be posted at the office of the Warden or Resident Magistrate, and a duplicate thereof shall be posted by the applicant on the datum peg, and such notice shall be kept exhibited for 30 days.

8. The applicant shall forthwith give to every person owning or occupying the land, or having or claiming, to the knowledge of the applicant, to have any rights on or under the land or any part thereof, a similar notice in the form of Schedule 3 hereto. It will be sufficient if this notice is given either personally or by leaving the same at the abode of such person, or by posting the same by registered letter addressed to the abode of such person. If the owner has no known place of abode within the Colony, the notice shall be given to the Attorney of the owner in case a Power of Attorney shall have been registered in the office of the Registrar of Titles, or of the Registrar of the Supreme Court, at the registered address of such Attorney within the Colony; but in case there shall be no such Attorney, then such notice shall be given by advertisement in the *Government Gazette*.

9. On the receipt by the Warden or Resident Magistrate of the application, he shall direct a mining surveyor to survey and make a plan of the land.

10. The mining surveyor shall, as soon as practicable, proceed to make the survey in pursuance of such instructions, and immediately after such survey is completed the surveyor shall post on a conspicuous place on the land a notice in the form of Schedule 4.

11. Subject as aforesaid, the regulations relating to surveys under the provisions of "The Goldfields Act, 1895," shall apply to surveys made pursuant to this Act, and the schedules of surveyors' fees appended to such regulations are adopted as the fees payable by applicants under this Act.

12. If any person desires to object to the issue of a lease to the applicant, he shall, within thirty days after the application has been duly lodged, give to the Warden or Resident Magistrate, and the applicant, notice in the form of Schedule 5, of every objection intended to be taken by him against the issue of such lease. Such notice shall be sufficiently served if duly transmitted by post. When any objection shall have been given within the prescribed time, the Warden or Resident Magistrate shall fix a day for the hearing of such objections, and at such hearing shall take evidence on oath, and put the same into writing which shall be signed respectively by the persons who shall have been examined.

13. The Warden or Resident Magistrate shall transmit to the Minister of Mines the application and objections (if any) with the surveyor's plan and report (if any), and the evidence taken by him, and his report recommending the granting or refusal of the lease, and a copy of every complaint by any owner or occupier claiming compensation or purchase money and his decision thereon.

14. The Minister of Mines will, as soon as practicable, submit the application to the Governor in Council, who will, on consideration thereof and of all circumstances connected therewith, refuse such application or grant the same as he shall see fit; provided that in granting such application it shall be lawful for the Governor in Council to determine whether the whole or what part of the land shall be included in such lease, and to define the same accordingly, and also to alter, as he may see fit, any

of the other terms proposed in the application. The lease to be granted in pursuance of the determination of the Governor in Council shall not be issued until after the expiration of seven days from the time of a notice of intention to issue the same appearing in the *Government Gazette*.

15. If the Governor in Council shall refuse to grant a lease, such refusal shall take effect from the date of the notice appearing in the *Government Gazette*, as provided in that event by these Regulations.

16. If the Governor in Council shall determine to grant a lease of the land or any part thereof, such lease will, after the expiration of the last-mentioned seven days, be forwarded to the Warden or Resident Magistrate, who, on receipt thereof, shall notify such fact to the applicant.

17. A lease shall be in the form or to the effect of Schedule 6, with such modifications, alterations, or additions, as the circumstances of the case may require.

18. The applicant shall not be entitled to execute the lease until he shall have paid the rent then due as reserved by the lease, and unless and until the Minister of Mines has been satisfied that the applicant has paid or satisfied or tendered the compensation agreed or awarded, as the case may be, to be paid to the owner and occupier of the land contained in the proposed lease.

19. Upon the applicant for the lease executing the same, such lease shall, after it has been registered, be delivered to the applicant or his order, or if more than one applicant, to such of them who shall execute the lease as the Warden or Resident Magistrate shall think fit.

20. Unless the applicant execute the lease within a period of 21 days from the date of the publication in the *Government Gazette* of a notification that the lease is awaiting execution, the Governor in Council may, immediately after the expiration of the period named, declare the lease void.

21. A license to occupy and prospect any part of the land applied for as a lease shall be in the form or to the effect contained in Schedule 7, and the rent for the same shall be One pound per acre per annum, payable half-yearly in advance.

22. The Governor in Council shall have power at any time during the progress of the application, and before the lease shall be executed by the Minister of Mines, to declare, by writing under his hand, that the application is abandoned, and after the lease has been executed by the Minister of Mines and before its execution by the applicant that such lease is void; and thereupon the Under Secretary for Mines shall publish in the *Government Gazette* a notice to the effect that the application of [naming him] for a lease of the land [describing it as in the application] was abandoned, or the lease executed by the Minister of Mines, dated the day of to [the applicant] of the land [describing it as in the lease] is void, as the case may be.

23. Transfers of any claim, lease, or application for a lease shall be effected in the manner and under the conditions prescribed by the regulations under "The Goldfields Act, 1895."

SCHEDULE I.

Notice of Marking out.

Notice is hereby given that the undersigned on this day, at the hour of _____ marked off this land, for which he intend making application for a lease under "The Mining on Private Property Act, 1898," and the Regulations, and that it contains about _____ acres, and that the datum line lies to the _____ of this point.

As witness hand this _____ day of _____ 18 .

(Signature.)

[This notice must be posted on the datum point and kept visible until the land is surveyed.]

SCHEDULE II.

THE MINING ON PRIVATE PROPERTY ACT, 1898.

Application for Lease.

Goldfield (or to the Resident Magistrate,

District).

I (or we) hereby, in accordance with and subject to the provisions of The Mining on Private Property Act, 1898, and the Regulations, apply for a lease, the particulars of which are hereunder set forth, and I (or we) will execute such lease upon the basis therein stated, as the Governor shall think fit to grant, and tender herewith the fee of £1 and £ _____ for survey fees.

Dated the _____ day of _____ 18 . [Signature.]

Name in full and address of applicant or applicants.	Date and hour when land taken possession of and marked out.	Extent of ground applied for.	Name and address of each person who is owner of and who is occupying the land applied for.	Full description and precise locality of the ground.	State whether a prospecting area is required of five acres or less with reserve area of remainder.	Term of years.	Whether the boundaries of the land applied for will include any river, creek, deposit of permanent water, spring, or artificial reservoir, public road, or subject to any and what rights (not of occupier).

Received this application at _____ o'clock on the _____ day of _____ 18 , from _____ with the fee of £1 and £ _____ as survey fee.

Information on the following head to be subjoined:— Warden (or Resident Magistrate).

Name by which mine is to be known.

Number of shares into which lease is divided and how allotted.

NOTE.—If the application is made by a registered company or corporate body state name in full, and registered office.

Sketch of land applied for.

SCHEDULE III.

THE MINING ON PRIVATE PROPERTY ACT, 1898.

Notice of Application for Lease.

I (or we), the undersigned, hereby give notice that I (or we) have left with the Warden of the _____ Goldfield (or with the Resident Magistrate of the _____ District), an application for a lease, the particulars whereof are as follows:—

Dated the _____ day of _____ 18 . [Signature].

Name in full and address of applicant or applicants.	Date and hour when land taken possession of and marked out.	Extent of ground applied for.	Name and address of each person who is owner of and who is occupying the land applied for.	Full description and precise locality of the ground.	State whether a prospecting area is required of five acres or less with reserve area of remainder.	Term of years.	Whether the boundaries of the land applied for will include any river, creek, deposit of permanent water, spring, or artificial reservoir, public road, or subject to any and what rights (not of occupier).

This notice must be posted for thirty days at the Warden or Resident Magistrate's Office and on the datum peg. All objections to the above application must be lodged at the Warden's Office (or Resident Magistrate's Office) at _____ within thirty days from the date hereof.

Hearing at _____ on _____ the _____ day of _____ 189 _____ Warden (or Resident Magistrate).

SCHEDULE IV.

THE MINING ON PRIVATE PROPERTY ACT, 1898.

NOTICE TO BE POSTED ON THE LAND BY THE SURVEYOR.

To all persons whom it may concern.

Application for a Lease.

Notice is hereby given that I have this day surveyed the land upon which this notice is posted pursuant to the application of _____ duly lodged the _____ day of _____ 18 .

Dated the _____ day of _____ 18 .
Surveyor.

SCHEDULE V.

THE MINING ON PRIVATE PROPERTY ACT, 1898.

Notice of Objection.

I, the undersigned, hereby give notice that I object to the granting of a lease of _____ to _____ for which an application was lodged on the _____ day of _____ 18____, on the following grounds, namely:—

Dated the _____ day of _____ 18____.

(Name)

(Address)

To the Warden [or Resident Magistrate] and to the applicant.

SCHEDULE VI.

THE MINING ON PRIVATE PROPERTY ACT, 1898.

Lease.

THIS Indenture made the _____ day of _____ in the year of Our Lord 18____ between Her most gracious Majesty Queen Victoria of the one part and _____ of _____ (hereinafter called the "Lessee") of the other part WITNESSETH that in consideration of the rent hereinafter reserved and of the covenants and provisos hereinafter contained and subject to the provisions of The Mining on Private Property Act 1898 and the regulations made thereunder Her Majesty doth by these presents grant and demise unto the lessee h____ executors administrators and allowed assigns all those mines of gold in and under all that piece of land particularly described in the First Schedule hereto and delineated on the map or plan indorsed or hereunto annexed and thereon indicated by _____ and containing by admeasurement _____ more or less (hereinafter called "the said mine") together with the rights liberties easements advantages and appurtenances thereto belonging or appertaining for the purpose of mining for working and winning the said gold and also to sink drive and make and use all pits shafts levels drives adits races drains tunnels reservoirs roads and tramways and to bore for water and to erect all such buildings engines furnaces pumps machinery and works on and in or under the said land as shall be necessary or convenient for working the mine and winning the said gold and also to erect on the said land such offices cottages and dwelling houses for and uses of the persons and workmen employed in the said mine and works as the said lessee h____ executors administrators or allowed assigns shall think proper But nevertheless excepting and reserving from mining operations to the full depth of _____ feet from the surface the whole of the land indicated by _____ colour on the said plan And also saving and reserving and excepting always unto the Minister of Mines and to any and every person or persons appointed by him in that behalf free liberty at all times during the continuance of this demise to enter into and upon the land hereby demised and all mines and works therein or thereon to view and examine the condition thereof and for that purpose to make use of all or any railroads tramroads or other roads and all machinery upon the said lands or belonging to the said mines and also to use or make any levels drifts or passages requisite for the purpose of any such inspection

TO HAVE AND TO HOLD the said mine and all and singular other the premises hereinbefore mentioned and hereby demised with the appurtenances subject as aforesaid unto the lessee (holding shares respectively as set out in the Second Schedule hereto) h____ executors administrators and such allowed assigns for the full term of twenty-one years from the first day of January One thousand eight hundred and _____ for the purpose of working and winning the said gold and for no other purpose

YIELDING AND PAYING therefor yearly and every year during the said term unto Her Majesty Her heirs and successors the yearly rent of _____ by equal half-yearly payments of _____ each to be made in advance the first payment to be made on the day of the date hereof and the next payment to be made on the _____ day of _____ next and the succeeding payments respectively to be made on or before the _____ day of _____ and the _____ day of _____ in each succeeding year clear of all rates taxes and assessments to which the said land mine and premises are now or at any time during the said term may be subject or liable

PROVIDED NEVERTHELESS and it is hereby declared that if the rent be not paid as before provided and whether such rent shall have been legally demanded or not Her Majesty Her heirs successors agents and officers and any person appointed in that behalf by the Governor and any bailiff of a Warden's or Resident Magistrate's Court may enter upon the said land mine and premises and seize and distrain all gold auriferous stone and earth and auriferous minerals and all machinery apparatus tools carts engines plant and all other goods chattels and effects whatsoever which shall be in on or under the said land mine and premises and every distress then made may take away sell and dispose of so much thereof as may be necessary as in cases of distress for rent reserved in common leases and out of the moneys arising thereby retain so much as shall be sufficient to satisfy the said arrears and other payments which shall at the time of such sale be unpaid and all expenses incurred by the non-payment thereof and by distraining and if any surplus the same to be paid to the said lessee h____ executors administrators or allowed assigns. And the lessee do hereby for h____ sel____ h____ heirs executors administrators and assigns covenant with Her Majesty Her heirs and successors in manner following (that is to say):—

1. That the said lessee h____ executors administrators and allowed assigns shall and will during the said term pay unto Her Majesty Her heirs and successors the rent hereby reserved at the times and in the manner hereinbefore provided for the payment thereof clear of all deductions.

2. And shall and will except when prevented by inevitable accident or during the execution of repairs or during any exemption of labour granted under "The Goldfields Act 1895" or any amendment thereof or the Regulations diligently explore or search for gold and work the said land premises and mine in a skilful and workmanlike manner.

3. And shall not nor will use or occupy or permit to be used or occupied the said land for other than *bona fide* mining purposes or as sites for offices or dwellings for the persons employed in on or about the said mine.

4. And shall and will during the said term make proper and reasonable compensation to the occupier or occupiers or lessee or lessees from the Crown of any adjoining land in respect of any damage which may be sustained by him or them by the carrying on the works or by any other works connected therewith.

5. And shall and will employ in the construction of the works or in mining operations on in or under the said land and during the usual hours of labour such miners or workmen as shall be required by law.

6. And shall and will make such provision for the disposal of detritus earth waste refuse or workings of the said mine so that the same shall not be or become a nuisance inconvenience or obstruction to any road tramway railway telegraph line race drain or creek or private or Crown lands or in any manner occasion private or public damage or inconvenience.

7. And shall and will make such provision for decency and the observance of sanitary conditions as the Regulations for the time being made under "The Goldfields Act 1895" or any amendment thereof or as the Minister of Mines may approve and direct.

8. And shall and will erect and keep in repair a substantial and effective protection against accident around or over all shafts tunnels and excavations on the said land so as to prevent all accidental access thereto.

9. And shall permit and suffer the Inspector of Mines or any other person or persons appointed by the Minister in that behalf and the Warden of the Goldfield or Resident Magistrate of the district for the time being within which the land hereby demised is situate at all proper and reasonable times during the continuance of this demise and whether the mines are working or not without any interruption or disturbance from the lessee h____ executors administrators allowed assigns agents servants or workmen or any of them to enter into and upon the said mines and all works and buildings connected therewith or any part thereof to view and examine the condition thereof and whether the said mine or mines is or are worked in a proper and workmanlike manner and *bona fide* for the purposes aforesaid and for that purpose to use all and every the tramways railroads or other roads or ways and all or any of the machinery and works in and upon the said land.

10. And shall not nor will work any of the mines commenced or worked in and upon any of the land hereby demised out of or beyond the limits or boundaries of the said land.

11. And shall and will at all times during the continuance of this demise keep and preserve all mines which shall be sunk or worked in and upon the said land from unnecessary injury and damage and also all levels drifts shafts pits watercourses houses erections sheds tramways railroads and other roads and ways in good order repair and condition except such of the said works as shall from time to time be declared by the Minister of Mines to be unnecessary for the further working of the said mines.

12. And shall and will from time to time upon being required in writing so to do by the Warden or Resident Magistrate well and sufficiently bale and pump draw away and remove all water from the workings in the land hereby demised which in the opinion of the said Warden or Resident Magistrate is or may be injurious to the holder of any adjoining land, and continue to keep the said workings free of water so long as it may be so required as aforesaid.

13. And shall and will permit any mining surveyor or other duly authorised person acting under an order of the Warden or Resident Magistrate with all proper assistants during working hours quietly to enter into and upon the said lands premises and mine to survey and examine the state and condition thereof in order to ascertain if the lessee has encroached upon any adjoining land and for the purposes aforesaid to descend all shafts and other workings and use all machinery and other appliances in and upon the said land or connected therewith without let or hindrance provided nevertheless that in so doing no unnecessary interference is caused with the carrying on of the said mining works.

14. And shall not nor will close up or obstruct any adit tunnel or airway to or from any contiguous mine or mines whereby fresh air is admitted or ventilation promoted.

15. And shall and will as often as required furnish the Minister of Mines or any officer appointed by him with all such true and proper plans sections returns and statistics or other particulars as may be required or demanded by the Minister in the public interest.

16. And shall not nor will transfer sublet or part with possession of the said land or any part thereof without the license or authority of the Minister of Mines in the form prescribed by the said Goldfields Act and the Regulations thereunder.

17. And shall not nor will plead acceptance of rent by or on behalf of Her Majesty as waiver of the right of Her Majesty or of the Minister of Mines or other officer on behalf of Her Majesty to enforce observance of the provisions herein contained or of the right of the Governor to declare these presents void for any breach thereof respectively.

18. And shall and will at the end or other sooner determination of the said term deliver peaceable possession of such land and of all and singular the premises hereby demised to Her Majesty Her heirs and successors or to the Warden Resident Magistrate or other officer authorised to receive possession thereof.

PROVIDED ALWAYS and it is hereby agreed and declared as follows:—

19. That no implied covenant for title or for quiet enjoyment shall be contained herein.

20. And that if at any time during the said term any part or parts of the said land shall be required for any railway road canal aqueduct watercourse reservoir or any public purpose whatsoever it shall be lawful for the Minister of Mines to cause to be set out the part or parts of the said land which shall be so required and so soon as the same shall be so set out such part or parts of the said land shall cease to be included in the lands hereby granted and the lessee h executors administrators or transferees shall not be entitled to any abatement of rent or any compensation whatever in respect thereof.

21. And that it shall be lawful for Her Majesty Her heirs successors and assigns without compensation to the lessee h executors administrators or allowed assigns to make use of any works in on or under the said mine for freeing and keeping free from water or for conveying water to any other lands or mines or for supplying any other mines with fresh air or for effectually working any other mines and to cut dig and remove any or all timber stone gravel and other materials in and upon said land which may be required for any public purpose.

22. And lastly that if the lessee h executors administrators or allowed assigns shall at any time during the said term fail to use the said mine *bona fide* for the purpose for which it has been demised or if and whenever there shall be a breach of or non-compliance with any of the provisions herein contained by lessee h executors administrators or allowed assigns the Governor alone and finally shall judge and determine the matter upon the evidence and reports submitted by the Minister of Mines and may declare these presents void and upon publication in the *Government Gazette* of notice of such declaration all the right title and interest of the lessee h executors administrators or allowed assigns under these presents shall cease and determine both at law and in equity and the production of a copy of the *Government Gazette* containing a notice purporting to be signed by the Minister of Mines declaring the lease void shall be *prima facie* evidence in all Courts whatsoever in the said Colony of a breach of or non-compliance with the provisions herein contained sufficient to authorise and sustain such declaration having been lawfully made and that the interest created hereunder has been lawfully determined by re-entry by Her Majesty Her heirs and successors and thereupon Her Majesty Her heirs and successors may repossess and enjoy the said land and premises as if these presents had not been made.

In Witness whereof the Hon. the Minister of Mines on behalf of Her Majesty the Queen hath set his hand and affixed his seal the day and year first above written; and the Lessee h also set h hand and seal.

The First Schedule.

The Second Schedule.

Signed sealed and delivered by }
the Hon. the Minister of }
Mines in the presence of }

Signed sealed and delivered by }
in the presence of }

SCHEDULE VII.

THE MINING ON PRIVATE PROPERTY ACT, 1898.

(Section 27.)

License for Prospecting Area of Land applied for on Lease.

I, _____, Minister of Mines, with the approval of the Governor, authorise of _____, to occupy as a Prospecting Area _____ acres of an area of _____ acres of land described in the Schedule, and in the plan indorsed hereon, the said Prospecting Area being coloured pink in the said plan, and the remainder of the said land being reserved pending the application of the licensee for a lease thereof.

This license shall continue for six months from this date on payment by the licensee of £ _____ in advance, being rent for the said _____ acres, at the rate of £1 per acre per annum; and it shall give the licensee the right to use the said area of _____ acres for gold mining, and for no other purpose. The licensee shall not assign or sub-license the said area or part with possession thereof without the written consent of the Minister of Mines for the time being; and not less than _____ men shall be continually employed thereon unless lawfully exempted.

For breach of any of the above conditions this license may be forfeited.

As witness my hand this _____ day of _____ 18 _____

Minister of Mines.

The Schedule.

Plan.

Local Inscribed Stock Act, 1897.

(61st Vict., No. 8.)

THE TREASURY,

Perth, 16th November, 1898.

HIS Excellency the Governor, by his Deputy, with the advice of the Executive Council, has made the following Regulations in pursuance of the power conferred by "The Local Inscribed Stock Act, 1897."

JOHN FORREST,

Colonial Treasurer.

Regulations made under Section 15 of "The Local Inscribed Stock Act, 1897"

(61st Vict., No. 8):—

1. In these Regulations, unless the context otherwise indicates, the following terms shall have the meanings set against them respectively, that is to say:—

"Treasurer."—The Colonial Treasurer of Western Australia, or other Minister for the time being charged with the performance of his duties.

"Bank."—The Western Australian Post Office Savings Bank.

"Depositor."—Any person to whose credit any sum of money is standing in the books of the Western Australian Post Office Savings Bank.

"Stock."—The Stock created in pursuance of the provisions of "The Local Inscribed Stock Act, 1897."

2. Persons other than depositors in the Bank, who are desirous of purchasing Stock, shall transmit to the Treasury Form No. 1 in the Schedule hereto, together with a banker's cheque for the amount at the then current price of issue, the nominal value of which stock must be £10, or a multiple thereof.

3. On receipt of the said form the Treasurer will transmit to the applicant an "interim" receipt (as per Form No. 2) and will proceed to allot the Stock applied for. After inscribing the amount in the Register kept for that purpose in the Treasury, a Certificate of Inscription (as per Form No. 3) will be transmitted to the allottee, for which a receipt will have to be given (as per Form No. 4).

4. Depositors in the Bank who wish to exchange the whole or part of their deposits for Stock, being a multiple of £10, shall transmit to the Treasury the Form referred to in Regulation No. 2, together with an order (as per Form No. 5) on the Postmaster General, and on receipt from the Postmaster General of the notification that the Depositors' Account has been debited with the amount stated in the order, the Treasurer will transmit a Certificate of Inscription to the allottee.

5. If any Stock Certificate be lost, mislaid, or destroyed, the Treasurer shall, on such indemnity being given as he may reasonably require; and on payment of the expense of the issue, issue a fresh Stock Certificate in place of the Certificate so lost, mislaid, or destroyed. Such new Certificate shall be in the Form No. 6 of the Schedule hereto, and shall be issued and delivered only to the person in whose name the Certificate said to be lost, mislaid, or destroyed is inscribed in the Register.

6. Stock can be transferred by the holder thereof, or his personal representative, or any other person having the right to transfer the same in consequence of death or

insolvency of such Stockholder, or of any devolution in law from such Stockholder, or otherwise, under the following conditions:

That is to say, an application (as per Form No. 7) shall be lodged at the Treasury at least one clear day before a Transfer Day, on receipt of which the Transfer Form No. 8 will be prepared for signature, and on being signed by the Transferrer the Transferee will be furnished with a memorandum of Transfer (as per Form No. 9).

7. A transfer will not be allowed for less than £10 or a multiple thereof, and cannot be effected until the Certificate of Inscription affected thereby is handed in for cancellation.

8. The Transfer days will be Monday, Wednesday, and Friday in each week, unless those days fall on a public holiday.

9. Interest will be payable to Stockholders on or after first January and first July in every year, during the currency of the Stock, for the half-year ended with the day previous to those dates.

10. Stockholders will, on application to the Treasury, be furnished with accounts (as per Form No. 10) to enable them to receive their interest at the Treasury, or a District Pay Office, personally, or through a Bank if so desired, in which case the authority on the Form for so doing must be properly filled in and signed. If the interest is to be paid to any other person, a Power of Attorney (as per Form No. 11) must be lodged at the Treasury.

11. The Treasurer will cause the Register of Stock and Books of Record in the Treasury to be closed for a period of ten days before the termination of each half-year, for the purpose of calculating interest due to Stockholders, and no transfers will be registered during such period.

12. The persons who, on the day such Register is so closed, are inscribed as holders of Stock shall be entitled to receive the interest next payable thereon.

13. Where Stock is standing in the name of an infant, or person of unsound mind, jointly with any person not under legal disability, a Power of Attorney (as per Form No. 11) for the receipt of the Interest on such Stock shall be sufficient authority in that behalf, if given under the hand of the person not under disability, and duly attested. The Treasurer, before acting on any Power of Attorney, may require proof to his satisfaction of the alleged infancy or unsoundness of mind by the declaration of competent persons made under the Ordinance 18th Vict., No. 12, or in such manner as he may reasonably require.

14. The Executors or Administrators of a deceased Stockholder shall alone be recognised by the Treasurer as having any title to the Stock standing in the name of the deceased Stockholder or to the interest thereon.

15. The person becoming entitled to any Stock or interest thereon in consequence of the death, bankruptcy, or marriage of the Stockholder, or of any devolution in law from the Stockholder, or otherwise than by transfer of the Stock, shall produce such evidence of his title as may be reasonably required by the Treasurer; but the person so becoming entitled to any Stock may transfer such Stock to another person without being registered himself.

16. All Powers of Attorney, Probates, Letters of Administration, and all other documentary evidence of title must be exhibited at the Treasury at least two clear days before Stock affected by these can be dealt in.

17. The following fees shall be paid in respect of the issue of fresh Certificates and Transfers of Stock:—

For every issue of a fresh Certificate in the place of one lost, destroyed, or mislaid, 2s. 6d.

For every Transfer, 1s.

SCHEDULE.

No. 1.

Western Australian Local Incribed Stock Act, 1897

(61 Vict., No. 8).

Form

Treasury No.

CREDIT THE LOCAL INSCRIBED STOCK ACCOUNT.

£ s. d.

Place,

Sterling

Date,

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Required to be received into the Treasury the sum of _____ pounds _____ shillings _____ Pence, being purchase money at current price of issue of _____ pounds, of Western Australian Incribed Stock, which I hereby request to be inscribed in the name or names hereunder mentioned.

(Signature of Applicant.)

Surname.	Christian Name.	Calling.	Address in full.	Amount of Stock.
				£

DETAIL OF PAYMENT.

(Banker's Cheque or order on Postmaster General, as the case may be, etc.)

£	
£	

[IN DUPLICATE.]

No. 2.

Western Australian Local Incribed Stock Act, 1897

(61st Vict., No. 8).

This Receipt must be handed over to the Under Treasurer to be exchanged for a Certificate of Inscription.

INTERIM RECEIPT.

THE TREASURY,
Perth, _____, 189 .

RECEIVED from _____ pounds _____ shillings and _____ pence, for the sum of _____ pounds of Western Australian Local Incribed Stock, to be purchase of _____ inscribed in the name of _____

Under Treasurer.

No. 3.

Western Australian Local Inscribed Stock Act, 1897

(61st Vict., No. 8).

This Certificate is valueless for purposes either of Transfer or Negotiation.

CERTIFICATE OF INSCRIPTION.

No.

THIS IS TO CERTIFY that, under the provisions of "The Local Inscribed Stock Act, 1897," there hath been sold to in consideration of £ , paid for the purchase thereof, pounds of Western Australian Inscribed Stock, and that the name of the said purchaser is this day inscribed in the Register and books of record in the Treasury, as the holder of the said Stock.

This Certificate is neither transferable nor negotiable, nor does it confer any title to the Stock, and it is issued only as evidence of the Inscription of the Stock at the date hereof.

Dated at the Treasury, Perth, this day of .

Colonial Treasurer.

Entered in the Register and Books of Record at the Treasury.

Under Treasurer.

No. 4.

Western Australian Local Inscribed Stock Act, 1897

(61st Vict., No. 8).

RECEIPT FOR CERTIFICATE OF INSCRIPTION.

No.....

Received from the Colonial Treasurer Certificate No. for pounds (£) of Western Australian Local Inscribed Stock.

* Signature

Witness

No. 5.

Western Australian Local Inscribed Stock Act, 1897

(61st Vict., No. 8).

Perth, 18 .

To the Postmaster General,—

Sir,

You are hereby authorised to debit my account in the books of the Post Office Savings Bank with the sum of £ , being purchase money at current price of issue of pounds, of Western Australian Local Inscribed Stock applied for by me this day, and on receipt of a Certificate of Inscription from the Colonial Treasurer for the amount, I shall have no further claim against the Bank for the said amount.

Signature of Depositor.

The Hon. the Colonial Treasurer,—

In accordance with the above request, the account of in the books of the Post Office Savings Bank has been debited with the sum of £ , being purchase money at current price of issue of pounds, of Western Australian Stock.

Dated this day of , 18 .

Postmaster General.

The Postmaster General,—

The transfer of the sum of £ has been made from the Post Office Savings Bank Account for the purchase of pounds, of Western Australian Local Inscribed Stock, and a Certificate of Inscription handed to

Dated this day of 18 .

Colonial Treasurer.

* This Signature must be witnessed.

No. 6.

Western Australian Local Incribed Stock Act, 1897

(61st Vict., No. 8).

This Certificate is valueless for purposes either of Transfer or Negotiation.

Issued in place of Certificate of Inscription No. which has been

CERTIFICATE OF INSCRIPTION.

No.

THIS IS TO CERTIFY that, under the provisions of "The Local Incribed Stock Act, 1897," there hath been sold to in consideration of £ paid for the purchase thereof, pounds of Western Australian Incribed Stock, and that the name of the said purchaser is this day inscribed in the Register and Books of Record in the Treasury as the holder of the said Stock.

This Certificate is neither transferable nor negotiable, nor does it confer any title to the Stock, and it is issued only as evidence of the Inscription of the Stock at the date hereof.

Dated at the Treasury, Perth, this day of

Colonial Treasurer.

Entered in the Register and Books of Record at the Treasury.

Under Treasurer.

No. 7.

No. of Transfer.

Western Australian Local Incribed Stock Act, 1897

(61st Vict., No. 8).

APPLICATION FOR TRANSFER.

TO THE HONOURABLE THE COLONIAL TREASURER OF WESTERN AUSTRALIA,—

Please have the undermentioned Transfer of Western Australian Local Incribed Stock prepared, and I will call at the Treasury on next, the to sign the necessary documents.

.....pounds Western Australian Local Incribed Stock

* From

.....

* To

.....

Signature

Address

Date

Witness

Witness

This Form must be signed by the holder of the Stock, or legal representative.

* NOTE.—Insert full names, addresses, and occupations.

No. 8.

Transfer No.

Western Australian Local Inscribed Stock Act, 1897

(61st Vict., No. 8).

TRANSFER OF STOCK.

Stock Ledger Fol.

Stock Ledger Fol.

£

hereby assign and transfer unto

executors, administrators, or assigns, the sum of Western Australian Local Inscribed Stock, and all property and interest in and right to the same, and to the interest accrued thereon.

As witness hand this day of 189 .

Witness, Treasury Clerk.

hereby accept the stock above mentioned transferred to

Witness, Treasury Clerk.

No. 9.

Western Australian Local Inscribed Stock Act, 1897

(61st Vict., No. 8).

NOTE.—This document is valueless for purposes either of Transfer or Negotiation.

MEMORANDUM OF TRANSFER.

£

pounds in Western Australian Local Inscribed Stock, together with the accruing Interest thereon, has this day been transferred in the Stock Ledgers at the Treasury, Perth.

* From

* To

Under Treasurer.

Treasury, Perth,

189

* Insert full names, addresses, and occupations.

No. 10.
Western Australian Local Inscribed Stock Act, 1897
(61st Vict., No. 8).

WESTERN AUSTRALIA.

HER MAJESTY'S GOVERNMENT
Dr. to

Stockholder.

Treasury Voucher No.

Head of Service : Local Inscribed Stock Interest Account.	Expenditure authorised by 61st Vict., No. 8.
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Date.	Particulars.	Amount.		
	To amount of interest for half-year ended _____ day of _____ 189 , payable on _____ day of _____ 189 , on £ _____ Western Australian Local Inscribed Stock held by _____	£	s.	d.

We certify, in terms of Section 14 of the Audit Act, that the amount charged in this voucher as to computations, castings, and rates is correct; that the service has been faithfully performed; and that the expenditure is duly authorised.

Under Treasurer.

Accountant or other Officer.

I hereby authorise and require that the amount of the above certificate in my favour be paid.*

Signature of Stockholder (*or* Attorney).

Received from the Colonial Treasurer the sum of _____ pounds shillings, and _____ pence, in payment of above account.	
Witness	(Signature)

* Here state either to me in person at the Treasury, Perth, (or District Pay Office, as case may be), or to a Bank, Perth (or branch).

No. 11.

Western Australian Local Inscribed Stock Act, 1897

(61st Vict., No. 8).

KNOW ALL MEN by these presents that I (or we)

have constituted and appointed and by these presents do constitute and appoint

my (or our) true and lawful attorney for me (or us) and in my (or our) name and on my (or our) behalf to

of the stock issued under the provisions of "The Local Inscribed Stock Act, 1897," and the interest thereon, and also for me (or us) and in my (or our) name and on my (or our) behalf to sign all documents and receipts necessary and proper to be signed on occasion of the premises. In witness whereof I (or we) have hereunto set my (or our) hand and seal this day of , One thousand eight hundred and ninety-

Signed, sealed, and delivered by the said

in the presence of

Signatures—

(Seal)

(Seal)

NOTE.—Special attention is requested to the instructions for executing powers of attorney which are on the other side.

[ON BACK.]

INSTRUCTIONS FOR EXECUTING POWERS OF ATTORNEY.

- 1. The date must be inserted in words, and not in figures.
2. Each execution must be under seal, and be attested by two or more credible witnesses, who must state their full addresses and occupations, and, if females, must add spinster, widow, or wife. (In the case of a wife she must give her husband's name, address, and occupation.)
3. A wife is not a valid witness to any signature if her husband's name appears either as stockholder, attorney, or transferee, nor in like circumstances, if the name of a wife appears, can a husband be admitted as a valid witness.
4. If clerks or servants are witnesses, they should give the name and address of their employers.
5. When a power of attorney is executed out of the Colony of Western Australia, in addition to two witnesses the signature must be attested by a British Minister, Consul, Vice-Consul, or other British authority, or by a Notary Public.
6. If it should be necessary for a stockholder to execute a power of attorney by a mark, instead of by signing his name, each witness must be a person of known position, such as a Minister of Religion, Magistrate, Justice of the Peace, Solicitor, or Medical Practitioner; and the witnesses must declare in writing that the document has been read over and fully explained to and understood by the stockholder.
7. Any alteration, interlineation, or erasure made in a power of attorney must be particularly mentioned in the attestation subscribed by the witnesses, and it must be stated to have been done previous to execution.

Local Inscribed Stock Act, 1897

(61st Vict., No. 8).

IT is hereby notified that His Excellency the Governor, by his Deputy, with the advice of the Executive Council, has authorised the issue of Stock under the provisions of "The Local Inscribed Stock Act, 1897," and that the Stock so issued shall be redeemable at par on 31st December, 1910, or at the option of the Government at any time after the 31st December, 1906, upon giving twelve calendar months' notice thereof in the *Government Gazette*, and it is further notified that the said Stock shall bear interest at the rate of $3\frac{1}{2}$ per centum per annum, payable at such dates as are prescribed in the Regulations.

JOHN FORREST,
Colonial Treasurer.

"Western Australian Local Inscribed Stock Act, 1897"

(61st Vict., No. 8).

*The Treasury,**Perth, 16th November, 1898.*Ty.—No. * $\frac{52}{82}$ *

IT is hereby notified that, in pursuance of the provision of Section four (4) of "The Local Inscribed Stock Act, 1897," the current price of issue of such Stock has been fixed by His Excellency the Governor, by his Deputy, with the advice of the Executive Council, at par for the month following the date hereof, and unless and until superseded by subsequent notice.

JOHN FORREST,
Colonial Treasurer.