

CHAPTER CXLVII.

[H. B. No. 393.]

AS TO THE LEASING OF MINERAL LANDS BELONGING
TO THE STATE.

AN ACT amending section 6 of an act entitled "An act to regulate the leasing of mineral lands belonging to the State of Washington, and declaring an emergency," approved March 17, 1897.

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

SECTION 1. That section 6 of an act entitled "An act to regulate the leasing of mineral lands belonging to the State of Washington, and declaring an emergency," approved March 17, 1897, be amended to read as follows: Section 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 corporations 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 (the contract provided for in this act shall be as follows):

"THIS INDENTURE, made this.....day of.....A. D. one thousand eight and....., by and between the State of Washington, party of the first part, and....., party of the second part, Form of lease.

Witnesseth, that the party of the first part, in consideration of the sum of ten dollars to it in hand paid by the party of the second part, being the first annual payment as provided for in chapter 102 section 7, of the Session Laws of 1897, the receipt whereof is hereby acknowledged, and in further consideration of the covenants and conditions herein contained, to be kept and performed by the part... of the second part, does hereby contract, lease and demise to the part... of the second part for a term of thirty years from and after the....day of....., one thousand eight hundred and....., the following described land situated in the county of....., in the State of Washington, viz:....., which premises are leased to the part... of the second part for the purposes of exploring for, mining, taking out and removing therefrom the merchantable shipping ore, containing copper, lead, silver, gold and other minerals, which is or which hereafter may

be found on, in or under said land, together with the right to construct all buildings, make all excavations, openings, ditches, drains, railroads, wagon roads, smelters and other improvements upon said premises, which are or may become necessary or suitable for the mining or removal of ore containing copper, lead, silver, gold or other minerals from said premises, with the right, during the existence of this lease, to cut and use the timber found upon said premises for fuel, and so far also as may be necessary for the construction of buildings required in the operation of any mine or mines, on the premises hereby leased, as also the timber necessary for drains, tramways and supports for such mine or mines: *Provided, however*, that the part . . . of the second part shall have the right at any time to terminate this agreement in so far as it requires the part . . . of the second part to mine ore on said lands, or to pay a royalty therefor, by giving written notice to the party of the first [part], which shall be served by leaving the same with the commissioner of public lands, who shall officially, in writing, acknowledge the receipt of said notice and the foregoing lease shall terminate sixty days thereafter, and all arrearages and sums which may be due under the same up to the time of its termination, as set forth in said notice, shall be paid upon settlement and adjustment thereof. The party of the first part further agrees that the part . . . of the second part shall have the right under this agreement to contract with others to work such mine or mines, or any part thereof, or to sub-contract the same, and the use of the said land or any part thereof, for the purpose of mining for ore, with the same rights and privileges as are herein granted to the said part . . . of the second part.")

Passed the House February 27, 1899.

Passed the Senate March 8, 1899.

Approved March 18, 1899.