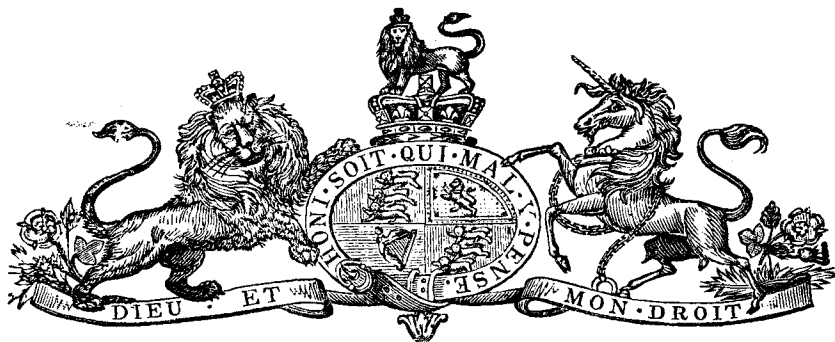


T A S M A N I A .

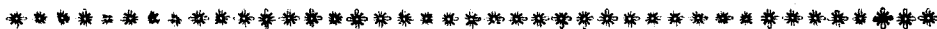


1898.

ANNO SEXAGESIMO-SECUNDO

VICTORIÆ REGINÆ,

No. 3.



AN ACT to facilitate the Leasing of the Block of Land known as "The Mount Lyell Reserve." [8 July, 1898.] A.D. 1898.

WHEREAS the block of land described in the Schedule to this Act and known as "The Mount Lyell Reserve" was, by Notice published in *The Hobart Gazette*, and bearing date the Twenty-fifth day of *January*, One thousand eight hundred and ninety-eight, proclaimed available and open to applicants under "The Mining Act, 1893," from noon on *Tuesday*, the Fifteenth day of *February* in the same year : PREAMBLE.

And whereas applications to the number of Four hundred and fifty or thereabouts have been duly received by the Secretary for Mines, under the provisions of "The Mining Act, 1893," for leases of separate portions of the said block of land :

And whereas the total area of the said block of land amounts to Two thousand three hundred and five acres, and the total area of land mentioned in such applications as aforesaid amounts to Twenty-five thousand three hundred acres or thereabouts :

And whereas a Mining Company known as "The Mount Lyell Reserve Copper and Gold Mines, No Liability," has been formed to acquire the interests of the several applicants in the said applications for leases, and Four hundred and forty-six of such applications have been

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transferred to the Company, and the transfers thereof have been duly lodged with the Secretary for Mines :

And whereas it is expedient to make provision in the manner hereinafter set forth for the issue of leases of the said block of land to the said Company in sections of such area as the Company may require :

Be it therefore enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

Short title.

**1** This Act may be cited for all purposes as “The Mount *Lyell* Reserve Leases Act.”

Interpretation.

**2** In this Act, the following words and expressions shall have the respective meanings in this Section severally assigned to them ; (that is to say)—

“The Reserve” shall mean the block of land mentioned and described in the Schedule to this Act :

“The Company” shall mean “The Mount *Lyell* Reserve Copper and Gold Mines, No Liability :”

“The said applications” shall mean the applications for leases which are mentioned in the Preamble to this Act :

“The Minister” shall mean the Minister of Mines.

Minister may grant leases to Company.

**3** It shall be lawful for the Minister, subject to the rights of such applicants as are mentioned in Section Six of this Act, to cause the Reserve to be surveyed, irrespective of the position of the notices posted thereon, in sections of such area as the Company may require, but otherwise in accordance with the conditions prescribed by “The Mining Act, 1893,” and the Regulations made thereunder, and to grant to the Company leases of such sections in the form and subject to the conditions prescribed by “The Mining Act, 1893,” and the Regulations made thereunder : Provided always, that if the Company shall expend a sum equal to One Pound for every acre of the Reserve in *bonâ fide* mining or prospecting operations thereon to the satisfaction of the Minister, the said leases shall not be liable to forfeiture on account of the non-compliance by the Company of the labour covenants contained in such leases for a period of One year from the date thereof respectively.

Provided that the total of the rents to be reserved by such leases shall be equal to the rent that would be payable if the Reserve had been leased in one block.

Secretary for Mines to forward to the Treasurer certificate of number of applications and amount of fees payable thereon.

**4** Upon the request of the Company, the Secretary for Mines shall make and transmit to the Treasurer a certificate of the number of the said applications which have been transferred to the Company and the number of such applications sufficient to represent the total area of so much of the Reserve as shall be thereafter included in the leases to which the Company shall become entitled under the provisions of this Act, and a certificate of the total amount of the fees payable in respect of the last-mentioned number of the said applications ; and upon the receipt of such certificates as aforesaid the Treasurer shall pay to the Company the total amount of the fees previously paid into the Treasury in respect of so many of the said applications as shall have been transferred to the Company in excess of the number mentioned in the certificate of the Secretary for Mines as sufficient to represent the total area of so much of the Reserve as shall thereafter be included in

Treasurer to pay excess of fees to the Company.

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the leases to which the Company shall be entitled under the provisions of this Act. A.D. 1898.

**5** The Company shall pay all stamp duties and registration fees payable in accordance with law in respect of the transfers of such number of the said applications as shall be mentioned in the certificate of the Secretary for Mines as sufficient to represent the total area of so much of the Reserve as shall be thereafter included in the leases to which the Company shall become entitled under the provisions of this Act, but the Company shall not be required to pay any stamp duty or registration fees in respect of the transfers of so many of the said applications as shall be in excess of the number mentioned in such certificate of the Secretary for Mines as last aforesaid. Company to pay stamp duty, &c. in respect of transfers.

**6** Nothing hereinbefore contained shall be construed to prejudice or affect the right or interest of any person who has applied for a lease of any portion of the Reserve and who refuses to transfer his application to the Company; and the rights and privileges conferred upon the Company by this Act shall be taken and held subject to the right of each and every applicant who shall refuse to transfer his application to the Company. Rights of applicants who may refuse to transfer to the Company preserved.

**7** If any applicant for a lease of any portion of the Reserve shall refuse to transfer his application to the Company and it shall be found that any one or more of so many of the said applications as shall be transferred to the Company shall include the whole or any portion of the land included in the same application which such applicant as aforesaid refuses to transfer to the Company, the question of precedence of such application shall be determined in the manner prescribed by the Regulations made under "The Mining Act, 1893," and the Company shall in every such case be entitled to all the rights and privileges of an applicant in respect of each application transferred to the Company which shall include any portion of the same land included in the application of any applicant who shall refuse to transfer his application to the Company. Conflicting applications.

**8** Nothing contained in this Act shall in any manner prejudice or affect the right or interest of any person who shall have a preferential claim to a lease of any portion of the Reserve by virtue of any application duly made before the Reserve was exempted from the operation of "The Mining Act, 1893," as hereinbefore mentioned. Preferential claims.

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## SCHEDULE.

## MOUNT LYELL.

## COUNTY OF MONTAGU, TASMANIA.

All those 2305 acres of land, being known as the Mount Lyell Reserve, and bounded as follows:—On the south by 160 chains westerly commencing at the north-east angle of Section 527-93M, on the west by 160 chains 12 links northerly, on the north by 125 chains 45 links easterly along Crown land and along the south boundaries of Sections 487-93M, 486-93M, 555-93M, and 635-93M, on the east by 4 chains 53 links south-easterly partly along Section 2140-91M, thence south-westerly 8 chains 70 links along Section 935-93M, thence 20 chains 44 links south-easterly along that Section, thence 4 chains 60 links easterly also along that Section, thence 17 chains 67 links southerly along Section 1843-91M, thence 32 chains south-easterly along Sections 91-93M, 1806-91M, 404-93M, and 20-93, thence 1 chain 50 links south-westerly along Section 18-93, thence 25 chains 8 links south-easterly along Sections 18-93, 19-93 and 1854-91M, thence 10 chains north-easterly along the last-mentioned Section, thence 6 chains 66 links south-easterly also along that Section, thence 10 chains 2 links south-westerly along Section 3-93M, thence 19 chains 85 links south-easterly also along that Section, thence 37 chains 34 links southerly along Sections 12-96, 488-93M, and 793-93M to the point of commencement, excepting and reserving thereout those portions of land now held under lease by the Mount Lyell Mining and Railway Company, Limited, embracing 444 acres 3 roods and 10 perches, and such part of the said 2305 acres as is now included in the Town of Queenstown, and all roads and railway reserves.