

for each one of the free miners constituting such company, and such company shall possess the exclusive right to work the ground so located.

The term "abandoned ground" shall be construed to include all new and unworked ground outside of claims, actually held and worked upon any stream, gulch, ravine, or water course, which may have been discovered and mined for two years or more.

"Abandoned ground" how construed.

15. Bed-rock Flume companies authorized and organized as aforesaid, and locating upon abandoned streams or ground, shall be governed by clause 12 of this Act in all cases where free miners or companies of free miners shall be legally holding and working claims on such stream or ground, prior to and at the time of the location of such Bed-rock Flume company's claim, if within the limits thereof.

Bed-rock Flume Companies working "abandoned ground" to be governed by Clause 12.

16. Any portion or part of any river, creek, gulch, ravine, or other water course having four or more free miners per mile legally holding and *bona fide* not colourably working claims, on such stream, gulch, ravine, or water course, shall not be deemed "abandoned" within the meaning of this Act, but in such case any Bed-rock Flume company desiring to run a flume through such portion or part of such stream, gulch, ravine, or water course, shall be governed by the following clauses of this Act.

Rivers, creeks, &c., when not deemed abandoned.

17. Any Bed-rock Flume company, as aforesaid, locating upon any portion of a stream, gulch, ravine, or water course referred to in clause 16 hereof shall have their location carefully surveyed, and a post with a square top driven securely into the ground, upon the lower line of each such claims, within such company's limits, and shall at the time of setting up such posts give notice to each of the holders of such claims, in writing, of the distance in feet and inches, at which such company's flume will strike any such miner's claim, or perpendicularly below the top of such post, and the number of inches grade which such flume has in each one hundred feet.

Boundaries of Bed-rock Flume Company's claim, how fixed.

18. At the expiration of one calendar month, or such further time as the Gold Commissioner may allow, after survey and service of notice last aforesaid, it shall be lawful for such Flume company to enter upon any claim or claims situated within such company's limits, and open a cut and lay a bed-rock flume through such claim or claims, in case the owner or owners thereof shall have failed in the meantime to open their respective claims, and lay bed-rock flumes therein.

After due notice, Bed-rock Flume Company can lay flume on any claim.

Provided that if such Bed-rock Flume company shall so enter upon and lay the said flume through any claim or claims, as last aforesaid, the respective holder or holders of such claim or claims shall be entitled to all gold taken from the cut and bed-rock, in opening the said cut and laying the flume therein.

Holder of such claim entitled to gold in flume.

19. Private claim holders putting in bed-rock flumes to connect with bed-rock flumes put in by Bed-rock Flume companies, shall maintain the like grade, and build their flumes as thoroughly and of as strong materials as are used by Bed-rock Flume companies.

What grades to be maintained by private claim holders.

20. Individual or company claim holders, after the bed-rock flume has been extended through their respective claims at their own expense, shall have the right at any time before the abandonment of their claim or claims to become members of the bed-rock flume company, by uniting their claim or claims with the ground of the company, and taking an interest proportionate to the area of the ground which they shall cede to the company, or work their ground on their own account, at their option.

Right of claim holders who have borne expense of Bed-rock Flume to become members of Bed-rock Flume Company.

21. Bed-rock Flume companies, authorized and organized as aforesaid, shall be entitled to the use and enjoyment of so much of the unoccupied and unappropriated water of the stream or streams on which they may be located, and of other adjacent streams as may be necessary for the use of their flumes, hydraulic power, and machinery to carry on their mining operations, and shall have the right of way for ditches and flumes, to convey the necessary water to their works, they being liable to other parties for any damage which may arise from running such ditch or flumes through or over their ground.

Right of Bed-rock Flume Company to water.

22. Bed-rock flumes, and any interest or interests therein, and all fixtures, are hereby declared to be personal property, and may be sold, mortgaged, transferred, or otherwise dealt with as such.

Bed-rock Flumes declared personal property.