RULES AND REGULATIONS

FOR THE

WORKING OF GOLD MINES.

Issued in conformity with the Gold Fields Act, 1859.

WHEREAS it is provided by the Gold Fields Act, 1859, that the Governor, for the time being, of British Columbia, may, by writing under his hand and the Public Seal of the Colony, make rules and regulations in the nature of by-laws, for all matters relating to mining.

AND WHEREAS, in conformity with the said Act, certain rules and regulations have already been issued, bearing date the 7th of September, 1859.

AND WHEREAS, since the issuing of such rules extensive mines have been discovered on the high level benches, lying on either side of the Fraser River, Thompson River, and other rivers, which benches are generally terminated by abrupt and steep descents or cliffs, the general direction of which is parallel with the general direction of the Rivers.

AND WHEREAS, such mines cannot be conveniently worked in small rectangular subdivisions, but the convenient working thereof requires a large size of claim, and may, in some cases, require that each claim should reach from the cliff in front of each bench to the cliff in the rear, or when there is no cliff in the rear then to the general slope of the mountains in the rear.

AND WHEREAS, it is also expedient to make further provision with respect to the regulation of claims and to adopt one general rule for determining the measure of the quantity of water in any ditch or channel.

Now, therefore, I, JAMES DOUGLAS, Governor, &c., do hereby make the following Rules and Regulations accordingly:

I. The mines in the said level benches shall be known as "bench diggings" and shall for the purpose of ascertaining the size of claims therein be excepted out of the class of "dry diggings," as defined in the Rules and Regulations of the 7th of September last.

II. The ordinary claims on any bench diggings shall be registered by the Gold Commissioner according to such one of the two following methods of measurement as he shall deem most advantageous on each mine, viz: One hundred feet square, or else a strip of land 25 feet wide at the edge of the cliff next the river, and bounded by two straight lines carried as nearly as possible in each case perpendicular to the general direction of such cliff across the level bench up to, and not beyond, the foot of the descent in the rear, and, in such last mentioned case, the space included between such two boundary lines when produced over the face of the cliff in front as far as the foot of such cliff and no farther, and all mines in the space so included shall also form a part of such claim.

III. The Gold Commissioner shall have authority in cases where the benches are narrow to mark the claims in such a manner as he shall think fit, so as to include an adequate claim. And shall also have power to decide on the cliffs which, in his opinion, form the natural boundaries of benches.

IV. The Gold Commissioner may in any mine of any denomination where the pay dirt is thin or claims in small demand, or where from any circumstances he shall deem it reasonable, allow any Free Miner to register two claims in his own name, and allow such period as he may think proper for non-working either one of such claims. But no person shall be entitled to hold at one time more than two claims of the legal size. A discoverer's claim shall for this purpose be reckoned as one ordinary claim.

V. All claims shall be subject to the public rights of way and water in such manner, direction, and extent as the Gold Commissioner shall, from time to time, direct; no mine shall be worked within 10 feet of any road, unless by the previous sanction of the Gold Commissioner.

VI. In order to ascertain the quantity of water in any ditch or sluice, the following rules shall be observed, viz:

The water taken into a ditch shall be measured at the ditch head. No water shall be taken into a ditch except in a trough whose top and floor shall be horizontal planes, and sides parallel vertical planes: such trough to be continued for six times its breadth in a horizontal direction from the point at which the water enters the trough. The top of the trough to be not more than 7 inches, and the bottom of the trough not more than 17 inches below the surface of the water in the reservoir, all measurements being taken inside the trough and in the low water or dry season. The area of a vertical transverse section of the trough shall be considered as the measure of the quantity of water taken by the ditch.

The same mode of measurement shall be applied to ascertain the quantity of water running in a trough or out of any ditch.

{ L. S. } Issued under the Public Seal of the Colony of British Columbia, at Victoria, Vancouver Island, this sixth day of January, in the year of our Lord one thousand eight hundred and sixty, and in the twenty-third year of Her Majesty's Reign, by me,

JAMES DOUGLAS.

By His Excellency's Command,

WILLIAM A. G. YOUNG,

Acting Colonial Secretary.