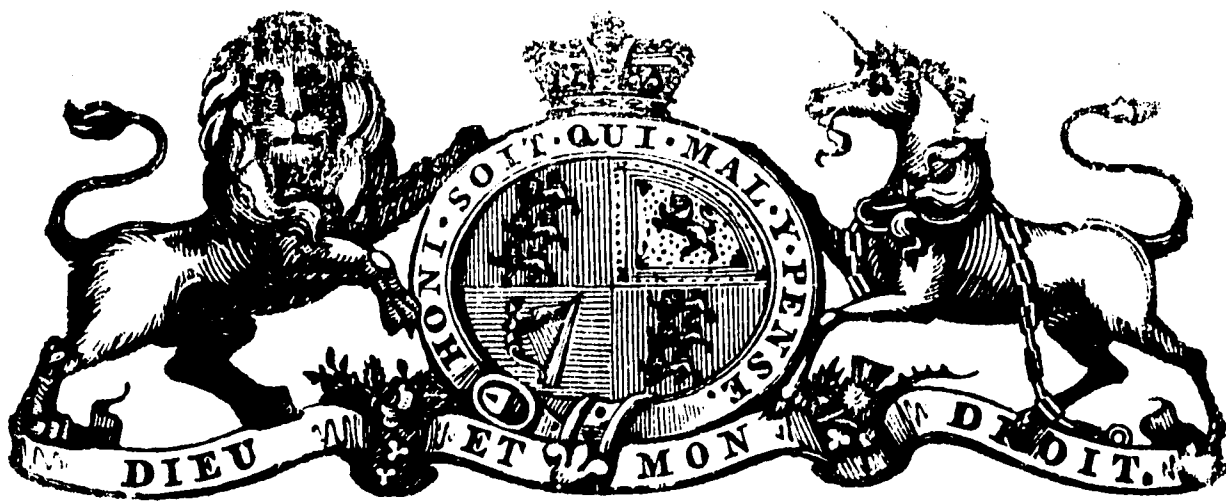


VICTORIA.



ANNO VICESIMO QUARTO

VICTORIÆ REGINÆ.

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No. CXI.

An Act to remove doubts as to the validity of certain Mining Regulations and Bye-Laws. [18th September, 1860.]

**W**HEREAS certain local courts constituted under an Act passed in the eighteenth year of Her present Majesty intituled "*An Act to amend the Laws relating to the Gold Fields*" and certain mining boards constituted under the provisions of an Act passed in the twenty-first year of the reign of Her present Majesty Queen Victoria intituled "*An Act for amending the Laws relative to the Gold Fields*" have from time to time made certain regulations and bye-laws authorizing the occupation of mining claims by the holders of miners' rights under a system known as the "frontage system" And whereas doubts have arisen as to the validity of such regulations and bye-laws and it is expedient to remove such doubts Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say)

Preamble.

I. No rule or regulation heretofore made by any local court nor any bye-law heretofore made or hereafter to be made by any mining board shall be deemed to be invalid by reason that such rule regulation or bye-law may provide or declare that the lateral boundaries of any claim occupied or to be occupied for mining purposes shall not be defined until the "lead" or "gutter" in any such claim or in any claim above or below such claim upon the lead or the gold in such lead or gutter shall be found struck or defined or by reason that the position or size of the claim shall be altered upon the discovery that the actual course of a lead or gutter varies from its supposed course or by reason that the extent of any claim or the title to the same or to any portion of the same shall depend upon or to be varied by the discovery of a junction between two or more leads or gutters.

Effect of certain rules regulations and bye-laws.

II. And

*Removal of Doubts as to certain Mining Regulations.*

Extension of Power  
of Warden.

II. And whereas doubts have arisen as to the power of a Warden of the Goldfields to authorize a person named in writing under his hand to enter upon land adjoining a claim for the purpose mentioned in the seventy-fourth section of said Act when such land has been alienated from the Crown and it is expedient that such doubts should be removed Be it enacted that the power given by the seventy-fourth section of said Act to a Warden to authorize an entry upon any claim or land shall be deemed and taken to extend to land already alienated or hereafter to be alienated by the Crown where any mining operations shall be carried on on said land Provided always that the person to be authorized by such Warden to enter upon any land by virtue hereof shall be a Mining Surveyor or experienced Miner not the applicant and shall be authorized only for the purpose of ascertaining whether the owners or occupiers of such private land are encroaching on the land or claim of the applicant And every such Surveyor and Miner shall before entering on such land make a declaration before such Warden (who is hereby authorized to take the same) that he the said Surveyor or Miner will not without the consent in writing of the occupiers of such private land divulge or cause to be divulged to any person whomsoever (except as a witness) any information obtained upon or by such entry save only as to whether such owners or occupiers are encroaching on or approaching the land or claim of such applicant and every person who shall act contrary to such declaration shall on conviction thereof forfeit and pay any sum not exceeding fifty pounds.

Operation of Act.

III. This Act shall take effect as well as to all suits and proceedings pending at the time of the passing thereof as in all future suits and proceedings in which the validity of any such rule regulation or bye-law may be called in question.

MELBOURNE:

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