

and the amount of labour necessary to open them. In the hill diggings, where the pay dirt is reached by long tunnels, the claim is usually 100 feet wide, and reaches to the middle of the hill. Neglect to work an alluvial claim for ten days (?), in the season when it can be worked, is ordinarily considered an abandonment."

Any lengthened detail of these regulations, numerous as they are, would be simply impossible in a report of this nature, prepared in so limited a time, and therefore necessarily brief; but a short synopsis of the leading points may serve to make obvious the system generally.

(1.) *Meeting of the Miners.*—The meeting was usually held in some known place, upon previous notice that the meeting would take place for the purpose intended, either to establish the laws, or to amend or repeal those already in force. One of the miners acted as chairman, another as secretary, the latter keeping a record of the proceedings of the meeting, and afterwards handing the laws to the elected Recorder, who recorded them in a book kept for that purpose.

(2.) *The Name and Boundaries of the District.*—The name is given to the district as fancy or accident dictates; and the boundaries depend usually upon the formation of the country, the extent of population, and the nature of the diggings.

(3.) *Privilege of the Discoverer.*—The ancient law, and particularly that of Mexico, is preserved in this particular. The discoverer of a quartz reef or "placer" digging is always allowed a double claim, one for settlement and one for discovery. In compliance with general usage, the Act of Congress allows the discoverer a "ledge" or reef 400 feet, instead of 200 to any one settling upon it afterwards.

(4.) *The Number of Claims allowed to one Person.*—Except the discoverer, no one is allowed to take up more than one claim, but usually an unlimited number may be held by purchase, provided the purchase is *bona fide*. After settlement upon a claim, in compliance with the local laws, the claim is property which the owner can sell, and any person can buy, to any extent he pleases. To this, the general law, the mining laws are subordinate, as they are to all general and State laws.

(5.) *Extent of Claim under Mining Law, and how changed by the Law of Congress.*—Generally speaking, claims in gullies run from 100 to 250 feet in length, by 50 to 100 feet wide. Creek claims average about 200 feet in length, and in width extend from bank to bank. Claims on the bars of rivers extend from 2 feet to 10 feet wide by 50 feet long. Tunnelling claims are about 100 feet wide to the man, and run to the centre of the hill. When a Company, for the purpose of prospecting, runs a tunnel into a hill, a double claim is allowed to each of its members. The Act of Congress of 1866 makes no reference to the size of claims on alluvial diggings, but fixes definitely the extent which can be taken up on quartz reefs. The fourth section says:—

"Provided that no location hereafter made shall exceed 200 feet in length along the vein, for each locator, with an additional claim for discovery to the discoverer of the lode (reef), with the right to follow such vein to any depth, with all its dips, variations, and angles, together with a reasonable quantity of surface for the convenient working of the same, as fixed by local rules. And provided further, that no person may make more than one location (take more than one claim) on the same lode, and not more than 3,000 feet shall be taken in any one claim by any association of persons."

(6.) *Posting Notice and Marking the Claim.*—It is required by all these regulations that a miner taking up a claim must write out a notice, setting forth the number of feet claimed in each direction, date this notice, and sign his name thereto. A copy of the notice must then be posted at each corner, or upon some conspicuous place on the claim, and be entered in the Recorder's Book.

(7.) *The Recorder.*—This is the only official connected with the gold fields of the State. He is elected by the miners of the district to serve for a stated period, sometimes a year, sometimes longer, and is required to keep a book wherein is recorded all notices of claims taken up, and transfers of titles, with copies of the notices themselves and of the original deeds. In payment, he gets stated fees from the parties themselves. The book is accessible to every one, properly indexed, and admissible as evidence in the Courts of Law. It is also the duty of the officer to call meetings of the miners when a petition to that effect is presented to him and signed by fifteen or more of them resident within the district.

(8.) *Conditions upon which Claims are held, and how lost.*—The local rules and regulations always provide and specify the time, extent, and nature of work to be done upon a claim in order to hold it. Forfeiture is the result of non-compliance. The whole system of mining is based upon forced work. The claim must be worked by the owner, or it is jumpable. In some districts, a claim may be held for five days only after water can be procured at the usual rates; in others, ten days are allowed. On river and bar diggings the claims may be held unworked from the commencement of the rainy seasons, when the rivers rise, until the dry season, when they fall. In hydraulic workings a prospector who expends in money or labour the sum of 500 dollars secures his claim for two years, by perpetuating his notice. But this compensation rule is more liberally introduced in the working of quartz reefs, with the view of giving prospectors an opportunity of developing the reef by the introduction of capital and machinery. Work to the extent of 100 dollars in value, or twenty days of faithful labour by the owner or owners of a quartz reef claim, guarantees its possession for a year. A contract in good faith for quartz-crushing machinery, to the amount of five thousand dollars, entitles the holder or holders to receive a title-deed from the Recorder, guaranteeing it to him and his successors for ever.

(9.) *Settlement of Disputes.*—Arbitration is the tribunal substituted by the Californian miners for the territorial deputations of Spain and Mexico, the local tribunals like the Stannaries in Cornwall, and the Bermote Courts in Derby. The method of proceeding is this:—Whenever a dispute arises, each party selects a miner in the district to act as arbitrator; and if they are unable to agree, the arbitrators select an umpire, whose decision is final. Sometimes, however, the disputes are referred to a standing committee previously selected by the miners, the members of which try all disputed cases. The foreman is sworn in and he administers to the jury a like oath, to do their duty faithfully and impartially in every case tried before them. Each juror is paid a specified sum whilst occupied in the case, the usual amount being from two to three dollars a day.

I will now pass to the second sub-division of the subject under consideration,—