



Western Australia.

ANNO SEXAGESIMO TERTIO

VICTORIÆ REGINÆ.

No. XLIII.

AN ACT to encourage the Recovery of Gold
by Sluicing, Dredging, and other means.

[Assented to, 16th December, 1899.]

WHEREAS it is expedient to give facilities for extracting Gold from lands unsuited to ordinary Mining: Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Sluicing and Dredging for Gold Act, 1899. Short title.

2. UNLESS the context otherwise requires, expressions used in this Act shall have the same meanings as the same expressions have in the Goldfields Act, 1895, as amended by the Act passed in the sixty-second year of Her Majesty, numbered sixteen. Interpretation.

63° VICTORIÆ, No. 43.

Sluicing and Dredging for Gold.

Power to grant gold mining leases of lakes, swamps, etc., subject to regulations.

3. THE Minister, on the recommendation of the Warden and with the approval of the Governor, and subject to regulations to be made under this Act, may grant gold mining leases of any Crown land for the purposes of sluicing and dredging for gold in any lakes, swamps, or marshes not suited to ordinary mining.

Term, rent, and area.

4. EVERY lease shall be for a term of twenty-one years, and shall reserve a rental of sixpence per acre, payable yearly in advance, and also a royalty of one shilling per ounce on all gold won, and may include an area of not exceeding five thousand acres.

Covenants, etc.

5. EVERY lease shall contain the following covenants by the lessee:—

1. That he will pay the rent and royalty reserved by the lease as and when the same shall become due:
2. That the lessee will not use the land demised for any other purpose than that of sluicing and dredging for gold:
3. That he will, during the term of the lease, after the first twelve months, keep continuously employed in sluicing or dredging for gold upon the land demised machinery of a value of not less than Three thousand pounds for every two thousand acres in the lease.
4. That he will annually, on such dates as shall be fixed in the lease, furnish a statement showing the amount of gold derived from the land demised.

And shall also contain—

- (a.) A reservation of the right of all persons not interfering with or impeding the lessee to enter and go upon the land for water-condensing purposes, and also to take water therefrom:
- (b.) Such reservations, and such other covenants and conditions as may be prescribed by regulation:
- (c.) A proviso that the lease shall be liable to forfeiture on breach or non-compliance with any covenant or condition in the lease.

Land leased under this Act to be deemed private land and not subject to certain restrictions contained in 62 Vict., 29, Sec. 8 (4).

6. LAND the subject of gold mining leases under this Act shall, for the purpose of mining for gold in any lode, reef, or vein, be deemed private land within the meaning of the Mining on Private Property Act, 1898, and if such land is enclosed the owner of a miner's right who desires to obtain possession of a claim, or a person who desires to obtain a lease for mining in any lode, reef, or vein therein, shall not be precluded by anything contained in the Mining on Private Property Act from entering on such land merely by reason of a spring, lake, or dam being thereon.

63° VICTORIÆ, No. 43.

Sluicing and Dredging for Gold.

7. THE Governor may make regulations for all or any of the following matters, namely:—

Regulations.

1. For prescribing forms :
2. For prescribing the mode of applying for leases and the reservations, covenants, and conditions to be inserted therein :
3. For prescribing the procedure for forfeiture of leases ;
4. For carrying out and giving force and effect to the object and purposes of this Act.

8. THE Minister may, at any time, suspend or waive all or any of the lessee's covenants and conditions contained in any lease, in any case where he is satisfied that, by reason of special circumstances, it would be impossible to comply with, or would inflict great hardship upon the lessee to enforce such covenants or conditions.

Power to Minister to suspend or waive covenants.

A return of all suspensions or waivers, with the reasons therefor, shall be annually laid before both Houses of Parliament within one month after the opening of the next session of Parliament for the despatch of business.

In the name and on behalf of the Queen I hereby assent to this Act.

GERARD SMITH, Governor.