

Expenses of Construction.

51. The expenses of the construction of such channel shall be borne by the persons then or afterwards using the same, in proportion to the position of each machine relatively to the said channel, and payment of such proportion to the person constructing the same shall be made prior to the granting of any permission to construct such channel.

Sludge Drains and Channels to be kept clear.

52. Main sludge channels shall be kept clear and in good repair by the joint labour of the machine-holders in each locality, and the owner of each machine shall further keep clear and in good order the private sludge drains connected with such machine; and on no pretence whatsoever shall the sludge from any main channel or private claim be permitted to overflow the edges thereof.

Roads over Drains to be Bridged.

53. When sludge or water drains run across or under any road in general use, a substantial bridge (the culvert of which shall be of sufficient size to carry off the sludge or water) shall be constructed and kept in repair by the owner of the machine whence such water or sludge proceeds.

License Renewable annually.

54. Every license for a water-race, tail-race, or sludge channel, shall be brought to the Warden for renewal annually, and if any such license be not so brought within sixty (60) days after any day on which the same should be renewed such license shall be deemed to be forfeited.

PART III.—MACHINE SITES, DAMS, AND RESERVOIRS.

Sites for Machines.

55. Any miner who may be desirous of obtaining a license for a site for the erection of quartz-crushing, puddling, or other machinery connected with gold-mining, shall make application in writing to the Warden, setting forth the purpose and all particulars of such machinery, and stating the exact locality of the site applied for, and shall at the same time deposit the sum of five pounds (£5) as security for the cost of survey and other necessary expenses; and the Warden shall thereupon direct the Mining Inspector or other person appointed by the Warden to make a survey and plan of such site and to report thereon.

Area of Machine Sites.

56. The area of a machine site shall not exceed half an acre.

Mode of Application for Dams, &c.

57. Any person desiring to obtain a license for the construction of a dam or reservoir shall make application to the Warden in writing, and shall furnish with such application a plan for the information of the Warden, showing as regards a dam the site of such dam, and as regards a reservoir the site and area of such reservoir, together with a specification containing all details of construction; and the applicant for such license shall obtain from the owner or owners of all claims or other authorized holdings affected by such proposed dam or reservoir a certificate expressing his or their assent to or dissent from such application, or shall furnish a declaration that such owners have been applied to and have refused to give such certificate.

Applications to be Posted, and Conditions.

58. A copy of the application required by the previous section shall be posted and maintained for fourteen (14) days at the site of the proposed dam or reservoir, and if all other proceedings required by these Regulations shall have been fully complied with, the Warden may, after hearing all parties interested, grant a license for such dam or reservoir: Provided no valid objection shall have been substantiated thereto; and provided that such dam or reservoir shall be substantially constructed, that such construction shall be approved by the Mining Inspector or other competent person appointed by the Warden, and that the license for such dam or reservoir shall be granted and held subject to the inspection and approval of the Mining Inspector, or person appointed from time to time as he may consider necessary.

Forfeiture of Dam and Machine Sites.

59. The site of any dam or machine whereon work shall not be commenced within fourteen (14) days from the date of the license, or upon which the erection of the dam or the machine shall not be completed within a reasonable time, or any dam or machine site unused for one month during a period when sufficient water has been available, shall be deemed to be forfeited, and may be granted by the Warden to any person who may apply for the same.

Injury to Property by Dams.

60. If any claim shall be flooded or property injured by the bursting of any dam bank, the owner of such dam shall be liable for any loss or damage occasioned thereby, provided that it be proved to the satisfaction of the Warden that such breaking away resulted from the faulty construction of such dam.

Sites proving to be Auriferous.

61. If it shall be proved that the ground occupied by any dam, reservoir, machine, or mullock tip contains auriferous earth or quartz, the miner desiring to work such ground must make application in writing to the Warden for permission to enter on the same; and if the Warden shall deem fit, the owner of such site may be compelled to leave or remove the same: Provided that adequate compensation for such leaving or removing shall first have been ascertained and determined in the manner provided in Section 48 of these Regulations, and shall have been paid by the persons desirous of working the ground.