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# VICTORIÆ REGINÆ.

A.D. 1895.

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No. 626.

An Act to amend the "Mining on Private Property Act, 1888," and for other purposes.

[Assented to, December 20th, 1895.]

**B**E it Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said province, in this present Parliament assembled, as follows:

**1.** This Act may be cited as the "Mining on Private Property Act Amendment Act, 1895," and shall be incorporated with the "Mining on Private Property Act, 1888," hereinafter called the said Act. Short title and incorporation.

**2.** The word "metal" in the said Act shall, in addition to gold, mean and include all other metals and minerals, and the word "owner" shall include the owner of the metals in any land as well as the owner of the fee-simple thereof, and all words relating to the ownership of any private land shall extend also to the ownership of any metals therein. Interpretation of the words "metal" and "owner."

**3.** The whole of sections 7 and 29, and the words "and unless in the event of the owner being dissatisfied with such certificate the same shall be confirmed by a mining expert appointed as hereinafter mentioned" in sub-division II. of section 6, and the last four lines of section 22 of the said Act, are hereby repealed. Repeal.

**4.** In section 24 of the said Act the following words shall be inserted to follow after the word "land" in the third line of the said section, "at a price to be fixed in the manner provided by the Arbitration Act of 1891." Amendment of section 24 of Act 448 of 1888.

**5.** Section

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Repeal of section 19 of Act 448 of 1888.

5. Section 19 of the said Act is hereby repealed.

Act to extend within two hundred yards of wells, &c., and two hundred yards of dwelling-house.

6. The provisions of the said Act shall extend to lands not within two hundred yards of any well, artificial reservoir, dam, or building (not being a dwelling-house), and not within two hundred yards of any dwelling-house or manufactory.

Reduction of time when land may be provisionally resumed, or declared an alluvial goldfield, from six months to one month.

7. The times prescribed by the said Act in the sections and subdivisions hereunder referred to shall be altered, as follows:—

- i. In sub-division II. of section 6 the six calendar months' previous notice to be given by the Commissioner to the owner, and also to the occupier of the land of the certificate of the Inspector, and of the intention to proceed pursuant to Part I. of the said Act, is reduced to two calendar months' previous notice:
- ii. In sub-division III. of section 6 the six calendar months from the giving of the above-mentioned notice after the expiration of which it may be shown to the satisfaction of the Commissioner that the land is being continuously and *bonâ fide* mined with the number of men and in the manner which would be necessary if the said land were held under a mining lease from the Crown, is reduced to two calendar months:
- iii. In section 17 the six calendar months' notice to the owner and occupier of the land after the giving of which the Governor may, by Proclamation to be published in the *Government Gazette*, declare that any private land shall be an alluvial goldfield is reduced to two calendar months' notice:
- iv. Proviso i. of the sub-section to section 17 of the said Act is amended by striking out all the words from the beginning down to and including "but" in the fifth line of the said proviso:
- v. Proviso II. of the said section 17 is amended by striking out the words "for one year from the date thereof" in the third and fourth lines of the said proviso, and inserting, in lieu thereof, "until the field shall cease to be a goldfield, or is resumed":
- vi. Proviso II. of section 17 is amended by striking out all the words after the word "Pound" in the said proviso.

Reduction of fee for special licence.

8. The fee for a special licence shall be reduced to Ten Shillings, but the whole amount received for special licences in respect of any land declared an alluvial goldfield shall, less a commission of Two Pounds Ten Shillings per centum thereon to be retained by the Commissioner, be paid to the person entitled to the same in the same manner as the rent of claims under section 18 of the said Act.

9. Every

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9. Every miner, when pegging out an alluvial claim, shall be compelled to register his claim, within a time to be fixed by regulation thereafter, with the Warden, and to keep posted on a peg fixed on the said claim the number thereof, and shall give to the Warden in writing his name and usual place of abode. Every miner failing to comply with this section shall render his claim liable to forfeiture.

Claims to be registered.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

T. FOWELL BUXTON, Governor.