

CHAPTER CII.

[H. B. No. 302.]

RELATING TO THE MINERAL LANDS OF THE STATE.

AN ACT to regulate the leasing of mineral lands belonging to the State of Washington, and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. The commissioner of public lands of the State of Washington is hereby authorized to execute leases and contracts for the mining of gold, silver, copper, lead, cinnabar or other valuable minerals except coal, from any land now belonging to the state or from any lands to which the state may hereafter acquire title, subject to the conditions hereinafter provided.

Empowering
commissioner
to lease.

SEC. 2. Any citizen of the United States finding precious minerals upon any lands belonging to the State of Washington may apply to the commissioner of public lands for a lease of any amount of land not to exceed the amount of land allowed by the United States mining laws for locating and recording mining claims, and same dimensions.

Limitations.

SEC. 3. The manner of locating a mineral claim upon state land shall be similar to the state law regulating locating mineral claims on government land: *Provided*, That any citizens that have found minerals on state lands previous to the passage of this act and have posted up notice setting forth the dimensions according to the mining law of the United States and the State of Washington, shall have prior right to lease the same, and shall have ninety (90) days after the passage of this act to make application to the commissioner of public lands for a lease.

According to
United States
mining laws.

SEC. 4. The lessee may cut and use the timber found upon said premises for fuel and construction of buildings, required in the operation of any mine or mines on the premises; also the timber necessary for drains, tramways and supports for such mine or mines, and for no other purpose.

Necessary
timber
privileges.

SEC. 5. Before any lease shall be granted the applicant shall pay to the state treasurer the sum of five dollars (\$5).

License fee.

Two years
to develop.

The holder of a mineral lease, secured, as above, shall have two years to develop said mine or mines: *Provided*, That no more than five tons of ore shall be removed therefrom, for assaying or testing purposes, until a contract as hereinafter provided shall have been executed.

Providing
for contracts.

SEC. 6. At any time prior to the expiration of said lease the lease holder, or any assignee thereof, shall have the right to obtain from the said commissioner of public lands a contract which shall bind the State of Washington, as the party of the first part, and the person, persons, or corporation to whom said contract shall issue, as the party of the second part, in a mutual observance of the obligations and conditions as specified therein.

Terms for
leasing.

SEC. 7. The terms and conditions on which the same may be mined shall be agreed upon by the commissioner of public lands and the lessee: *Provided*, That the royalty or tax to be paid by the lessee shall be graduated. All claims or mines that do not yield a net income of more than \$2,000 shall pay a tax of ten dollars per year; over \$2,000 and not to exceed \$10,000, shall pay fifty dollars; from \$10,000 to \$100,000, five per cent.; all above \$100,000, ten per cent. Where the lessee commits fraud the penalty shall be the forfeit of the mine or mines, and all property pertaining thereto.

Emergency.

SEC. 8. There being no law of this state governing this subject, an emergency is declared to exist, and this law shall be in full force and effect on and after its approval by the governor.

Passed the House March 8, 1897.

Passed the Senate March 11, 1897.

Approved by the Governor March 17, 1897.