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WESTERN AUSTRALIA.

Regulations for the Management of Goldfields.

Colonial Secretary's Office,
Perth, 1st October, 1886.

HIS Excellency the Governor directs the publication, for general information, of the following Goldfield Regulations, made and approved by the Governor in Executive Council on the 1st October, 1886; to come into force this day.

By Command,
M. S. SMITH,
Acting Colonial Secretary.

GOLDFIELD REGULATIONS.

GENERAL REGULATIONS.

Size of protection area.

1. A miner desirous of prospecting may mark off and hold a protection area of the following dimensions, viz.:—

Beyond the limits of a proclaimed goldfield, 400 yards by 400 yards.

Within the limits of a proclaimed goldfield and more than three (3) miles from the nearest gold workings, 300 yards by 300 yards; not more than three miles, and more than one mile from such workings, 200 yards by 200 yards; not more than one mile, and more than 400 yards, 150 yards by 150 yards.

The foregoing part of this rule refers to prospecting for alluvial of any kind or quartz reefs, but a miner searching for a new reef at any distance not more than 400 yards from any reef being worked may mark off and hold a protection area of 150 yards by 150 yards.

Must be marked and registered.

2. All protection areas must be marked at each corner with a post standing three feet above ground, and four inches in diameter, such posts to be kept uncovered and set in L trenches three feet long and six inches deep, and such marking shall be deemed a sufficient title for seven clear days, subject to the labor conditions; after which all protection areas within the limits of a proclaimed goldfield must be registered. Such registration must be renewed monthly, but the Warden may, by a certificate, exempt for a specified period any prospecting area from the necessity of such renewal, and a notice shall be posted on some conspicuous part of the area with the names of the holders, the numbers and dates of their miners' rights, the date on which the area was taken up, and the date of registration and of renewal thereof, if any, or certificate of exemption from renewal of registration.

Labor conditions.

3. Every protection area must be worked continuously every ordinary working day within two clear working days after marking, with at least half the number of miners whose names appear on the notice as the holders of the area. Shares not so worked shall be liable to forfeiture. Any work other than *bonâ fide* prospecting shall render such protection area liable to forfeiture.

Prospector must report finding gold.

4. Within seven clear days after the finding of gold in apparently payable quantities within any protection area, the holder shall report the said finding at the Warden's office under pain of forfeiture of such area. The Warden shall then proceed to the ground, and if sufficient gold has been found to warrant it, he shall allot the prospectors a reward claim in addition to the number of ordinary claims to which they would otherwise be entitled.

Mode of taking up a claim.

5. A miner may take up and work any unoccupied Crown land as a claim by fixing firmly in the ground, at each corner thereof, a post four inches in diameter, standing at least three feet above the surface, set in L trenches three feet long and six inches deep along each boundary line, such posts to be kept at all times uncovered. Provided that when registration is required such miner shall, within two days after such marking, make application, in the form D hereto annexed, to the Warden. The Warden

shall thereupon deliver to the applicant a certificate in the form E hereto annexed, who shall, within twenty-four hours from the receipt thereof, cause it to be posted on some conspicuous part of the ground applied for, and a copy thereof at the Warden's office, for a period of six clear days. If no objection be lodged against such application within such period, the applicant shall be entitled to be registered for the claim by the Warden and to receive a certificate in the form F hereto annexed; should, however, any objection be lodged within the time specified, he shall defer registration until the matter has been heard and determined, and thereafter be guided by the evidence submitted to him or by the order of the Warden's Court.

Non-registration, &c., not to be deemed a breach of Regulations if caused by neglect of Mining Registrar, &c.

6. The holders of all claims or other authorised mining tenements for which registration is required must apply to the Warden for registration of the same within ten (10) clear working days from the date of their being entitled to such registration. Provided that non-registration within the prescribed time shall not be deemed a breach of these Regulations if good cause be shown for such delay to the satisfaction of the Warden, nor shall any penalty be inflicted for the non-performance within the prescribed time of any act required by these Regulations to be done by the holder of any such claim or mining tenement, if such holder can prove that the non-performance as aforesaid was caused by the neglect or default of the Mining Registrar or Warden, or from any circumstance over which he had no control.

Mode of application for an unoccupied claim or share liable to forfeiture.

7. Whenever under these Regulations an unoccupied claim or share in an occupied claim is liable to forfeiture, any miner may apply for possession of such claim or share therein by posting a notice in writing, in the form G hereto annexed, at, or as near as possible to the then working shaft of such claim and at the Warden's office, and serving a copy thereof on the holder of such claim or share, or his agent.

If no objection be lodged within six (6) clear days of the posting and service of such notices, the Warden shall, if requested, register the claim or share for the applicant.

Any person objecting to such registration must within the six clear days hereinbefore mentioned lodge a written notice of objection with the Warden stating the grounds of such objection, upon receipt of which the Warden shall defer registration until the matter has been heard and determined, and shall thereafter be guided by the evidence submitted to him, or by the order of the Warden's Court.

Rules and agreements to be binding.

8. All rules and agreements entered into by a majority of at least two-thirds in number and interest of the shareholders of any claim or leasehold for the management and working thereof shall be binding on the shareholders of such claim or leasehold, and on any person becoming a shareholder therein, provided such rules and agreements are not contrary to "The Goldfields Act, 1886," or these Regulations. All such rules and agreements shall be registered by filing a copy, signed by the parties or their agents, at the Warden's office, and payment of the fee required by Schedule A1 hereto annexed; and such rules or agreements may be abolished or amended at any time by a like majority of the shareholders in any such claim or leasehold.

Taking forcible possession a forfeiture of rights.

9. Any miner taking forcible possession of any claim or share therein, or commencing to work the same after his right to take possession thereof has been disputed, shall forfeit all right and title which he may have acquired to the possession of such claim or share.

Claims continuously worked—Exceptions.

10. Claims must be continuously worked by the requisite number of men within two clear working days after they have been marked off, otherwise the share or shares unworked shall be liable to forfeiture, and thereafter any share in a claim remaining unworked for three clear working days shall be liable to forfeiture. Provided that no

miner's interest in any claim shall be liable to forfeiture under this regulation if he be employed at any necessary work in connection with it, or if his absence be caused through sickness, attendance at a court of justice, a general cessation from work through floods or rain, or on any public holidays, or on holidays proclaimed by the Warden.

Marking too much ground.

11. Any miner marking off more ground than he is entitled to shall be liable to have the surplus ground pegged off at either end of the claim, at the option of any other miner applying to the Warden for the surplus.

Boundary posts and marks.

12. Claims, leaseholds, business, residence, and machine areas, and all authorised holdings, must be marked at each corner with a post four (4) inches in diameter, fixed firmly in and standing at least three (3) feet above the ground; and the owner or any shareholder thereof shall point out the corner posts and boundary lines of any such claim or other authorised holding to any person requiring to know the same, and no person shall remove, injure, or obliterate any boundary posts or marks of any claim or other authorised holding, or any posted notice relating thereto.

Exemption from work.

13. The owners of any registered claim may apply to the Warden, after having posted a copy of the application, in the form marked H hereto annexed, at the Warden's office and on the claim, six clear working days prior to the day of hearing the application by the Warden, to have the claim registered as exempt from work for a period not exceeding six months; and provided it has been duly registered and continuously worked for the preceding six months and is not then payable, the Warden may grant the exemption applied for upon receipt of the fee required. Provided that the Warden may grant the exemption work on any claim for a period not exceeding thirty days upon application by the owners thereof, of which notice must be given by posting a copy of the application at the Warden's office and on the claim three clear working days prior to the hearing of the application by the Warden.

The Warden shall hear and determine in open court all applications for exemption from work, and objections thereto, and may grant the exemption applied for, upon terms as to bailing or any other conditions he may deem necessary. Any failure to comply with such terms or conditions shall be deemed a forfeiture of the exemption.

False representation.

14. Any person who shall by false representation or fraudulent concealment of facts obtain registration of any mining or other interest, or who shall by such means obtain a certificate of exemption from work, or occupation of business or residence area, shall be liable to forfeit his share of the property in respect of which such registration or certificate of exemption has been so obtained.

One miner's right sufficient.

15. A miner may himself or by his agent take up and hold any number of claims, or shares in claims, provided such claims or shares in claims are worked by miners in accordance with these regulations.

Title.

16. Possession of a claim by any miner shall be *prima facie* evidence of title.

Roads across claims, etc.

17. When requisite for the efficient working of any claim, leasehold, or machine, or for the public interest, the Warden may authorise the making of a road over any gully, creek, claim, or leasehold, residence, business, machine, or market-garden area, or site for stacking tailings, within any goldfields, in such manner and under such conditions as he may determine. Provided that compensation be paid for the removal of, or injury caused to, any improvements thereon.

Shafts and holes near roads to be secured.

18. Any miner having a shaft within twenty (20) feet of a public road, in ordinary use, shall securely fence or log the same, and any miner abandoning any such shaft or hole shall first either fill up or securely fence or log the same, or in some other way make it safe in a permanent manner; and no person shall throw down or remove therefrom any fence or timber, or other material placed for such purpose, or at any time wilfully injure or destroy any shaft, drive, or other workings in any mine so as to prevent or impede the further working of such mine or any adjacent ground.

Transfers.

19. The holder of any registered claim, or share therein, any registered business, residence, machine, or market-garden area, or any other registered holding under "*The Goldfields Act, 1886*," or these Regulations, or any interest therein, or the registered holder of any lien thereon, may transfer the same after having posted a notice of his intention so to do at the Warden's office, and on the area or other registered holding aforesaid, for three (3) clear working days, and upon production at the Warden's office of his certificate of registration, transfer certificate, or lien ticket (or declaration of loss thereof), and upon payment of the fee required; and the Warden shall issue to the transferee a transfer certificate; and the transferee shall be liable for all encumbrances, agreements, and conditions registered against the property so transferred.

Declaration of loss of miner's right, certificate of registration, lien ticket, or transfer certificate.

20. When any miner has lost his miner's right, certificate of registration, transfer certificate, or lien ticket, he may make a declaration of such loss, in the form marked K hereto annexed, before a Warden or Justice of the Peace, and such declaration shall be received at the Warden's office in lieu thereof for all the purposes required in making a transfer, on payment of the fee required for filing the same.

Claim not to be forfeited through absence of hired men without due notice to owner.

21. If any miner who is employed to represent a share in a registered claim absents himself from such claim, or otherwise neglects to represent such share, unknown to the owner thereof, the same shall not be forfeited unless it remains unrepresented for seven (7) clear working days after notice of such absence or neglect has been served on the owner or his agent.

Stacking quartz, earth, etc.

22. Any miner having forfeited or abandoned his claim, or share in a claim, shall be at liberty to retain possession of any stone, or earth, or other substance containing gold—the produce of such claim or share in a claim—that may have been raised at the time of the forfeiture or abandonment, provided such stone, earth, or other substance shall be stacked on ground not interfering with the working of the claim. And the Warden shall, upon application being made to him, and upon receipt of the fee required, register the same as the property of such miner for any period not exceeding twelve months. A copy of such registration, in the form marked M, shall be affixed on the stack; and no person during the period of such registration shall remove the said stack of stone, earth, or other substance, or any of it, without the permission of the owner thereof.

No injury permitted to claims or roads.

23. No person shall cause or permit sludge, tailings, or water to accumulate in or flow from his claim, leasehold, reservoir, dam, machine area, or other authorised holding, so as to cause danger, injury, or obstruction to any public road, or any danger, inconvenience, or damage to any public or private interest.

Liability to penalty for allowing work in insecure shafts, etc.

24. Whenever the Warden has reason to believe, or upon report being made to him, that the shaft or under-

ground workings of any claim or leasehold are unsafe through insufficient timbering or any other cause, so that loss of life or bodily injury may be occasioned thereby, he shall cause an examination of such shaft or workings to be made by two competent miners, and upon their report the Warden may order the owner of such claim or leasehold to do within a specified time whatever may be considered necessary to remove the cause of danger, and may prohibit any other work being done in such claim or leasehold until the same has been made safe as ordered. This regulation shall apply only to such claims or leaseholds as do not come within the provisions of any Mining Act that may hereafter be in force for the regulation of mines.

Accidents to be reported.

25. In the case of any accident in connection with mining, whereby loss of life or serious bodily injury has been occasioned, the mining manager or other person in charge of the mine or other works, or some one of the shareholders, shall immediately report at the Warden's office the nature of the accident, and the Warden shall cause an inspection to be made of the mine or other works where the accident occurred by two competent persons, and proceed to hold an inquiry into the nature and cause of the accident, and shall forward a copy of the evidence taken at such inquiry, with his report thereon, to the Colonial Secretary.

Props or timber not to be removed or ventilation obstructed without consent.

26. The owners of any claim or leasehold shall not remove any props or timber in their claim or leasehold, the removal of which may endanger the workings of any other claims or leaseholds, and whenever the underground workings of two or more claims or leaseholds, or of a claim and leasehold, communicate with each other so as to afford the means of ventilation, such ventilation shall not be obstructed by the owner of any claim or leasehold without the consent of the owner of any claim or leasehold affected thereby.

Bailing compulsory.

27. The owners of any claim or leasehold in which water has accumulated to the injury of any adjoining claim or leasehold shall, on receipt of complaint to that effect from the party injured, or his agent, bail their claim or leasehold, or in some other manner effectually remedy the injury; or the party injured may at once lodge a complaint with the Warden, who shall have power to order the owners of such claim or leasehold causing the injury to bail their claim or leasehold and keep it continuously free from any injurious accumulation of water whilst occupied by them.

And the Warden shall further have power to assess and determine the amount of damage or injury suffered from such accumulation of water by any person complaining, and to make an order that the owner of such claim or leasehold causing the damage or injury shall pay the amount thereof.

Drainage.

28. When the owner of any claim or leasehold, by the erection and working of any appliance for drainage, can prove that a saving of labor has been effected thereby in the working of adjoining claims or leaseholds, the owners of such claims or leaseholds in which such saving has been effected shall be liable to pay in respect thereof such reasonable sum of money, and at such times, as may be ordered by the Warden. Provided that the Warden may subsequently, on application being made by either party and a re-hearing of the case, cancel or vary such order so as to meet any altered circumstances.

Mining plant not to be forfeited with claim or leasehold.

29. The tools, appliances, and mining plant on or in connection with any forfeited claim or leasehold shall not be forfeited therewith; provided always they are removed from the claim or leasehold within one week from the declaration of the forfeiture, or within such reasonable time as the Warden may direct.

At the time of the declaration of the forfeiture of a share in a claim or leasehold, or within three (3) clear days thereafter, the Warden, or the Warden and assessors who tried the case, shall assess and declare the value of the forfeiting shareholder's interest in the tools, mining plant, and appliances used in or in connection with the said claim or leasehold, and within six (6) clear working days after the declaration of such forfeiture the incoming shareholder shall pay into the Warden's court the full amount of such value for the use of the owner of such share; in default thereof, the share may be granted to any other miner applying for the same, and paying into the Warden's court the assessed value of the forfeiting shareholder's interest in the tools, &c.

Compensation.

30. Any business, residence, or machine area or site occupied by any dam, water-race, reservoir, tramway, and for stacking tailings, or any other authorised holding in actual occupation, may be mined upon; provided the miners intending to mine thereon shall, before commencing work, compensate the owner thereof for any loss, damage, or injury to the improvements thereon that may be sustained by him in consequence thereof. The amount of such compensation may be determined by the Warden, or Warden and assessors.

Machine area.

31. Applications for machine areas, with particulars of machinery proposed to be erected, must be made in writing to the Warden after the ground has been marked, accompanied with a sketch plan thereof; and a copy of such application must be posted on the ground on which it is proposed to erect the machinery, as well as at the Warden's office, for seven (7) clear working days before the hearing of the application. If no valid objection be lodged, the Warden may grant permission to occupy an area not exceeding five acres and register the same. Provided the Warden may before doing so demand a plan and description of the ground as actually surveyed and marked. Any such permission to occupy may be cancelled should the holder thereof fail to commence the erection of machinery thereon within four (4) months from the date of permission to occupy, or should the machinery thereon be entirely removed.

Business and residence area.

32. The holder of a business license or miner's right shall, with the consent of the Warden as to the locality, be entitled to occupy on any goldfield, for the purpose of business or residence, an area of land not exceeding one quarter of an acre, the frontage of which to any main thoroughfare, creek, or waterhole shall not exceed sixty-six (66) feet, by a depth not exceeding one hundred and sixty-five (165) feet, and every such area must be registered at the Warden's office. Provided such registration may be cancelled should the holder cease to occupy such area without first registering the same as exempt from the condition of occupation.

Business and residence areas may be registered as exempt from occupation.

33. The holder of any business or residence area upon which there are substantial improvements of the value of five pounds (£5) may, upon application to the Warden, and upon payment of the fee required, have such area registered as exempt from the condition of occupation for any period not exceeding twelve months. Such registration may be renewed upon payment of a like fee. The holder of a miner's right shall be allowed to hold only one residence area on any one goldfield.

Area for stacking tailings.

34. Application may be made to the Warden, after the ground has been marked, for an area not exceeding five (5) acres, for the purpose of stacking tailings, by posting a notice of application on the ground and at the Warden's office, with a description of the ground applied for, seven clear working days before the hearing. The Warden

may, if no valid objection be lodged, grant the application and register the same upon receipt of twelve months' rent in advance. Provided that the Warden may cancel such registration should the holder not use the area in a *bonâ fide* manner for stacking tailings for six months, or the annual rent not be paid yearly in advance.

Market gardens area.

35. Any person requiring land on any proclaimed goldfield for the purpose of growing fruit, vegetables, fodder, or other garden produce, may apply to the Warden for an area not exceeding five acres for such purpose, by posting an application, with a description of the ground, at the Warden's office, and on some conspicuous part of the ground, fourteen days before the hearing by the Warden. Should no valid objection be lodged, and no public interest be likely to suffer thereby, the Warden may grant permission to the applicant to occupy the land, and register him therefor on receipt of twelve months' rent in advance. The Warden may, before such registration, demand from the applicant a proper survey and plan of the ground. Provided that the applicant, or some other person to whom he may transfer, shall reside on the area and keep constantly in cultivation at least one-half thereof, such cultivated portion to be securely fenced, and any garden area not so cultivated and fenced, and on which the registered holder does not reside, or for which the rent is not paid yearly in advance, shall be liable to forfeiture.

Extended claims—Quartz or alluvial.

36. Where the expense of erecting mining machinery or works is likely to be great, or the poverty of the ground warrants it, or the ground has been previously worked and abandoned, the Warden may, on application, allot to each miner an extended claim not to exceed in area four ordinary claims. And only half the number of miners applying for the ground need be employed on the claim until the preliminary work is done, such as sinking a deep shaft, cutting a race, or erecting machinery, after which the full number must be employed. Every such applicant for an extended claim must comply with the conditions of application as mentioned in regulation numbered 5 (five).

What considered a sufficient working.

37. A claim, or leasehold, shall be considered as effectively worked when eight (8) hours *bonâ fide* work is performed thereon by the complement of men required by these Regulations, on every working day except Saturday, when four hours' work shall be considered sufficient.

Liens, &c., how effected.

38. The holder of any claim, leasehold, business, residence, or machine area, or any authorised holding whatsoever, or share or interest therein, held under "*The Goldfields Act, 1886*," or these Regulations, may give a lien upon the same as security for the due payment of any debt; and upon the production to the Warden of the miners' rights of the lienor and lienee, and upon the execution by the lienor of a lien ticket duly attested in the form marked N hereto annexed, the Warden shall register a lien upon the claim, or other authorised holding or share, or interest therein, and shall then issue to the lienee a duplicate of the lien ticket; and every such lien registered as aforesaid shall be a specific charge upon such claim, or other authorised holding or share or interest therein, until the debt has been paid in full; and if more than one lien has been effected on any claim, or other authorised holding or share or interest therein, such liens shall take precedence according to the date of their respective registrations. Provided that, upon the delivery to the Warden by the lienor of a certificate duly signed by the lienee, and attested, that the debt or liability for which such lien was held has been fully discharged, the Warden shall forthwith cancel such lien. In the event of such lienor failing to redeem such claim or other authorised holding or share, or interest therein, at the time appointed, the lienee may cause the same to be sold by auction, after having posted in writing his intention of so doing on a conspicuous part of

the claim, not less than seven days before the day of sale. And the licensee shall stand possessed of the proceeds of such sale, upon trust, to pay all costs consequent on such default, then to pay the debt secured by the lien, and to pay the balance, if any, to the lienor. The lienor shall be entitled to redeem at any time before sale, upon payment of debt and expenses incurred; but in case of any sale under the powers herein contained, the Warden shall, upon production of the lien ticket, accompanied by a statutory declaration of default having been made of the money secured thereby, and the miner's right of the purchaser, register such purchaser as the holder of such claim or other authorised holding or share or interest therein, in lieu of the lienor. A licensee shall not, by virtue of the lien, be held to be a co-partner in any claim, leasehold, or other authorised holding, on any share in which he holds a lien. The fee for registration of any lien shall be as required by Schedule A 1 hereto annexed, exclusive of stamp duty, if any.

Union of claims.

39. Two or more contiguous claims may, upon application being made to the Warden with the consent of a two-thirds majority in number and interest of the shareholders of each such claim, respectively be united. Provided that the conditions of the separate claims shall, in the aggregate, apply to the amalgamated claim; and the Warden shall grant a certificate of union, and shall register the same upon receipt of the fee required.

Abandonment of shares in claims.

40. Any shareholder in a registered claim wishing to abandon his share therein may do so by serving on one of the remaining shareholders, or his agent, a notice to that effect (and if there be a lien on such share, then serving a like notice on the licensee), and posting a copy thereof at the Warden's office and on the claim; and in such case the Warden, after satisfying himself that the notices have been served and posted in manner aforesaid, shall forthwith cancel the registration by which such share has been held, and the said shareholder shall thereupon be released from any further liability in respect of such share thereafter incurred, and any applicant for such abandoned share may at once be registered for the same without process of any kind beyond his written application. Provided that the licensee, if any, shall have for three days after abandonment a preferent right to be so registered for the abandoned share. On failure by the licensee to avail himself of such preferent right the lien shall be cancelled and the remaining shareholders shall thereupon have jointly a preferent right for three days to be registered for the abandoned share.

Examination of registers by owners and others.

41. Any registered shareholder of a claim, leasehold, or other authorised holding, or any registered licensee on any such holding, may, upon application at the Warden's office, examine the register, so far as it relates thereto; and any person may examine the registers, at the Warden's office, of any claims, leaseholds, or other holdings, upon payment of the fee required.

Agents to be appointed.

42. Any person holding any share in any mining tenement or other authorised holding under "*The Goldfields Act, 1886*," or these Regulations shall, in the event of being absent for a longer period than fourteen days from the goldfield on which such share is held, appoint an agent in the form marked Q hereto annexed, whose acts shall be held as those of the principal, and the name and address of such agent shall be registered at the Warden's office. In the event of such registration not being so made, any notice, legal process, or document required by these Regulations to be served shall be deemed to have been sufficiently served upon such absent person, provided a copy of such notice, process, or document be posted for the period required by these Regulations at the Warden's office, and on some conspicuous part of the mining tenement or other holding to which the same refers.

Absentee shareholder's interest may be represented by hired miner.

43. When a shareholder in a claim or leasehold absents himself from his work without being duly exempted by the Warden or these Regulations, and fails to provide an efficient substitute, his partners may, if they think fit, hire a competent miner to fill his place; and such absent shareholder shall be responsible for any reasonable wages due to the person so employed, and in the event of non-payment of such wages the person so employed shall be deemed to have a lien on the share of the absentee in the claim or leasehold in which he has been employed to the amount of wages at the current rate due to him.

Interest of a defaulting shareholder to be sold by auction.

44. The non-payment by any shareholder in a claim or leasehold (when no deed of partnership exists) of calls made on him for the purpose of defraying the working expenses of such claim or leasehold shall entitle the other shareholders to a preferent lien upon the defaulting shareholder's interest in the claim or leasehold in which such expenses are owing until the calls are paid.

Whenever any calls remain unpaid upon any share in a claim or leasehold (when no deed of partnership exists) for a period of three months from the call being due, a majority, in number and interest, of the shareholders who have paid their calls may request the Warden to inquire into the matter, and if he is satisfied that such sum is legally due on such share, he shall cause it to be sold by auction, of which sale due notice shall be posted at the Warden's office, and the proceeds shall be applied to the payment of all legal expenses incurred by the process and the calls due on such share; and the residue, if any, shall be paid to the late owner of the share, and the Warden shall register such share without further process, in the name of the purchaser thereof.

Unauthorised shafts, &c.

45. No person shall sink any shaft, or disturb the surface of the ground, or erect works, or deposit earth, stone, or other material in any place so as to interfere with the supply of water used by the public, or so as to obstruct a public thoroughfare; and no person shall undermine any road in such a manner as to endanger the public safety.

Unauthorised occupation of Crown Lands.

46. Any person being in unauthorised occupation of Crown lands on any proclaimed goldfield may be summarily removed therefrom by order of the Warden, and any person resisting or obstructing the carrying out of any such order shall be liable to a penalty not exceeding ten (10) pounds.

In absence of Warden, Mining Registrar may grant and register claims, exemptions, &c.

47. In the absence of the Warden from any goldfield the Mining Registrar may, if no objection be lodged, grant and register protection areas, claims, or shares therein, business and residence areas, exemptions from work or occupation, in the same manner as the Warden.

Penalties for breach of Regulations.

48. Any person committing a breach of these Regulations, or disobeying a lawful order of the Warden or Warden's court, shall for every such offence for which a penalty is not otherwise specially provided by "*The Goldfields Act, 1886*," or these Regulations, be liable to a penalty not exceeding ten pounds, and in default of payment may be imprisoned by order of the Warden for any period not exceeding one month.

ALLUVIAL CLAIMS.

Reward claims.

49. The size of reward claims which shall be given for the discovery of payable gold in any creek, river, or ordinary alluvial ground shall be in proportion to the

distance from the nearest occupied gold workings of the same description, and as follows:—

If distant over 400 yards	Two claims of one man's ground.
„ one-half mile	Three ditto.
„ one mile	Four ditto.
„ two miles	Six ditto.
„ three miles	Ten ditto.

If beyond the limits of a goldfield, Twenty ditto.

The above reward shall be in addition to the number of claims to which the party would be otherwise entitled in ordinary alluvial claims, and may be marked off in one block in any rectangular shape at the option of the prospectors. Provided that no side of the block shall be less than fifty feet.

Ordinary alluvial claims.

50. Ordinary alluvial claims shall be—

For one man	50 feet by 50 feet
For two men	100 „ 50 „
For three men	150 „ 50 „
For four men	200 „ 50 „

And so on for any number of men, without restriction as to the number of party or shape of the claim. Provided that the claim of each party shall be a rectangular block no side of which shall be less than fifty feet.

Wet alluvial claims.

51. In wet ground, when water other than surface water exists, and necessitates slabbing throughout, or in rocky ground requiring blasting for thirty feet in the sinking of the shaft, the size of claim shall be as follows:—

One miner	50 feet by 100 feet
Two miners	100 „ 100 „
Three miners	150 „ 100 „
Four miners	200 „ 100 „

And so on in the same proportion for any number of miners. Provided that no side of the claim of more than one miner shall be less than one hundred feet. All claims taken up under this regulation to be registered.

QUARTZ REEFS.

Definition.

52. The term “reef” shall be taken to mean gold seam or quartz or any substance containing gold other than alluvial.

Reward claims.

53. The reward claim which shall be given for the discovery of gold in apparently payable quantities on any new reef, or the re-discovery of the same on any reef previously occupied and abandoned, shall be in proportion to the distance from any reef being worked, and as follows:—

- If distant less than 400 yards: 100 feet along the line of reef.
- If distant more than 400 yards and less than one mile: 150 feet along the line of reef.
- If distant more than one mile and less than two: 200 feet along the line of reef.
- If distant more than two miles and less than ten: 300 feet along the line of reef.
- If distant ten miles or more: 500 feet along the line of reef.

With a width of 400 feet. The above reward shall be in addition to the number of claims the party would be otherwise entitled to in ordinary quartz claims. The measurements of distance to be on the surface of the ground by the nearest practicable route. Claims to be measured on the horizontal plane.

Ordinary quartz claims.

54. The extent allowed for each miner in any ordinary quartz claim shall be fifty feet along the supposed line of reef by a width of (400) four hundred feet. The width of

all quartz claims must be marked off at right angles to the base line, but the whole or any part of such width may be marked on either side of such line at the option of the shareholders.

To be registered.

55. In all quartz claims the names of the shareholders, together with the dates and numbers of their miners' rights under which the claim is held, as also the name of the reef upon which it is situated, and the number of the claim, must be registered in a book to be kept by the Warden, and a copy of the entry must always be kept posted at or as near as possible to the working shaft.

Number of Miners to be employed.

56. Only one-half the number of miners to whom any quartz claim has been allotted need be employed thereon until it has been proved payable. When payable the whole number must be employed; when it ceases to be payable again only one-half the number of miners need be employed. The onus of proof that the claim is not payable shall rest upon the shareholders.

When payable.

57. A claim on a quartz reef shall be deemed to be payable when the quantity of gold obtained from it shall be equal in value to the sum which has been paid, or at current rates would have been payable, for wages, to all the miners actually employed thereon, during the time occupied in extracting and crushing quartz, together with the other necessary working expenses. Provided that no quartz claim shall be deemed payable until a crushing has been obtained.

RIVER AND CREEK CLAIMS.

Size of claim.

58. Fifty feet frontage in the general direction of the course of the stream will be allowed each miner in the creek or river, with a width from bank to bank, unless such width shall exceed one hundred yards, in which case the excess may be claimed by any other miner. All claims taken up under this Regulation must be registered.

Dam may be constructed.

59. Any holder of a river or creek claim may construct dams within his claim for the purpose of turning water into his flood-race, on the condition that his dams are only of such a height and at such a distance, according to the natural fall of the water, from his upper boundary as in no way to interfere with the natural level of the stream above his claim, and he may extend such flood-race for such distance beyond his claim as may be necessary for the effectual working of the same, provided that no other claim be injured thereby. In cases of dispute in all running streams the level of running water at the upper boundary to be considered the natural level, and the Warden may order any dam to be lowered or altogether removed if he deem it necessary for the purposes of this clause.

WATER-RIGHTS.

Mode of application.

60. Any miners intending to divert and use water for mining or general purposes, or to cut a race, or construct dams or reservoirs in connection therewith, shall give notice in writing thereof to the Warden, and such notice shall set forth the source from which the water is to be obtained, and describe with sufficient accuracy the point at which it is to be diverted or used, the quantity in sluice-heads required, the number of dams (if any) in which such water is to be stored and their situation, the probable length of the race, its intended course and termination, and the names

of the applicants, and copies of such notice shall be kept posted for seven clear working days at the Warden's office, at the source from which the water is to be obtained, at the proposed termination of the race, and on the site of any proposed dam or reservoir; and if no valid objection be lodged at the expiration of seven clear working days, the Warden shall grant the required permission.

Heads of water—how gauged.

61. A box sluice-head shall be a body of water one inch by twelve inches; a ground sluice-head shall be a body of water three inches by twelve inches, and shall be gauged in the following manner:—A box six feet long and twelve inches in width, with a scale of inches marked on the inner side at the lower end, shall be placed at the head of the race, having a fall not exceeding six inches in the entire length of it, and the gauge of water shall be taken at the mouth of the box where the water is discharged. When the length of the race exceeds one mile, the width of the box may be increased half-an-inch for each mile.

Quantity of water taken and left running.

62. The quantity of water to which any party shall be entitled under one water-right for sluicing purposes on any claim shall not exceed two ground sluice-heads; and in all river beds and running creeks from which water is diverted for mining purposes, there shall be left running at least one ground sluice-head for general use when required.

Priority of water-rights.

63. The priority of water-rights derived from a common source shall be determined by the date of grant and registration; and in case of failure of water supply, the person last registered shall forego his rights during such failure of water as against the person previously registered, and so on in rotation as the supply diminishes. Provided always, that the holder of a water-right in the bed of a stream shall have a preference over the holder of a water-right whereby the water of such stream is diverted from its natural course.

Right to cut race anywhere.

64. Any party of miners may cut any race or drain for gold-mining purposes through any claim, or over or under any race or drain belonging to any other party of miners, provided that no injury be done to such claim, race or drain, through or over or under which the first-mentioned race may be cut; and the original line of any race may be altered or deviated from by the consent of the Warden, if no prior right be injured thereby.

Right of original owner to hired water.

65. The holder of any water-right, when not using the water held under such right, shall, if required by the Warden so to do, turn off the water at the head of his race into its natural channel. No person hiring water from the owner of any water-right shall have any claim to such water after it has passed his works, but such water shall revert to the original owner.

Warden may compel repair of race.

66. When from imperfect construction or neglect any race is in such an inefficient state as to cause a waste of water, or to become a nuisance to the public, the Warden may order the water at the head of such race to be turned off until the defective portion is made good.

Protection to race.

67. No miner shall be permitted to sink, drive, or cut timber within ten feet of any occupied race, without the consent of the owner, or as otherwise provided for by these Regulations.

Exemption from use of race.

68. The holder of any water-right, or race, dam, or reservoir in connection therewith, desirous of retaining the same unused for any longer period than fourteen days, must post notices to that effect, in writing, on the said race,

dam, or reservoir, and at the Warden's office, for seven clear working days; and on good cause shown, and if no valid objection be lodged, the Warden may issue a certificate of exemption from use for a period not longer than six months, and register the same on receipt of the fee required.

Water diverted for sale or hire.

69. Any miners who may construct a race for the conveyance of water to any goldfield for sale or hire, for gold-mining purposes or general use, shall not be restricted in the quantity of water they may divert. Provided that no prior right be prejudiced, or any injury of a private or public nature be caused thereby; and provided that the entire quantity of water so diverted is being actually sold and disposed of in a *bonâ fide* manner; and any water conveyed in excess of the quantity that is being so sold and disposed of shall, when the Warden directs, be allowed to flow in its natural channel.

Right to sell water.

70. The holder of a water-right may sell or dispose of the right to the whole or any portion of such water, or let the use of such water for a stated period; and the property and interest in any race, dam, or reservoir, and in the water contained therein, or flowing therein or through any race, shall be deemed to be a chattel interest, and the owner may recover in a summary way any sum of money due in respect of any water supplied from any such race, dam, or reservoir.

Water not to be taken or polluted.

71. No person shall take water from any race, dam, or reservoir, without the consent of the owner, nor shall permit sludge or other noxious matter to flow into or otherwise pollute the water in any dam, race, or reservoir, nor shall injure the banks of any dam, reservoir, or race, or the works connected therewith; but the right to any water under any water-right shall terminate whenever the water so held shall be discharged into any natural stream or watercourse.

Dams or reservoirs.

72. Any miner intending to construct a dam or reservoir to collect and store water therein for mining or general purposes may apply, by notice in writing, to the Warden, describing with sufficient accuracy the site and capacity in gallons of the proposed dam or reservoir, and the watersheds from which the water is to be collected. Copies of such notices must be posted at the Warden's office and on the site of the proposed dam or reservoir for seven clear days. If no valid objection be lodged during that period, the Warden may grant to the applicants authority to occupy the site applied for, and a right to cut drains on the watershed described, or such portions thereof as he may think fit, for the purpose of collecting the water therefrom; and the applicant shall thereupon be deemed to have an exclusive right to such water, provided no public interest or prior right is injured thereby.

TUNNELLING CLAIMS.

Protection area.

73. "Tunnelling ground" shall mean any portion of Crown lands containing hills or plateaux in which the superincumbent stratum shall be at least one hundred feet above the roof in any part of the tunnel. The protection area allowed on such ground shall be 800 feet on each side of the tunnel, with a length of half-a-mile across the hill or plateau.

Boundary lines.

74. The boundary lines of such protection area must be parallel with each other, and marked with posts four inches in diameter, standing three feet above ground, each post to be within view of the other.

Reward claim.

75. The reward claim allowed for finding a payable quartz reef in any such tunnel shall be double the area prescribed by clause 53 of these Regulations, and in addition fifty feet along the line of reef for every hundred feet beyond two hundred feet comprised in the length of the tunnel.

Ordinary claim.

76. The size of ordinary quartz claims in tunnelling ground shall be double the area prescribed by clause 54 of these Regulations: provided that the reef in the prospector's claim shall be at least 200 feet from the mouth of the tunnel, otherwise the size shall be the same as ordinary quartz claims.

Protection to tunnels.

77. Each party shall drive their tunnels within their own parallels as defined on the surface, but two or more parties may, by agreement registered by the Warden, use the same tunnel or any portion thereof. Twenty feet of ground on each side of any tunnel or portion of a tunnel which may be outside of any claim held in connection therewith shall be protected from occupation.

Space for depositing quartz, rubbish, etc.

78. A space of two hundred feet square will be allowed at the mouth of every tunnel, or for every claim using a common tunnel, for the purpose of depositing quartz or rubbish.

PUDDLING CLAIMS.

Claims.

79. A puddling claim may be taken up on alluvial ground which has been previously worked and abandoned, or on ground which has been tested and found to be too poor to pay for the ordinary method of working such ground, to be worked in connection with a puddling machine, and must be registered.

Size.

80. The size of claims allowed shall be one hundred feet by one hundred feet for every man employed on the claim, or at the puddling machine, or in connection therewith.

GOLD-MINING LEASES.

How applied for.

81. Persons desirous of obtaining leases for gold mining purposes under "*The Goldfields Act, 1886*," shall apply for the same in the form contained in schedule No. 1 hereto annexed, and subject to the following regulations:—

- (1.) The area applied for shall not exceed twenty-five acres.
- (2.) The term shall not exceed twenty-one years.
- (3.) The rental shall be at the rate of £1 per acre per annum, or for any part of an acre.
- (4.) The applicants shall, thirty days prior to their application being heard by the Warden, post a notice in the form of the schedule No. 2 hereto annexed, on a conspicuous part of the ground applied for, and at the Warden's office.
- (5.) Each application must be signed by the party or parties applying for the lease, or by accredited agents, and must be accompanied with a sketch plan defining the position of the land applied for.

(6.) On goldfields where a mining surveyor has been appointed by the Government, the applicant shall, within three months after lodging the application, furnish to the Warden a plan in duplicate and description showing the boundaries of the land as actually surveyed and marked by the mining surveyor; where no mining surveyor has been appointed such plan and description shall be lodged within six months after application; but in either case the Warden shall have power to recommend further necessary extensions of time. The plan and description of a gold-mining lease shall be executed in accordance with the general directions issued by the Government.

(7.) In case where the Government have appointed a mining surveyor to act within the limits of any proclaimed goldfield or district, all surveys for gold-mining leases shall be executed only by such mining surveyor, and the fees, according to the following schedule, shall be deposited with the applications for leases:—

SCHEDULE.

Survey of land applied for as auriferous lease.

	£	s.
For 1 acre and under	2	0
" 5 acres	3	10
" 10 "	5	0
" 15 "	6	10
" 20 "	7	10
" 25 "	8	10
For traverse connection lines, at per mile	1	15
For survey of underground workings, at per diem	5	5
For travelling expenses of mining surveyor, for every mile or part of a mile from the mining surveyor's office, after the first three miles, at per mile one way	0	4

(8.) In all cases where the land is so available the area applied for shall be rectangular, and its length shall not exceed twice its breadth; but when owing to the positions of adjoining boundaries or natural features regular rectangular areas are not available, any intervening or irregularly-shaped pieces of land may be applied for, and leases of such pieces may be granted by the Government.

(9.) Each application must be accompanied with a deposit of the first year's rent, together with the survey fees when required under sub-section seven (7) of this clause, which deposit of rent and survey fees shall be forfeited should the lease, when approved, not be taken out. In the event of the application being refused after survey, the deposit of rent only will be returned.

Warden to record application.

82. The Warden shall record each application for a gold-mining lease, but he shall not submit a recommendation for the issue of any lease until after the ground applied for has been surveyed and described by a duly licensed or mining surveyor, and correct plans and descriptions have been lodged in his office.

Warden to report.

83. The Warden shall report on each application whether the lease should be granted or not. If any objection to the granting of the lease be made, the evidence taken at the hearing of the objection shall be forwarded with the report.

To be worked half-handed pending decision.

84. In all cases in which no objections have been lodged against any lease within thirty days from the date of the application being lodged with the Warden, the ground applied for shall, until the decision of the Government is made known, be worked half-handed; but when intimation has been given that the lease will be granted, the ground shall within one week be effectually worked full-handed. A failure to comply with this clause will entail forfeiture whether the lease has been issued or not.

Labor conditions.

85. All ground held under a mining lease shall be worked by not less than one man for every acre or fraction of an acre, unless exemption or partial exemption from work has been granted.

Gold-mining leases conditionally surrendered to be worked full-handed until surrender accepted.

86. When the holders of a gold-mining lease surrender such lease conditionally upon an application for a new lease being granted, they shall, until such surrender has been accepted, continue to fulfil the working conditions of the lease surrendered, and put on such additional men as may be required to hold any other ground included in the application for new lease.

Exemption from work for one month.

87. Lessees may apply to the Warden, after having posted a notice on the leasehold and at the Warden's office of their intention three clear working days before the hearing, to have their leasehold exempted or partially exempted from work for a period not exceeding one month; and provided no valid objection be lodged, the Warden may, upon good cause being shown, grant such exemption or partial exemption from work upon payment of the fee required, and upon such conditions as to bailing as the Warden may deem necessary, and any failure on the part of the lessees to fulfil such conditions shall be deemed to be a forfeiture of such exemption.

Exemption from work for six months.

88. Lessees may apply through the Warden to the Commissioner of Crown Lands, after having posted a notice on the leasehold and at the Warden's office, stating the grounds on which such application is made, seven clear working days before the hearing thereof by the Warden, for exemption or partial exemption from work for a period not exceeding six months. If any objections are lodged against the granting of the exemption, the Warden shall take evidence thereof in writing, and shall forward the same, together with his report recommending the Commissioner of Crown Lands to grant, or grant on conditions as to bailing, or refuse the exemption applied for, such report to be read in open court to the applicants and objectors, if any; and the Commissioner of Crown Lands may grant the exemption upon such conditions as to bailing as he may deem necessary, and upon payment of the fee required. Any failure on the part of the lessees to comply with the conditions of the exemption shall be deemed to be a forfeiture of such exemption.

Miner giving notice leasehold liable to forfeiture to have preferent right.

89. Any miner giving notice to the Warden of a goldfield that a leasehold or ground held under application for lease is not being worked in accordance with these Regulations, and applying for the forfeiture thereof, shall, in the event of such leasehold being forfeited, have a preferent right for seven days after such forfeiture to take possession of the ground so forfeited, or any portion thereof, as a claim, or to apply for the same as a leasehold.

Transfer.

90. Leases, or shares therein, or any interest in applications for leases, may be transferred in the form in the schedule numbered 3, which must be deposited at the Warden's office with the instrument of lease if issued, and the fee required for registration.

Date.

91. All gold-mining leases granted under these Regulations shall commence from the day of the hearing of the application by the Warden.

(1.) A book shall be kept at the Warden's office on all goldfields where ground is held under lease, to be called a Register of Gold Mining Leaseholds; in which book shall be entered the names of all lessees, the share each lessee holds, all transfers made, and all liens upon lessees' shares.

REWARDS FOR DISCOVERIES OF NEW GOLDFIELDS.

92. Rewards will be paid to the discoverers of new goldfields in accordance with the following regulations:—

- (1.) That person or those persons will be deemed to be the discoverer or discoverers who shall first find gold, mark out a claim, and give information of the same in writing to the nearest Goldfields Warden or Resident Magistrate, together with particulars of the locality and the route thereto, the quantity of gold obtained, the nature of the workings, and the distance from the nearest gold workings on which miners are then actually employed.
- (2.) If two or more parties simultaneously discover a new goldfield in localities immediately adjacent, and severally comply with these Regulations, the sum to be awarded will be divided amongst the persons composing the several parties who have made the discoveries, in such manner as the Government may deem just.
- (3.) Rewards shall be given in accordance with the following scale, viz.:—

For the discovery of a new goldfield distant more than twenty (20) miles from any place where payable gold has previously been obtained, and on which there shall be employed four months after the report of the discovery not less than 200 miners, a sum not exceeding five hundred pounds (£500).

For the discovery of a new goldfield distant more [than twenty (20) miles from the nearest place where payable gold has previously been obtained, and on which there shall be employed six (6) months after the report of the discovery has been made not less than five hundred (500) miners, a sum not exceeding one thousand pounds (£1,000).

INTERPRETATION.

93. The following terms in inverted commas shall for the purposes of these Regulations, unless the context otherwise indicate, bear the meanings set against them respectively:—

"Miners," "Miner."—Any person being the holder of a miner's right or any number of persons each being the holder of a miner's right. The singular to include the plural and the plural the singular.

"Owners," "Owner."—Any owner, whether jointly or in severalty, and the singular shall include the plural and the plural the singular.

SCHEDULE A1.

SCALE OF FEES AND RENTS.

The following shall be the scale of Fees and Rents payable under “The Goldfields Act, 1886,” and these Regulations:—

Under “The Goldfields Act,” for—		£	s.	d.
Miner’s Right	... ..	1	0	0
Business License	... ..	4	0	0
Rent of Gold Mining Leasehold, per acre	... ..	1	0	0
Under these Regulations, for—				
Rents—Area to stack Tailings, per acre	... ..	1	0	0
Market Garden Area, per acre	... ..	1	0	0
Exemptions of—				
Gold Mining Leaseholds from labor—one month	... ..	1	1	0
Gold Mining Leaseholds from labor—exceeding one month	... ..	3	3	0
Claim from labor—exceeding one month	... ..	0	10	0
Business Area from occupation	... ..	0	2	6
Residence Area from occupation...	... ..	0	2	6
Renewal of Business or Residence Area from occupation	... ..	0	2	6
Race from use	... ..	0	10	0
Transfers of—				
Gold Mining Leaseholds or Shares therein	... ..	1	1	0
Claims or Shares therein	... ..	0	5	0
Business Areas	... ..	0	5	0
Residence Areas	... ..	0	5	0
Machine Areas	... ..	0	5	0
Market Garden Areas	... ..	0	5	0
Tailings Areas	... ..	0	5	0
Water Race	... ..	0	5	0
Dam or Reservoir	... ..	0	5	0
All other authorised holdings	... ..	0	5	0
Registration of—				
Union of Claims	... ..	0	5	0
Lien	... ..	0	5	0
Rules and Agreements	... ..	0	5	0
Stacked Quartz	... ..	0	5	0
Declaration of Loss of—				
Miner’s Right	... ..	0	5	0
Certificate of Registration	... ..	0	5	0
Transfer Certificate	... ..	0	5	0
Lien Ticket	... ..	0	5	0
Registers—				
Examination of (for each entry)...	... ..	0	2	6

FORMS.

PROCEEDINGS under the Act and these Regulations shall be in the following forms hereinafter set forth, or as near thereto as circumstances will permit:—

A.

WESTERN AUSTRALIA.

No. Fee—One pound.
Date: Goldfield.

Miner’s Right.
Issued to under the provisions of “The Goldfields Act, 1886,” to be in force until Warden.
[Not transferable.]

B.

One pound per annum for each person.

No. £

Date of issue: Goldfield.

Consolidated Miner’s Right.
(For persons for years.)
Issued to under the provisions of “The Goldfields Act, 1886,” to be in force until Warden.
[Not transferable.]

C.

Fee—£4 per annum.

WESTERN AUSTRALIA.

No.

Business License.

(For year .)

_____ , having duly paid the stipulated fee in that behalf, is authorised to occupy waste lands for the purpose of residence and carrying on business upon any goldfield in the Colony, subject to the provisions of “The Goldfields Act, 1886,” and to all regulations issued or to be issued in pursuance thereof.

This license will be in force _____ year from the date hereof and no longer.

Place of issue :

Date of issue :

Date of Expiration :

Warden.

D.

Form of Application for Claims, Areas, etc.

We, the undersigned, hereby give notice to the Warden for the _____ that we did, on the _____ day of _____ at the hour of _____ o’clock m., mark off a piece of ground situated _____ or thereabouts; and we hereby make application to the said Warden, and request the said Warden to grant us registration thereof as a

Dated at this day of 18 .

E.

No.

Certificate of Application.

This is to certify that the undermentioned person did this _____ day of _____ , at the hour of _____ o’clock m., make application for a piece of ground measuring _____ situated at _____ to be held under the provisions of clause _____ of the regulations as a _____ and should no valid objection be lodged on or before the _____ day of _____ the said person will be granted registration for the said ground, to be held as a

Given under my hand, at this day of 18 .

Warden,

Goldfield.

NOTE.—This form to be posted on the ground applied for, and at the Warden’s office.

F.

Certificate of Registration.

This is to certify that I have this day registered as the holder of _____ subject to

Dated at this day of 18 .
Warden.

NOTE.—This certificate is to be issued to each shareholder, and must specify the interest or share held, and must be produced at the Warden’s office when a transfer of the interest is required.

G.

No.

Notice of Application for Abandoned Shares.

I, _____ , of _____ , do hereby make application to the Warden of the _____ to be registered for the _____ share in the claim _____ being abandoned by _____ who is now the registered holder thereof.

Dated at this day of 18 .
(Signature.)

Miner's Right.

Signature :

No. :

Date :
Warden's Office,

18 .

I hereby give notice that, in pursuance of the above application, I intend to register as the first applicant for the share alleged to have been abandoned by . . .
Provided that no valid objection be lodged with me within six clear days from the posting and due service of this notice.

Warden.

NOTE.—This notice must be posted on the claim, and served on the registered holder and the licensee, if any.

H.

Application for Exemption from Work.

We, the undersigned, shareholders in the do hereby give notice that, after the expiration of six clear days from this date, we intend to apply for exemption from work of the above for the period of calendar months on the grounds following, viz. :—

(Signature.)

Dated this day of A.D. 18 .

Objections against the above application must be lodged at the Warden's office on or before the day of 18 .

NOTE.—This application must be posted on the ground and at the Warden's office for six clear days.

I.

Form of Objection.

I, the undersigned, do hereby give notice that I object to the registration of for the following reasons :
And I hereby require the said Warden to withhold the registration of the said pending the hearing of any objection by the Warden.

(Signature.)

Received at the Warden's office, this day of 18 , at the hour of .m.

Mining Registrar.

J.

Fee—Five shillings.

Form of Transfer.

I, of for valuable consideration, do hereby transfer to of my situated of subject to all and singular the terms and conditions under which the said has been held by me; and I, of do hereby accept the said subject to the terms and conditions aforesaid.

Dated at this day of 18 .

Signature of Transferor.

Signature of Transferee.

K.

Form of Declaration in lieu of Certificate.

I, of in the Colony of Western Australia, do solemnly and sincerely declare that I have lost my No. , by virtue of which I hold , and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of "An Ordinance made and passed in the 18th year of the reign of Her present Majesty, No. 12, intituled 'An Ordinance for the Abolition of unnecessary Oaths, and to substitute Declarations in lieu thereof.'" I request that for the purposes of transfer of the said this declaration may be received in lieu of the said lost

Declared before me at this day of 18 .

Warden (or J.P.)

L.

Transfer Certificate.

This is to certify that I have this day registered a transfer from to of and the said is now the registered holder thereof subject to Dated at this day of 18 . Warden.

NOTE.—This Certificate must be produced at the Warden's office when this interest is to be again transferred.

M.

No.

Fee—Ten shillings.

Certificate of Registration of Stack of Auriferous Quartz, &c.

Under the provisions of the Goldfields Regulation No. 22, I have this day registered as the property of the stack of on the claim known as situated at , and, provided the conditions of the said regulation are complied with, no person shall remove the said or any part thereof, for a period of months from the date hereof, without the permission in writing of the said

Warden.

Dated at this day of 18 .

NOTE.—This Certificate must be kept posted on the stack.

N.

No.

Fee—Five shillings.

Form of Lien Ticket.

I, of , do hereby grant to of a lien upon my share in a numbered situated as security for the payment on or before the day of of the sum of £ , being the amount due and owing by me to the said ; and until the sum aforesaid shall have been paid in full, I hereby engage and bind myself not to transfer or assign the said share, or any portion thereof, without the written consent of the said ; and I, the said hereby accept the said lien upon the said share as security for the payment within the time specified of the aforesaid sum of £ ; and upon such payment being made to me, I hereby engage and bind myself to release the said

Dated at this day of 18 .

MINERS' RIGHTS.

Lienor	No.	Date
Licensee	No.	Date

Witness

The within lien was registered by me this day of 18 , at the hour of o'clock, .m. Warden.

O.

Application for Union of Claims.

We, the undersigned, being the registered holders of three-fourths of the interest in the claims numbered respectively , and situated hereby request the Warden of the to unite the claims aforesaid as one claim, under the style of

Miners' Rights.

Name	No.	Date

Share in United Claim.

P.

Certificate of Union.

This is to certify that I have this day of at the hour of o'clock .m., united as one claim, under the style of the undermentioned claims, that is to say :—

Given under my hand at this day of 18 .

Warden.

Name of shareholder share in United Claim.

Q.

Power of Attorney.

I, _____, of _____, do hereby authorise _____ of _____, to act as my agent. And I [hereby declare this authority to be irrevocable, and] agree that all and whatsoever the _____ shall lawfully do under this power I will at all times ratify and confirm as good and valid.

Dated at _____ this _____ day of _____ A.D. 18 _____.

(Signature.)

NOTE.—This power of attorney will be considered valid until cancelled at the Warden's office by the Principal.

R.

Notice and Application for Water-right.

We, the undersigned, hereby give notice that it is our intention to take and divert _____ sluice-heads of water, and to cut a race for the purpose of leading such water to _____, and to construct _____ at _____ for the purpose of storing such water. The length of the race aforesaid will be _____ or thereabouts; and it is our intention to make application on the _____ day of _____ to the Warden for the _____, for registration of the water-right aforesaid.

Dated at _____, this _____ day of _____, 18 _____.

MINERS' RIGHT.

Signatures: _____ No. _____ Date. _____

S.

Certificate of Application for Water-right.

This is to certify that the undermentioned persons did, on the _____ day of _____, 18 _____, at the hour of _____ o'clock _____ m., notify to me their intention to take and divert _____ sluice-heads of water from _____, and to cut a race for the purpose of leading such water to _____, and to construct _____ at _____, for the purpose of storing such water, and did at the same time produce to me the undermentioned miners' rights, and I have received no notice or objection thereto.

Given under my hand, at _____, this _____ day of _____, 18 _____.

Warden.

Schedule No. 1.

Application for Auriferous Lease.

Pursuant to the provisions of "The Goldfields Act, 1886," and of the regulations established thereunder, *do hereby apply for a lease of _____ situated on the Goldfields (which is more particularly described in the annexed schedule, and the [surveyor's] plan and description herewith), for the purpose of mining for gold; and _____ hereby tender the sum of _____ as deposit, in accordance with the existing regulations.

Given under _____ hand, this _____ day of _____ A.D. 18 _____.

† To the Warden, _____ Goldfield.

Received from _____ the sum of _____ being the amount of deposit on application for auriferous lease.

Warden.

* "I" or "We," all names to be given in full.
† Here follows a signature of applicant. Applications should always be signed by the applicant or applicants, or by his or their accredited agents.

Schedule to accompany Application for Auriferous Lease.

Situation and boundaries of the ground applied for.	Area.	The term or period for which the ground is required.

Information on the following head to be subjoined:—

NOTE.—If the application is made by an association or company, the constitution of the association or company by which the ground will be worked, the number of shares, and the names of the shareholders.

Schedule No. 2.

Notice of Application.

Notice is hereby given, that _____ the undersigned, have made application this day for a lease under the Goldfields Regulations of ground known as _____ containing _____ acres _____ roads _____ perches, commencing _____

As witness _____ hand _____ and seal _____ at _____ this _____ day of _____ 18 _____.

Schedule No. 3.

Transfer of Auriferous Lease.

Know all men by these presents that _____ proprietors of auriferous lease No. _____ known as _____ on the Goldfield, commencing at _____ and containing _____ acres _____ roads _____ perches, do hereby transfer and assign all _____ right, title, and interest in the said lease to _____; and _____ hereby request that this transfer may be registered at the office of the Commissioner of Crown Lands, and at the office of the Warden for the Goldfields accordingly.

In witness whereof _____ have hereto set _____ hand and seal _____ this _____ day of _____ 18 _____.

Signature of Transferor.

Signed, sealed, and delivered by the said _____ in my presence.

JUDICIAL REGULATIONS.

1. In all civil cases the proceedings shall be commenced by a plaint in the form No. 1 in the schedule, or as near thereto as circumstances will permit.
2. The plaint shall be filed in the Warden's office five clear days before the return day of the summons.
3. The plaint shall set forth the name and address of the plaintiff, and also of the defendant, so far as the same are known to the plaintiff. It must set forth a sufficient cause of action or complaint, and conclude with a prayer for the relief to which the plaintiff shall conceive himself entitled.
4. The items or particulars of demand (if any) shall be annexed to or contained in the plaint.
5. In all cases where particulars of demand are required to be annexed the plaintiff shall deliver to the Warden or his clerk, at the time of filing the plaint, as many copies of the particulars of demand as there are defendants to be served, and an additional copy to be attached to the summons.

6. Where the plaintiff sues for a debt or damages, but desires to abandon a portion, or to admit a set-off, and sue for the residue, the abandonment or the admission of a set-off shall be entered on the particulars and copies.

7. Upon the filing of the plaint, the Warden or his clerk shall issue a summons in the form No. 2 in the schedule.

8. Such summons may be made returnable at any time fixed by the Warden.

9. Where a summons has not been served, successive summonses may be issued without entering a fresh plaint, provided that no successive summonses shall be issued on a plaint which has been filed more than six (6) months.

10. Every summons shall be served at least four clear days before the return day thereof, unless the defendant resides beyond fifty miles from the court, when it must be served at least ten clear days.

11. The service of the summons, except in the cases hereinafter specially provided for, shall be either personal on the defendant or his registered agents, or by delivering the same to some person apparently fourteen years old, at the place of abode or business of the defendant or his agents. If such service be found impossible by reason of the defendant being absent from the goldfield for more than fourteen days without having appointed and registered some person on the goldfield as his agent, then it shall be deemed sufficient service if a copy thereof be posted at the Warden's office; and if the cause of action relates to any mining tenement, then also on a conspicuous part of such tenement.

12. Where the defendant is working in any mine or other works underground, it shall be sufficient service to deliver the summons at the mine or works to the engineman, banksman, or other person apparently in charge of the mine or works.

13. Service of a summons may be effected on a mining company, or other corporation, by delivering the summons to a secretary, manager, or clerk of the defendant, at any office within the goldfield or jurisdiction of the court.

14. Where a defendant avoids service, or keeps his house or place of business closed in order to avoid service, it shall be sufficient service to affix the summons on the door of such house or place of business, or to leave the summons as near thereto as possible.

15. The above rules as to the mode of service of a summons shall apply to the mode of service of all summonses, subpoenas, processes, orders, or notices whatsoever, except where otherwise directed by the Act or Regulations.

16. No summons, subpoena, process, or notice shall be served on a Sunday, Good Friday, or Christmas Day, but such days shall be counted in the computation of time required in respect of service.

17. Wherever it is the intention of the defendant to dispute the right of the plaintiff to the relief sought for, or any part thereof, the defendant shall, at least two clear days before the return day of the summons, serve the Warden or his clerk with a notice of defence, in the form No. 3 in the schedule, containing a statement of the grounds upon which he relies. But whenever a defendant intends to plead that he is not indebted by reason of his not being a shareholder in any mining venture, he shall specify the same in his plea.

18. Each party shall be entitled to procure the attendance of witnesses by means of subpoena in the form No. 4 in the schedule, or as near thereto as circumstances will permit. Every witness so summoned shall be entitled to require payment of all necessary expenses of attendance at the hearing.

19. In all actions for recovery of a debt or money demand the defendant shall be at liberty to include in the grounds of defence all matters of set-off.

20. In all other cases the defendant may pray for any cross relief to which he may conceive himself entitled as against the plaintiff in respect of the same subject-matter.

21. The items or particulars of such set-off, or the grounds upon which the cross relief is prayed, shall be set forth in the defendant's notice of defence.

22. Notices of demand of a trial by assessors shall be made in writing to the Warden or his clerk two clear days before the day of hearing, and the summonses to the intended assessors shall be delivered forthwith for service.

23. If at the return day of the summons, or at any adjournment of the court at which it is returnable, the plaintiff does not appear, and the defendant does appear and does not admit the plaintiff's demand, the Warden may in his discretion award the costs in the same manner and to the same amount as if the case had been tried.

24. The Warden shall in each case direct what number of witnesses are to be allowed on taxation of costs between party and party, and their allowance shall in no case exceed the rates mentioned in the scale in the schedule.

25. All warrants of execution shall bear date on the day on which they are issued, and shall continue in force for twelve calendar months from such date and no longer, but may be renewed before the expiration of twelve months for a further like period, upon affidavit being filed that the debt has not been paid, and shall be in the form in the schedule applicable to the particular case, or as near thereto as circumstances will permit.

26. Where a defendant has made default in payment of the whole amount awarded by the judgment, or of an instalment thereof, a warrant of execution may issue for the whole amount of judgment and costs then remaining unsatisfied.

27. All goods sold in execution shall be sold publicly, and for ready money, by the bailiff or his deputy, to the highest bidder, at or near the place where the same were levied upon, as may be convenient for the sale thereof.

28. Notice of sale under execution shall be given by the bailiff or his deputy, by affixing notice thereof upon or near the door of the house or place where the sale is to be made, four days at least before the day appointed for such sale, which shall not be earlier than the sixth day from the day of levying upon the goods.

29. In all cases where a notice or thing is required to be given or done within a period of twenty-four hours or forty-eight hours, no part of a Sunday, Christmas Day, or Good Friday shall be included in the computation of such period.

30. All notices required by the Act or these Regulations may be given to the attorney or agent in lieu of the party.

31. The judgment in detinue, if for the plaintiff, shall be for the value of the goods detained, together with a sum to be stated in the judgment by way of damages for the detention and costs; but it may be made part of the order that on payment of damages for the detention and costs, and return of the goods on or before a day named, satisfaction shall be entered.

32. The forms in the schedule shall be adopted, so far as circumstances will permit, in all cases to which they are applicable.

33. In all cases where the practice or procedure of the Warden's court is not sufficiently defined by these Regulations, the practice and procedure of Local Courts shall, as far as possible, be adopted.

34. The scale of fees to be charged for processes issued out of the Warden's courts shall be according to the schedule No. 13 hereto annexed, and all such fees shall be

entered in a book to be kept for that purpose and be remitted monthly to the credit of the General Revenue.

35. In cases in which the value of the matter in dispute does not exceed £50, the Warden shall be guided in taxation of costs by the scale of fees in like cases in Local Courts. In cases in which the subject-matter is of greater value than £50 he shall be guided by the scale of fees in the Supreme Court in cases of like amount. In all cases when there is no money demand the Warden or Warden's court shall determine what is the value of the matter in dispute.

36. Witnesses' expenses shall be allowed at the rate in the schedule No. 14.

SCHEDULES.

No. 1.

Form of Plaintiff.

In the Warden's Court at [].

A.B. of [] complains of C.D. of [] for that *[here state grounds on which plaintiff proceeds, e.g.: the said C.D. is indebted to the said A.B. in the sum of £ for goods sold and delivered, items and particulars whereof are hereto annexed; or the said C.D. has not for the space of three days worked or registered a certain claim known as whereof he was lately in possession; or the said C.D. is indebted to the said A.B. in the sum of £ upon the balance of accounts of a partnership between the said A.B. and C.D., a statement of which accounts is hereto annexed]*.

The said A.B. therefore prays that *[here state relief sought by plaintiff, e.g.: the said C.D. may be ordered to pay the same; or the said C.D. may be declared to have forfeited the said claim]*.

No. 2.

Form of Summons.

In the Warden's Court at [].

To *[insert defendant's name and address]*.

You are hereby summoned to appear before the Warden's Court at [] on the [] day of [] at ten o'clock in the forenoon, to answer the following complaint of A.B. of [] in this goldfield *[here set out a copy of plaintiff]*.

If you desire to have the said complaint heard before assessors, you are entitled to have it so heard upon payment of the necessary fees.

You may have a summons to compel the attendance of any witness, or for the production of any books, plans, or documents, on applying at my office.

If you intend to dispute the plaintiff's claim, you must file in this office a notice of defence containing the grounds of your defence at least two clear days before the day appointed for hearing.

Dated this [] day of []
Warden or Registrar.

No. 3.

Notice of Defence.

In the Warden's Court at [].

A.B. v. C.D.

To the above-named plaintiff.

Take notice that I intend to defend the plaintiff's claim in this action on the following grounds, viz. *[here set forth the different grounds on which the defendant rests his defence. If the defendant prays for cross relief proceed as follows:]*.

And the defendant complains of the plaintiff for that the plaintiff *[proceed as in plaintiff]*. The defendant therefore prays that *[proceed as in plaintiff]*.

Dated this [] day of []
Defendant.

No. 4.

Form of Subpoena.

In the Warden's Court at [].
Between A.B., plaintiff, and C.D., defendant.

To E.F. of []

You are hereby required to attend before this court on the [] day of [] at ten o'clock in the forenoon, and at every adjournment of this case, to give evidence on behalf of the *[plaintiff or defendant]*. And you are hereby required to produce to the court *[here state the particular things required to be produced]*. And also all other books, papers, documents, plans, or things in your custody, possession, or power, relating to the subject-matter of this case.

If you neglect to comply with this summons you will be liable to a fine of £10, or in default of payment to imprisonment for one calendar month.

Dated this [] day of []
Warden or Registrar.

No. 5.

Summons to Assessors.

In the Warden's Court at [].

A.B. v. C.D.

You are hereby summoned to appear and serve as an assessor in this court at [] on the [] day of [] at the hour of [] noon upon the trial of the above cause, and in default of your attendance you will be liable to a fine of £5.

Given under the seal of the court, this [] day of []
18 []
Warden or Registrar.

To [] of []

No. 6.

Order fining Assessor for Non-attendance.

In the Warden's Court at [].

A.B. v. C.D.

Whereas [] of [] was duly summoned to appear and serve this day as an assessor in this court upon the trial of the above cause; and whereas he has neglected without sufficient cause shown to appear and serve as an assessor at this court: It is hereby ordered that he shall forthwith pay to the Warden of this court a fine of £5 for such neglect.

Given under the seal of the court this [] day of []
A.D. 18 []

By the Court,
Warden or Registrar.

No. 7.

Form of Judgment.

In the Warden's Court at [].

A.B. v. C.D.

The court finds upon the verdict of* [] that†
and the court orders‡ []

Dated this [] day of [] 18 []
Warden.

* The Warden, or Wardens and Assessors (as the case may be).
† Insert decision.
‡ Set forth the order in full.

No. 8.

Order authorising Entry on adjacent Claim.

Whereas P.Q. of [] claims to be interested in a claim [or in certain land comprised in a lease dated 18 [] in favor of the said [] granted under "The Goldfields Act, 1886"], which claim [or land] adjoins the claim [or land] hereinafter mentioned, and the said P.Q. has applied to me for authority to enter upon and inspect the claim [or land] hereinafter mentioned for the purpose of ascertaining whether the owner

or occupier thereof is encroaching upon the claim [or land] of the said P.Q.: Now therefore I hereby authorise the said P.Q. together with Mr. a mining surveyor, and G.H. and I.K. his assistants [or with Mr. an experienced miner], to enter upon the claim [or land] known as for the purpose of ascertaining whether the owner or occupier thereof is encroaching on the said claim [or land] of the said P.Q.

Dated this day of 18 Warden.

No. 9.

Notice of Application for Injunction.

To C.D. of []. Take notice that I intend to apply to the Warden's Court at [] on the day of 18 at ten o'clock in the forenoon, that an injunction may be granted by the Warden restraining you from [here state acts required to be prevented, as, for instance, "working the claim known as "] upon the following grounds, namely —[here state the grounds in separate paragraphs].

Dated at [], this day of 18 A.B.

No. 10.

Form for Injunction.

In the Warden's Court at []

Upon the application of A.B. of [], whereof due notice has been given by the parties interested in opposing the same [or to such of the parties interested in opposing the same as appear to me sufficient to represent the parties so interested], and upon hearing C.D. and E.F. interested parties, and the evidence adduced by them, in opposition to the said application, I do hereby order and enjoin that the said C.D. and E.F., and each of them, their and each of their servants, workmen, and agents, be restrained from [here state terms of injunction granted] until the day of 18 [In cases of appeal if manager to be appointed add and I appoint J.K. of [] as manager of the said claim [or lease &c.] to carry on the works thereon and to pay the expenses thereof out of the receipts therefrom, and to pay unexpended balance on such receipts into this court weekly].

Dated this day of 18

No. 11.

In the Warden's Court at [].

Affidavit of Service of Summons or Subpœna.

Between A.B., plaintiff, and C.D., defendant.

I, of in the Colony of Western Australia, make oath and say that I did on the day of 18, duly serve the defendant C.D. with a summons [or subpœna], a true copy whereof is hereto annexed marked A, at by delivering the same personally to the said defendant [or as the case may be].

Signed and Sworn at aforesaid, this day of A.D. 18, before me } O.P., Bailiff.

[Indorse the copy summons as subpœna with the following certificate, to be signed by the person before whom the affidavit is sworn.] This is the paper writing marked "A" referred to in the annexed affidavit of O.P. Sworn before me at this day of A.D. 18

No. 12.

In the Warden's Court at [].

Warrant of Execution on a Judgment.

Between A.B., plaintiff, and C.D., defendant.

To of Bailiff of the Warden's Court and to the Deputy Bailiffs duly authorised to execute the processes of this court.

Whereas, on the day of 18 the plaintiff obtained a judgment of this court against the defendant for the sum of £ for debt [or damages] and costs [or it was ordered by the court that judgment should be entered for the defendant, or that judgment of nonsuit should be entered and that the sum of £ for costs be paid by the plaintiff to the defendant]; and whereas default has been made in the payment thereof: These are therefore to require and order you forthwith to levy of the lands, tenements, and hereditaments, goods, chattels, credits, and effects of the defendant [or plaintiff] wheresoever they may be found, the sum of pounds shillings pence, besides the costs of this execution, and also to seize and take any money or bank notes, and any cheques, bills of exchange, promissory notes, or securities for money of the defendant [or plaintiff], or such part or so much thereof as may be sufficient to satisfy this execution and the costs of making and executing the same, and forthwith to return the same to me, to be paid over to the plaintiff [or defendant] together with this warrant.

Dated this day of 18 By the Court, Warden or Registrar.

	£	s.	d.
Judgment
Costs
Execution
Alias
	£		

No. 13.

	s.	d.
For every information or plaint	1	0
For every summons	1	0
For every copy	0	6
For every notice of defence	1	0
For every order of Warden	1	0
For every execution	2	0
For every declaration filed	2	0
For every injunction	5	0

BAILIFF'S FEES.

For every service of summons or subpœna	2	6
Possession money per diem, if in actual possession	7	0
Mileage one way on all processes served by bailiff (exclusive of first mile) per mile	1	0
For every levy	5	0

No. 14.

WITNESSES' EXPENSES.

	£	s.	d.
Professional men per diem	1	1	0
All others per diem	0	7	6
Mileage for every mile after first two miles, one way only	0	1	0

No. 2770.—C.S.O.

Colonial Secretary's Office,
Perth, 1st October, 1886.

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COPIES of the Goldfield Regulations are now on hand and can be obtained at the Government Printing Office, Perth; at the offices of the Government Residents of East and West Kimberley, and also at the office of the Resident Warden on the Kimberley Goldfield. Price, One Shilling per copy.

By Command,
M. S. SMITH,
Acting Colonial Secretary.

Sale of Land in Kimberley District.

Crown Lands' Office,
Perth, 9th July, 1886.

IT is hereby notified, for general information, that Rural Land in the Kimberley District not being within any auriferous area, or not being reported to be auriferous, is again open to the operation of the Land Regulations.

Attention is particularly drawn to Clause 60 of the Regulations, respecting the power of resumption reserved to the Crown over any land alienated that may be required for Townsites.

All applications are of course subject to approval.

JOHN FORREST,
Commissioner of Crown Lands.

NOTICE.

Sale of Town Lots, Wyndham, Cambridge Gulf.

Crown Lands' Office, Perth, 8th September, 1886.

IT is hereby notified, for general information, that 100 Town Lots, as particularised below, will be offered for Sale by Public Auction, in accordance with the Land Regulations, at Wyndham, Cambridge Gulf, on or about October 30th next, at 11 o'clock, a.m. The upset price per lot will be £50.

A steamer will leave Fremantle on or about October the 13th, and intending purchasers can therefore proceed by her to Wyndham, or can communicate with their Agents.

The Sale will not take place until the arrival of the steamer; but as it is expected that she will arrive on 27th and leave on the 31st October, the date of Sale has been fixed for about the 30th October.

Date of Sale about	Place of Sale.	Description of Lots.	Numbers of Lots.	Quantities. A. R. P.	Upset Price.
1886.			21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 33, 34, 35, 36, 37, 38, 39, 42, 43, 44, 45, 46, 48, 49, 50, 51, 52, 61, 62, 63, 64, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 85, 86, 87, 88, 89, 90, 91, 92, 93, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 107, 108, 109, 111, 112, 113, 114, 115, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 133, 134, 135, 136, 138, 139, 140, 141, 142, 144, 145, 146, 147, 148, 150, 151, 152.	About $\frac{3}{4}$ of an acre each.	£50 each.
Oct. 30 ...	Wyndham ...	Wyndham ... Town			

JOHN FORREST,
Commissioner of Crown Lands.