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Work Paper

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61

The Butler

The case which you see in the
 advance is as follows. In 1907
 the estate (the name of which was given
 of gold reserves had been made in the
 past. The Secretary had not yet brought
 forward a statement of his
 situation and the report of the
 a general report was sent out
 he had to assist in the planning
 of a further advance. I please to

Work Paper

11198111

his name presents the result
of the long delay in the
home the name to you arrived
in June 1907 of the Post a
year later. In fact that several
times, not so far from present
papers submitted in the
documentation of the delay of the letter
has been long to his after his report
and has been delays of the present
the things that have not the part
of L. J. ...
which have been to ...
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...

Part a standard in British history
the... ..

account, and... ..
it will be sufficient to find a copy of
the... ..

W. R. R. R.
W. R. R. R.
W. R. R. R.

It is... ..
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the ... is new to me ...

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young in ... that there were enough ...

... I ...

JJR 10/2
 J. R. 11/2

Thank you
Mr. Grindle

Does your pamphlet "The Oil of the West" give

any information concerning the oil of the West?

Mr. Grindle

Your statement should be referred to the Advertiser
for their advice on the necessary information
etc. You will then get the benefit of their
address from the Redwood in that regard
if it is to go to the Advertiser. I am not
comment on the Advertiser's statement
I think they may like to receive a copy of
to date.

My impression is that each oil field wants
separate treatment according to its own
capacity. If therefore you find oil you will
have to get an expert out of your district
at least. It will be better to leave the
necessary question of a forming continuous
working till you have the oil & the expert
in the meantime subject to Advertiser's
advice. The only points that need be
recorded for oil now.

It is better to give a prospect a right to
mine the land if it is decided to lease it
to the Government. This will be the best
policy. There should be a law that
the Government shall not issue a lease
to any applicant unless satisfied that
the same is not a subject of a company
is not a leasehold or a partnership
control. In short the consent of
the State.

persons or other persons who are in the
 possession of any such property as aforesaid
 shall be liable to be proceeded against and
 punished as if they were the owners of such
 property. And any person who shall be
 convicted of any offence under this section
 shall be liable to be punished with imprisonment
 for any term not exceeding two years, or
 with a fine not exceeding one hundred pounds
 or both, at the discretion of the court.
 The Government may, by order in writing,
 direct that any such property as aforesaid
 shall be deemed to be the property of the
 Government for all purposes of this section.
 as regards the carriage of any such
 property as he may think fit.

W. M. G.

ROBERT

Sir,

I have the honour to transmit to you
for your consideration copies of the Minutes

Ordinance

Memorandum

of the Board of the Government of the

together with an explanatory Memorandum to

the Hon. Secretary

I have the honour to be,

Your humble obedient servant,

[Signature]
ACTING GOVERNOR.

SECRETARY OF STATE FOR THE COLONIES

DOWNING STREET,

LONDON, E.C.

LAW AND ORDER DEPARTMENT

His Majesty King George V
 Sir Edouard Perceval Stanwell Girouard
 K. O. M. G. D. S. O., R. H.

An Ordinance Relating to Mining

BE it enacted by the Governor in Council with the advice and consent of the Legislative Council thereof

Enacts that

1. The Ordinances now in force relating to Mining Ordinance 1908 and shall come into operation for the purposes of making any amendments or regulations under the Ordinance on the publication of this Ordinance and for all other purposes, on such date as the Governor may by notification in the Official Gazette declare.

2. This Ordinance shall be divided as follows:

PART I—Introduction

PART II—Departmental and Judicial

PART III—Acquisition of Rights of Locating Mineral Claims

Division I—General

Division II—Prospecting Licenses

Division III—Gold and Precious Metals Licenses

Division IV—Mineral Claims

Division V—Coal and Oil Licenses

Division VI—Miscellaneous Licenses

Division VII—Surface rights conferred by lease for mining purposes

PART IV—Inspection of Mines

PART V—Regulations

PART VI—Miscellaneous

3. The several enactments mentioned in Schedule A hereto are hereby repealed, but such repeal shall not affect any rights, interests, or liability already created, existing or incurred, nor any thing lawfully done or to be done under any enactment hereby repealed, and any proceedings in respect of such rights, interests or liability may be carried out as if such repeal had not taken place.

4. In the construction of this Ordinance, except as otherwise provided, the following definitions shall apply:

"Coal" means any solid fossil earthy substance which is capable of being used as a fuel for steam engines or for other purposes, and includes lignite, peat, and any other substance which is capable of being used as a fuel for steam engines or for other purposes.

"Gold" means all descriptions of gold, including carboy and assayed gold.

"Inspector of Mines" shall include a person appointed to act for the Inspector of Mines.

"Manually employed" means working or in connection with a mining claim for not less than 8 hours on every lawful working day, excluding Saturdays, when four hours shall be considered a full day, and excluding proclaimed holidays.

"European" means a male person of European birth or descent.

"Gazette" means the Official Gazette of the Protectorate.

"Gold" means as well as gold any substance containing gold, or having gold mixed therewith, to be set apart for the purpose of extracting gold therefrom.

Mineral Rights and Mining Operations

...and a person who...
...includes all lands and works on or in...
...the Commission of Mines...
...quantity as to be of commercial value can be obtained.

"Ordnance" includes Regulations.
"Prospecting" includes all modes of prospecting for gold, precious stones, minerals, coal or oil.

"Banket" means a sedimentary or foliated deposit interbedded among or superimposed on the strata of the country and containing or supposed to contain gold.

"Placer" means alluvial deposit of ancient date, i. e. not now in process of formation, containing or supposed to contain gold.

"Mineral Oil" shall include bitumen, asphalt, and other bituminous substances with the exception of coal.

"Mining" or "to mine" includes all modes of prospecting and mining for obtaining and making merchantable gold, precious stones, minerals, coal or oil.

"Oil" includes all descriptions of mineral oil.
"Payable" a claim or lease is payable when the value of the gold, precious stones, minerals, coal or oil mined for and obtained thereon equals the sum paid for which would, at current wages, have been payable wages to all the miners actually employed in obtaining such gold, precious stones, minerals, coal or oil, and all other necessary working expenses.

The onus of proof that a claim or lease is not payable shall rest upon the claim holder or lessee.

"Protectorate" means the East Africa Protectorate.

"Prescribed" means prescribed by this Ordinance.

"Private Land" shall include lands privately owned and land the subject of a lease from the Crown or occupied under a licence from the Crown.

3. The provisions of this Ordinance shall extend to all lands situate in the Protectorate.

Provided, however, nothing herein contained shall be deemed to authorise any person to prospect or mine on or under:

- (a) Lands dedicated or set apart for any public purposes;
- (b) Lands held under grants or leases giving the holder rights of working the gold, precious stones, minerals, coal and oil which are recognised by the Governor;
- (c) Land situate within any Township or Municipal area except with the consent of the owner of the land, and of the Township or Municipal authority;
- (d) Land over which exclusive prospecting rights have been or may be granted by the Governor or by or on behalf of His Majesty and during such time as such rights shall be subsisting except by or on behalf of the persons to whom such rights shall have been granted.

and reserved for the purposes of any Railway or quays within 1000 yards of any Railway except with the consent of the Railway Authority.

Land lawfully and lawfully used as a yard, garden, cultivated field or as the site of any building or artificial dam or reservoir or land within 300 yards of any building or within 500 yards of any artificial dam or reservoir and the property thereof leased by the owner of such building, artificial dam or reservoir, except with the consent of the owner and occupier of the land. Provided, however, such exemption shall cease upon payment of compensation to the land owner for the loss resulting from the ceasing of such exemption such

Application of Ordinance

(1) A person who...
...writing of the...
...of other...
...writing of the...
...the Reserve is situated...
...such conditions as may be prescribed.

6. Nothing in this Ordinance shall be deemed to authorise any person to enter any closed district except he shall have obtained a licence for that purpose from the proper authority.

7. Any person who prospected or mined without being authorised to do so by virtue of the Ordinance or of some instrument in force or without the licence or authority of the Governor shall be guilty of an offence and shall, on conviction, be liable to pay for each offence a penalty not exceeding 100 Rupees for every day on which he shall be so convicted.

8. Proceedings in or out of the Protectorate shall be charged and taken in respect of the matters referred to in this Ordinance.

Departmental Officers

9. There shall be a Commissioner of Mines to be appointed from time to time by the Governor and such Commissioner of Mines or the Officer for the time being acting in his stead shall have charge of the administration of this Ordinance and of the Department of Mines.

10. The Governor may appoint such other Officers, Inspectors, Assistants, and other Officers as may be necessary for the purposes of this Ordinance.

11. (1) The Commissioner of Mines may hear and determine in a summary way all suits concerning any right claimed by, under, or in relation to any prospecting claim or mining lease and any advantage, interest or liability thereunder, or any suit in respect thereof.

(2) The jurisdiction of the Commissioner of Mines shall extend not only to cases where the litigants are the parties originally interested in the cause of suit, but to cases where the title of litigants is derived from or through any of such parties.

12. The Commissioner of Mines may decide any suit or dispute arising thereon, in such manner as may be just, and may make and give all orders and directions necessary for enforcing his decision, and may award reasonable costs.

13. The mode of proceeding in a suit before the Commissioner of Mines shall be as follows:

- (1) The person suing shall lodge a plaint before the Office of the Commissioner of Mines.
- (2) The plaint shall be in the prescribed form and shall specify clearly the subject matter of the complaint, and the relief sought.
- (3) The Commissioner of Mines may, if he thinks fit, require the parties to the plaint and the Commissioner of Mines may, if he thinks fit, require the parties to the plaint to appear before him at the time and place at which the same will be heard and determined.
- (4) At the time and place appointed the parties shall attend and state their cases before the Commissioner of Mines, and may call evidence on oath (which oath the Commissioner of Mines is hereby authorised to administer) in support thereof, and the Commissioner of Mines, having heard such statement and evidence, shall give his decision, which shall be final, except as hereinafter provided.
- (5) The Commissioner of Mines may adjourn the hearing of a suit to any other time or place, and may, either at the original hearing or at any adjournment, proceed in the absence of either party.

Mode of proceeding before Commissioner of Mines

in the manner the same deposited, and the same deposited in the manner provided in the regulations, and the provisions of this Ordinance, in any case where the same have not been otherwise provided for, the Commissioner of Mines shall be liable for the recovery of the same deposited, and the same deposited in the manner provided in the regulations, and the provisions of this Ordinance.

42. Whenever the Commissioner of Mines is satisfied in a suit instituted before him by a landowner, which suit a landowner is authorised to bring, although not the holder of a prospecting licence, that any sum is due from the depositor to such landowner in respect of any of the various matters or things in respect of which the deposit has been paid, he may deduct and pay to the landowner out of the moneys deposited such sum as he shall find to be due to the landowner, and in addition the costs, if any, of the suit.

43. A claim shall be deemed to be abandoned in any of the following cases:

- (1) If, except under such circumstances as may be prescribed, no prospecting or mining shall have been done on the claim by the owner of the claim or by some person in the employ of or prospecting or mining with the consent of the owner, for a period of 28 days, but not to stand that forfeiture of the claim shall not have been declared.
 - (2) If the owner of the claim shall notify the Commissioner of Mines in writing of his intention to abandon the claim, or
 - (3) If at any time no prospecting licence is held by the owner or if there are more owners than one, by no one of the owners.
44. (1) Every claim shall be liable to forfeiture upon non-compliance by the owner with the prescribed conditions as to working the same.
- (2) If at any time the Commissioner of Mines is satisfied that payable results have been obtained on any claim he may require the owner of the claim to take a lease of the claim, and in default of compliance with such requisition within such time as the Commissioner of Mines may specify the claim shall be liable to forfeiture.

45. A holder of a prospecting licence who shall, in a suit instituted by him before the Commissioner of Mines, or a Warden if authorised by the Governor in this behalf, prove that a claim is liable to forfeiture, shall be entitled to enforce and enforce such forfeiture, and shall, for fourteen days after the making of such order, have a preferential right to offer upon and peg out such claim.

46. After, but not before, the registration of a claim the owner may, subject to the regulations, and in the prescribed manner by instrument in writing, divide the interest in the claim into such shares as he shall think proper, and may alienate shares and transfer the claim or create or transfer any interest therein.

47. Two or more adjoining claims may be amalgamated in manner prescribed, and every amalgamation shall be registered as prescribed.

PART III.—DIVISION III.—GOLD, SILVER AND PRECIOUS STONES LEASES.

48. (1) The Governor may grant to the owner of a gold or precious stones claim or gold or precious stones lease of land not exceeding twenty acres.

(2) A gold or precious stones lease may be for any term not exceeding forty years, and shall reserve an annual rent to be paid in advance on the first day of the month of January in every year, and shall contain the following provisions:

49. Every gold or precious stones lease shall contain the following covenants by the lessee:

- (1) That he will pay the rent reserved by such lease as and when it shall become due.
- (2) That he will pay the royalty (if any) prescribed as and when it shall become due.
- (3) That he will not, without permission in writing from the Commissioner of Mines, use the leased land for any other purpose than that intended by such lease as authorised by his lease or the regulations.
- (4) That he will, during the term of the lease, keep constantly employed in mining or prospecting for gold or precious stones in the case may be upon such land not less than one European or of over the age of 16 for every five acres or portion of five acres of such land, and shall furnish the Commissioner of Mines, whenever required

(5) Such number of men as may be prescribed, and shall be employed in mining or prospecting for gold or precious stones in the leased land for any other purpose than that intended by such lease as authorised by his lease or the regulations.

50. The holder of a gold or precious stones lease under this Ordinance shall be entitled to mine or prospect for gold or precious stones, minerals, coal, and oil, in and upon such land, subject to the provisions of this Ordinance and the regulations.

51. Any number of gold or precious stones leases may be held by one person.

PART III.—DIVISION IV.—MINERAL LEASES.

52. The Governor may grant to the owner of a mineral claim a mineral lease of land not exceeding forty acres.

(1) A mineral lease may be for any term not exceeding forty years, and shall reserve an annual rent to be paid in advance on the first day of the month of January in every year, and shall contain the following provisions:

53. Every mineral lease shall contain the following provisions by the lessee:

- (1) That he will pay the rent reserved by such lease as and when it shall become due.
- (2) That he will pay the royalty (if any) prescribed as and when it shall become due.
- (3) That he will not, without permission in writing from the Commissioner of Mines, use the leased land for any other purpose than that intended by such lease as authorised by his lease or the regulations.
- (4) That he will, during the term of the lease, keep constantly employed in mining or prospecting for minerals upon such land not less than one European or of over the age of 16 for every five acres or portion of five acres of such land, and shall furnish the Commissioner of Mines whenever required by him with satisfactory evidence that such number of men have been so employed.
- (5) That he will furnish the returns required by, and observe all the provisions of this Ordinance.
- (6) Such other covenants and conditions as may be prescribed, and shall contain a proviso that the lease shall be void in case of breach by the lessee of any covenant or condition.

54. Any number of mineral leases may be held by one person.

PART III.—DIVISION V.—COAL AND OIL LEASES.

55. (1) The Governor may grant to a holder of a coal or oil claim a coal or oil lease of land not exceeding forty acres.

(2) A coal or oil lease may be for any term not exceeding forty years, and shall reserve an annual rent to be paid in advance on the first day of the month of January in every year, and shall contain the following provisions:

- (1) That he will pay the rent reserved by such lease as and when it shall become due.
- (2) That he will pay the royalty (if any) prescribed as and when it shall become due.
- (3) That he will not, without permission in writing from the Commissioner of Mines, use the leased land for any other purpose than that intended by such lease as authorised by his lease.
- (4) That he will, during the term of the lease, keep constantly employed in mining or prospecting upon such land as authorised not less than one European or of over the age of 16 for every eight acres or a portion of eight acres of the land leased, and that he will furnish the Commissioner of Mines whenever required by him with satisfactory evidence that such number of men have been so employed.

...shall be subject to the provisions of the Ordinance...

...shall be subject to the provisions of the Ordinance... shall be subject to the provisions of the Ordinance...

His Majesty's Government shall have the right of pre-emption of all crude oil raised, won or gotten from the area subject to this Ordinance and of all products of the refining or treatment of such oil.

The price to be paid by His Majesty's Government for all oil or products as aforesaid taken under the provisions of this rule shall either be as specified in a separate agreement or, if no such agreement has been entered into prior to the exercise of the right of pre-emption, then the price shall be the market rate ruling at the time for the production of or product delivered by the holder of the lease or the lease-tenant on board ship at the nearest or most convenient port of shipment in the Protectorate. If no such market rate has been ascertained and publicly notified at the time at which the right of pre-emption is exercised, then the price to be paid shall be the price of the oil or products of similar description free on board ship at Port Arthur, Mexico. The right of pre-emption by His Majesty's Government shall extend to any oil or products of such kind as are sold or sold by His Majesty the Emperor or King to other countries, but not yet exported from the Protectorate, and for such oil or products the price to be paid to His Majesty's Government shall be as expressed in paragraph 10 of the published market rate for the particular oil or products, or as provided in a ruling certificate issued by the Petroleum Commission.

...shall be subject to the provisions of the Ordinance... shall be subject to the provisions of the Ordinance...

His Majesty's Government shall have the right of pre-emption of all quantities of oil or product sold or of quantities of oil or product raised, won or gotten from the area subject to this Ordinance and of all products of the refining or treatment of such oil.

PART III - THE OILS ACT

...shall be subject to the provisions of the Ordinance...

(1) For the mining of mineral substances...

(2) For the working of mineral substances...

(3) For the working of mineral substances...

(4) For the working of mineral substances...

(5) For the working of mineral substances...

PART III - THE OILS ACT

Surface Rights conferred by Lease for Mining purposes

41. A lease under this Ordinance for mining purposes shall confer upon the lessee surface rights only as far as may be absolutely required for the mining of mineral substances...

42. An owner of private land who shall be obliged by law to allow the mining of mineral substances...

43. A lease of land other than private land for mining purposes shall confer such surface rights only as may be necessary...

PART III - THE OILS ACT

Inspection of Mines

44. An inspector of all reasonable times by day or night...

45. Enter, inspect, and examine any mine...

46. Inspect and examine the operations...

47. Inspect and examine the operations...

48. Inspect and examine the operations...

49. Inspect and examine the operations...

50. Inspect and examine the operations...

51. Inspect and examine the operations...

52. Inspect and examine the operations...

53. Inspect and examine the operations...

54. Inspect and examine the operations...

with the decision of the Commissioner or otherwise, and within twenty one days after the expiration of the time for appeal (as the case may be), he shall be liable to a penalty not exceeding 1,000 Rupees.

67. The Court, if satisfied that the owner, agent or manager has taken active measures for complying with the notice or decision of the Commissioner of Mines or other officer, but has not been able with reasonable diligence to complete the work, may adjourn any proceedings for punishing such offender, and if the work is completed within a reasonable time no penalty shall be inflicted.

68. No person shall be prohibited or exempted by any agreement from doing such acts as may be necessary to comply with the provision of the last preceding three sections, or be liable under any contract to any penalty or forfeiture for doing such acts.

69. The Commissioner of Mines may direct an Inspector to make a special inquiry and report with respect to an accident in or about a mine causing loss of life or personal injury, and shall cause such report to be made public at such time and in such manner as he thinks expedient.

70. (1) Where in or about a mine, whether above or below ground, loss of life or serious personal injury occurs by reason of any accident whatever, the owner, agent or manager of the mine shall, within twenty-four hours next after the accident, send notice in writing of the accident, and of the loss of life or personal injury occasioned thereby, to the Commissioner of Mines or other proper officer, and shall specify in such notice the nature of the accident, and the number of persons killed and injured respectively.

(2) Where any loss and injury of which notice is required to be sent under this section results in the death of the person injured, notice in writing of the death shall be sent to the Commissioner of Mines within twenty-four hours after such death comes to the knowledge of the owner, agent or manager.

71. Every owner, agent or manager who neglects to comply with this section shall be liable to a penalty not exceeding 750 Rupees.

72. Every owner, agent, or manager of a mine who refuses or neglects to furnish an Inspector with the means necessary for making any entry, inspection, examination or inquiry under this Ordinance in relation to such mine, shall be liable to a penalty not exceeding seven hundred and fifty Rupees, or to be imprisoned, with or without hard labour, for any period not exceeding six months.

Regulations

73. The Commissioner of Mines may, subject to the approval of the Government, make regulations for carrying out the provisions of this Ordinance, and such regulations shall, so far as may be implied for the purposes of any section in this Ordinance, be deemed to be part of the provisions of this Ordinance, unless the contrary is expressly provided in any such section. Such regulations may be for any of the purposes following:

- (1) For prescribing the forms and conditions for which licences to prospect, lease for the purposes of residence or business may be granted to the owner of a claim or to a lessee under this Ordinance, and the modes, times, and places of issue thereof;
- (2) For prescribing the mode of transferring or assigning any claim or lease, or business licence or occupation licence and for prohibiting any such transfer or assignment, and regulating the form thereof and the fees to be paid therefor;

- (iii) For providing for the disposal of any land, or any part thereof, which may be required for the purposes of this Ordinance, and for the disposal of any land, or any part thereof, which may be required for the purposes of this Ordinance, and for the disposal of any land, or any part thereof, which may be required for the purposes of this Ordinance;
- (iv) For providing for the disposal of any land, or any part thereof, which may be required for the purposes of this Ordinance, and for the disposal of any land, or any part thereof, which may be required for the purposes of this Ordinance;
- (v) For providing for the disposal of any land, or any part thereof, which may be required for the purposes of this Ordinance, and for the disposal of any land, or any part thereof, which may be required for the purposes of this Ordinance;
- (vi) For providing for the disposal of any land, or any part thereof, which may be required for the purposes of this Ordinance, and for the disposal of any land, or any part thereof, which may be required for the purposes of this Ordinance;
- (vii) For enforcing and regulating the mining operations on lands held under this Ordinance, and for the purposes hereof, or hereafter enacted;
- (viii) For regulating the exercise of the rights and privileges of the owners of claims, and of such other persons, and easements, and of lands occupied under this Ordinance for residence or business, may be exercised or enjoyed, and limiting, qualifying, or restricting the exercise and enjoyment of such rights and privileges, and generally for the protection of such owners, lessees, and other persons, in the enjoyment of the rights, privileges, and interests aforesaid by this Ordinance;
- (ix) For providing for reward claims to be pegged out in the prescribed manner by the discoverer of gold, precious stones, minerals, coal, or oil, or on his reporting such discovery in the prescribed manner;
- (x) For providing for the disposal of any land, or any part thereof, which may be required for the purposes of this Ordinance, and for the disposal of any land, or any part thereof, which may be required for the purposes of this Ordinance;

- (xv) For making and keeping in repair and for providing the fuel and formation of private ways and passages used for mining purposes over chimneys or moors or any lands used in connection with mining under this Ordinance or business carried on under business licenses and for regulating and improving conditions on the right of carriage the direction of any such way or passage, and for the prevention of the same from injury or obstruction by the felling of timber or falling timber, or other obstruction or any cause in numerous matters therein;
- (xvi) For the prevention of nuisance in and about roadsides or places of business hereunder the Ordinance, and for cleaning and keeping clean the same;
- (xvii) For securing the bettering of water from mines as to prevent injury from such water to any mining workings;
- (xviii) For preventing the spilling or wasting of water used for domestic purposes, or in any steaming and for determining whether any and what stream, watercourse, spring or other dependency of water shall be reserved for domestic use, and the mode of such reservation;
- (xix) For ensuring the draining and protection of mines and works for the safety of man and beast;
- (xx) For compelling contributions by parties benefited of a fair share of the cost of pumping in cases where pumping is for mutual benefit rather than;
- (xxi) Providing for the survey of claims and of lands applied for under this Ordinance for purposes of valuation, valuation of residence, and prescribing the fees to be paid for such survey by the owner of the claim or applicant;
- (xxii) Prescribing the compensation to be paid to natives by the owner of a claim, private mine, native reserve, or by the applicant for a lease of a native reserve, the persons by whom and the manner in which such compensation shall be assessed, and the persons to whom the same shall be paid and the manner in which it shall be distributed or as claim the interests of the natives;
- (xxiii) Prescribing the surface rights which shall be conferred upon a lessee under or by virtue of a lease of lands under this Ordinance;
- (xxiv) Prescribing the terms and conditions of any such lease, and the rights which may be granted, preferred, and exercised for the protection of the privileges of the persons in whose such prospecting rights shall have been granted;
- (xxv) Conferring upon the Commissioner of Mines the power to execute for and on behalf of the Governor all or any laws

...scribing for a...
 ...the duties and powers of wardens, inspectors, and other officers to be appointed under this Ordinance.
 ...the duties and powers of wardens, inspectors, and other officers to be appointed under this Ordinance.
 ...the duties and powers of wardens, inspectors, and other officers to be appointed under this Ordinance.
 ...the duties and powers of wardens, inspectors, and other officers to be appointed under this Ordinance.

Miscellaneous

71. Where any... shall be liable to...
 72. Any... shall be liable to...
 73. Any... shall be liable to...
 74. Any... shall be liable to...
 75. Any... shall be liable to...
 76. The rent received by any mining lease may be levied or recovered by or under the authority of the Commissioner of Mines in like manner as rent is or shall be leviable or recoverable by law in cases where private persons only are concerned and, in cases such rent is leviable or recoverable in arrears, the Commissioner of Mines shall be subrogated to the rights and authority of the creditor. This Section shall not affect any other remedy for recovery of the rent.
 77. If the rent or any other sum payable under any lease of land under this Ordinance is not paid when due, the person liable for payment thereon shall be liable to...
 78. The rent received by any mining lease may be levied or recovered by or under the authority of the Commissioner of Mines in like manner as rent is or shall be leviable or recoverable by law in cases where private persons only are concerned and, in cases such rent is leviable or recoverable in arrears, the Commissioner of Mines shall be subrogated to the rights and authority of the creditor. This Section shall not affect any other remedy for recovery of the rent.
 79. If the rent or any other sum payable under any lease of land under this Ordinance is not paid when due, the person liable for payment thereon shall be liable to...

Government may exercise the power of revocation, and the notice hereinbefore mentioned. Every such notice shall be conclusive that the lease therein mentioned was legally cancelled and forfeited, and the land included therein shall revert to the Crown as if such lease had never been granted.

Provision after
1889.

82. Whenever a lease for mining purposes is made by the Governor, and the opinion of the Governor is favourable, His Excellency may, after the expiration of one year, the Governor may, at his pleasure, during which the lessee may perform the conditions of the lease for such time as he may think fit, and the lease and conditions be amended by the Governor shall bind the lessee and all transferees, successors, assigns, and heirs, and every person claiming through or under him, and the same shall continue to be in force as if such terms had been contained in the original lease.

Under any
83.

83. The name of any person appointed as a member of the Commission or as a member of the Council of the Commission, shall have the same effect as if he were a member of the Council, and he shall hold office for the term of three years, and shall not, under a penalty of not more than £100, remove or be removed from office, for each such offence he is liable to be liable to be fined with any number of any other.

Persons
84.

84. No person under the age of sixteen years shall hold, directly or indirectly, a mining lease, or prospecting claim, except in a partnership, company, or association, and conditions may be imposed by a mining lease or a prospecting claim, and the same conditions may be imposed as if the mining lease or prospecting claim were a lease or prospecting claim, and the same shall be binding upon him as if he were a full owner.

Discovery by
85.

(1) In the event of the discovery of any gold, precious stone, mineral, coal, or other any person in the service of the Government, it shall be lawful for the Government to require the person in the present, and for a Government prospector to be liable to be liable to be fined with any number of any other.

The discoverer shall forthwith report such discovery to the Commissioner of Mines, and it shall be lawful for any person to prospect in a Government protection area, except with the consent of the Commissioner of Mines.

(2) A Government protection area may be set aside, and may be disposed of, for the purposes of prospecting or mining, in such manner as the Governor may direct, and there shall be paid as reward to the discoverer out of the revenue of the Protectorate such sum as the Governor shall determine.

Arbitration.

86. Every arbitration in pursuance of this Ordinance shall be under the Arbitration Act, 1889 (52 and 53 Victoria c. 49), and the parties to the arbitration shall, for the purposes of such arbitration, not of such last mentioned Act, be deemed to have entered into a written agreement to submit the differences in respect of the matter in question to the arbitration of two arbitrators, one to be appointed by each party, and the said Act shall apply accordingly with such modifications as may be necessary, and in substitution of the High Court of Justice, the Court of Appeal, and the Court of Arbitration shall be substituted.

87. Any person who shall illegally, or shall remove or remove any monument or post erected in pursuance of section 25, Sub-section (1) or (2) or any boundary or survey mark erected in pursuance of any Regulation under this Ordinance, shall be liable to be liable to be fined with any number of any other, and the person so offending shall be liable to be liable to be fined with any number of any other, and the person so offending shall be liable to be liable to be fined with any number of any other.

Penalty
88.

88. Any person who shall illegally, or shall remove or remove any monument or post erected in pursuance of section 25, Sub-section (1) or (2) or any boundary or survey mark erected in pursuance of any Regulation under this Ordinance, shall be liable to be liable to be fined with any number of any other, and the person so offending shall be liable to be liable to be fined with any number of any other.

In December 1907

0:0:0

This Ordinance has been passed to replace the West Africa Mining Regulations 1900 and the Ordinance No. 8 of 1908 and No. 8 of 1907 amending those regulations. The Commission was in introducing the Bill before the Legislature. It was stated that the existing mining laws had, in practice, been found difficult to work and somewhat unsatisfactory. The principal objection raised against the existing law is that it is not sufficiently liberal in its terms to encourage prospecting in a country where no payable mineral has been found.

Endeavour has been made to draft a law as short and simple as possible whilst making necessary provisions for dealing by regulations under the Ordinance with all matters appertaining to mining which may eventually require to be regulated by law. After considering the mining laws in force elsewhere it was considered that South Australian Mining Act 1902 would be the best basis law to take as the basis on which to frame the Ordinance.

The attached table shows which sections of the South Australian Act have been incorporated with or without alterations in the West Africa Ordinance.

...the ...
...provisions ...
...persons ...

...the ...
...provisions ...
...persons ...
...the ...
...provisions ...
...persons ...
...the ...
...provisions ...
...persons ...
...the ...
...provisions ...
...persons ...

The ...
...submitted to the
...Secretary of State for approval before being ...
to.

[Handwritten signature]

Section 1.

Section 2.
Violations.

Section 3.
Penalty.

Section 4.
Definitions.

Section 1 of the South Australian Mining Act 1911.

The provisions of this Act shall apply to all the regulations issued under the South Australian Act.

In the South Australian 'precious stones' are included in the list of minerals and are dealt with as such. In the last African Ordinance special provision is made for a 'precious stones claim'.

Every mine and stone are...
The...
The...
The...

Section 6
Special
Agent
in
Charge

Section 7
List for
authorized
person

Section 8
To be observed

Section 9
Assignment
of

Section 10
Statement of
person, etc.

Section 11
Assignment of
person, etc.

Section 11 of the Code of Criminal Procedure

Sections 11 and 12 of the Code of Criminal Procedure

Section 16.

Section 16.
The owner's
of the land
formally
of the

Section 16.
The owner's
of the land
formally
of the

Section 16.
The owner's
of the land
formally
of the

Section 17.
Containing
the names of
the owners of
the land
of the

Section 18.

of the ... Australian ...
with the ... of ...
and the ... of ...
for a ...

of the ... of the ...
is prescribed in ...

Section 23 of the ...

Sections 31 and 32 of the ...
Australian Act.
(2) and (3) of the ...
are now,

1933

of 1933

of 1933

1933

of 1933

of 1933

The following is a list of the names of the persons who were members of the committee which was organized to investigate the activities of the Communist Party in the United States during the year 1933.

The names of the persons who were members of the committee are as follows: [illegible names]

The names of the persons who were members of the committee are as follows: [illegible names]

The names of the persons who were members of the committee are as follows: [illegible names]

The names of the persons who were members of the committee are as follows: [illegible names]

Section 101

It is not to be
set out twice
in the same or
different classes
of claim.
It is to be held
as a single claim.

Section 102 of the Copyright Act of 1909
provides that no person shall be entitled to a
copyright in any work of authorship unless and
until such work is first published in the United States.

It is held that a claim for a new article of
merchandise may be made under
one class of claim and may be made out under
another class.

It is considered that with the exception
of a subsequent recovery of a claim for
the same article under the subject of one
class of claim, a claim for another
class of claim is not allowable.

Section 101 of the Copyright Act of 1909
provides that no person shall be entitled to a
copyright in any work of authorship unless and
until such work is first published in the United States.

Section 12 of the...
and 13 of the...

Section 12 of the...
and 13 of the...

Section 14 of the...
and 15 of the...

Section 14 of the...
and 15 of the...

Section 16 of the...
and 17 of the...

Section 16 of the...
and 17 of the...

Section 18 of the...
and 19 of the...

Section 18 of the...
and 19 of the...

Section 20 of the...
and 21 of the...

Section 20 of the...
and 21 of the...

Section 22 of the...
and 23 of the...

Section 22 of the...
and 23 of the...

Section 4
of the
Act

Section 5
of the

Section 6
of the

Section 7
of the

Section 8
of the

Section 9
of the

Section 10 of the South Australian Act

Section 11 of the South Australian Act

Section 12 of the South Australian Act

Section 13 of the South Australian Act

Section 14 of the South Australian Act

Section 15 of the South Australian Act

Section 16 of the South Australian Act

Section 53

Section 53 of the South Australian Act

Section 54

Section 54 of the South Australian Act

Section 54 of the South Australian Act provides that in the event of a strike in the coal industry, the Government may employ a specified number of Europeans to work the mines. The number of Europeans to be employed is limited to one for every 20 acres of coal land. For the time being, it is considered that the European labour force is not sufficient in this respect and that the unskilled work will be done by natives.

Section 55

Section 55 of the South Australian Act

Section 55 of the South Australian Act

Section 56

Section 56 of the South Australian Act

Section 56 of the South Australian Act

Section 57

Section 57 of the South Australian Act

Section 57 of the South Australian Act

Section 57 of the South Australian Act provides that in the event of a strike in the coal industry, the Government may employ a specified number of Europeans to work the mines. The number of Europeans to be employed is limited to one for every 20 acres of coal land.

Section 58

Section 58 of the South Australian Act

Section 58 of the South Australian Act

...in the ...
...received from ...

...of the ...
...of the land to be leased and
...of the lease will be ...
...of the ... in respect of ...
...as ...

...of the ...

... To surface rights of a lessee under
... lease are not ... under the
... lease.

... under the existing lease the order of
... of ...
... by the ...

... ..

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... ..
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... ..

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... ..
... ..

... ..

... ..
... ..

... .. of the South Australian ...

... .. of the South Australian ...
... .. of the South Australian ...

... .. will refer to
... .. to into the
... ..

... .. of the South Australian ...

... .. of the South Australian ...

... .. of the South Australian ...

... .. of the South Australian ...

100 734
national.

Section 21 of the South Australian Act
In the South Australian Act, provisions are made for the interests of business and commerce and increased. It is provided that the power conferred by section 21 be exercisable only in relation to regulations under the provisions of section 21 in any African Territory.

The South Australian Government is allowed in cases of a discovery of gold, and the section the Governor is authorized to allow the regulations referred to the discovery of precious stones and minerals.

21, 22, 23, 24, 25, 26 and 27 are new.

It is possible that it may be desired to grant sole prospecting rights in highlands. The power to do so is reserved by the Act in this respect.

100 735
national to be
in force.

Section 28 of the South Australian Act, which last part in its revision that the regulations shall be laid before Parliament before publication.

100 736
results
reported.

Section 29 of the South Australian Act.

Section 10 of the South Australian Act.
... and proceeds half year
... could have been invested in the
... in error.

Section 11 of the South Australian Act.
... provides for a
... all emissions being laid before

Section 12 of the South Australian Act.

Section 13 of the South Australian Act.

Section 14 of the South Australian Act.

Section 15 of the South Australian Act.

Section 16 of the South Australian Act.

...

...

...

...

...

...

...

Section after
1910.

Section 13.
1910.

Section 14.
Under
1910.

Section 15.
1910.

Section 16.
1910.

Section 17.
1910.

Section 18.
1910.

Section 19.
1910.

Section 20.
1910.

Section 11 of the South Australian Act.

Section 11 of the South Australian Act.

Section 11 of the South Australian Act.

Section 11 of the South Australian Act.

Section 13 (3) of the South Australian Act.

13 March 1894

Dear Sir,
I have the pleasure
to acknowledge the receipt
of your letter of the 12th inst.

DRAFT

Secretary
Admiralty

The enclosed copy of
the accompanying letter of
the Admiralty relating to
the proposed amendments
to the Naval Discipline
Act, as proposed by the

MINUTE

- Mr. B. B. P. P.
- Mr. B. B. P. P.
- Mr. Pidd.
- Mr. Just.
- Mr. Cox.
- Sir C. Lucas.

Legislation Council
but not yet assembled
I have account under

Col. Seely
Mr. Harcourt

I am glad to hear
that the Bill may be
drafted

subject of the proposed
amendments relating
to the Naval Discipline
Act

MS. 510. 11. 3

1894