

**Republic of Uruguay, International Exhibition of Mining & Metallurgy,
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Royal College of Surgeons of England

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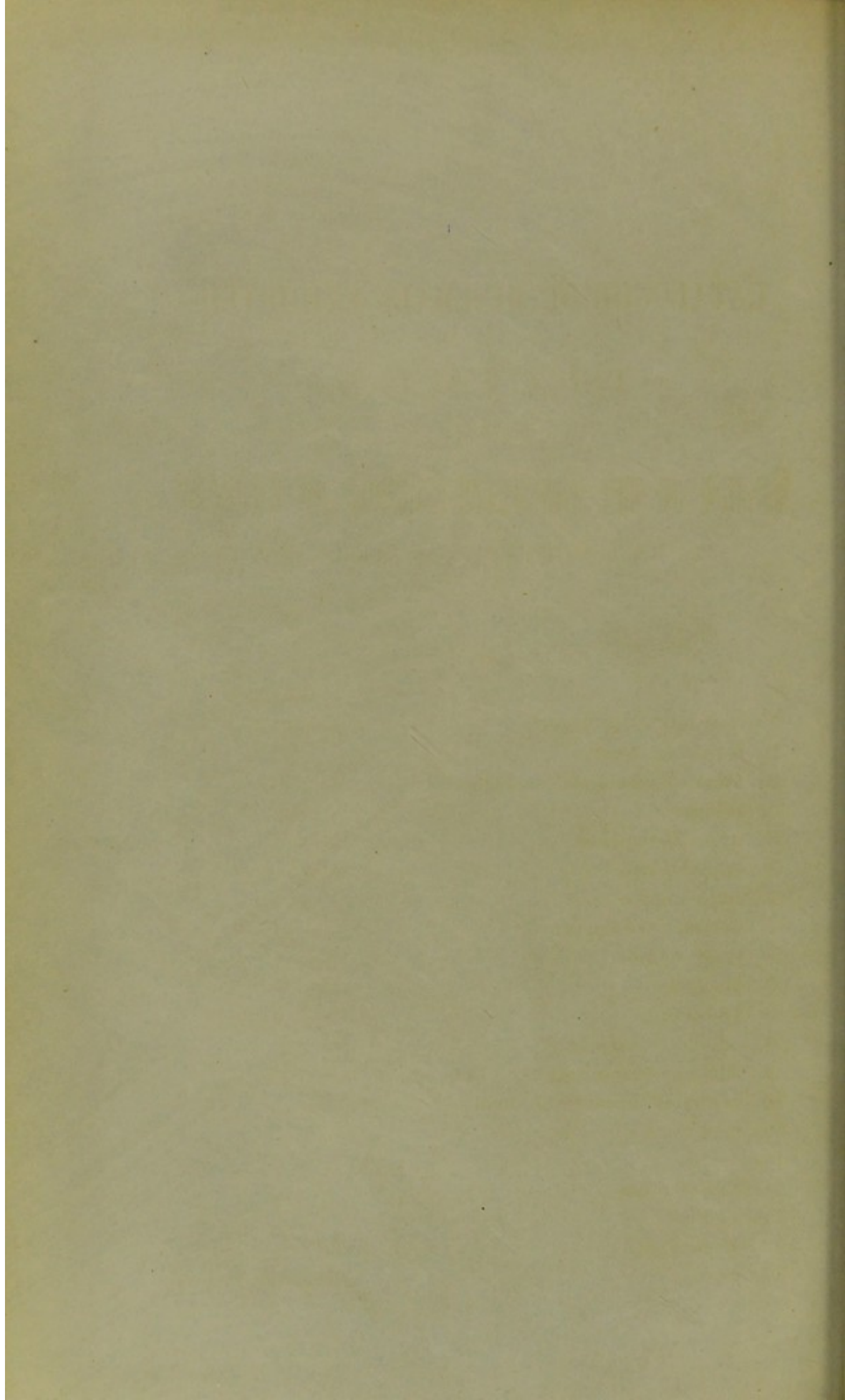
REPUBLIC OF URUGUAY



INTERNATIONAL EXHIBITION of MINING & METALLURGY, CRYSTAL PALACE, LONDON 1890.

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ISSUED BY AUTHORITY OF THE CONSUL GENERAL OF URUGUAY,
LONDON 1890.





CATALOGUE OF MINERALS EXHIBITED.

SPECIMENS

FROM THE

MUSEUM OF THE CONSULATE-GENERAL OF URUGUAY.

27, THROGMORTON STREET, E.C.

CASE I.

No.		Department.
1	Native Gold, in nuggets - - -	Tacuarembó
2	Auriferous Quartz - - -	do.
2A	Plumbo-argento-auriferous Quartz -	do.
2B	Feldspar - - -	do.
3	Argentiferous Lead - - -	Minas, &c.
4	Copper Pyrites - - -	Maldonado
4A	Native Copper - - -	do.
5	Carbonate of Copper - - -	Salto, Rocha
6	Oxide of Iron - - -	Minas
7	Hæmatite - - -	Florida
8	Iron Pyrites - - -	Very common
8A	do. (Quartz) - - -	do.
9	Alumino-ferro-manganite - - -	San José
10	Hydrated Silicate of Alumina - -	
10A	Common Clay - - -	
10B	do. - - -	
11	Lemnian Earth - - -	
11A	Red Clay - - -	
12	Humus (Soil) - - -	
12A	Peat - - -	Montevideo, Rocha

No.							Department.
13	Jasper	-	-	-	-	-	
14	Black Jasper	-	-	-	-	-	
15	Slate	-	-	-	-	-	Florida, Colonia
16	Graphite (Plumbago)	-	-	-	-	-	do.
17	Asbestos	-	-	-	-	-	
18	Amianthus	-	-	-	-	-	
18A	Diorite	-	-	-	-	-	
18B	Serpentine	-	-	-	-	-	
19	Pudding-stone	-	-	-	-	-	
19A	Clay (Ferro-siliceous)	-	-	-	-	-	
20	Argillaceous Iron Ore, or Eagle-stone	-	-	-	-	-	
21	Opal	-	-	-	-	-	Florida
21A	Lithomarge-	-	-	-	-	-	
22	Crystalline Quartz (Amethysts)	-	-	-	-	-	
23	do. do.	-	-	-	-	-	
24	Chalcedony	-	-	-	-	-	
25	do.	-	-	-	-	-	
26	Quartz	-	-	-	-	-	
27	Onyx	-	-	-	-	-	
28	Quartz (striped)	-	-	-	-	-	
29	Flint	-	-	-	-	-	
29A	Silex	-	-	-	-	-	

CASE II.

30	Granite (paving stones)	-	-	-	-	-	Florida
31	do. do.	-	-	-	-	-	Montevideo
32	Granite	-	-	-	-	-	Florida
33	Melaphyre	-	-	-	-	-	Montevideo
34	Feldspar	-	-	-	-	-	do.
35	Slate (Mica-slate)	-	-	-	-	-	do.
35A	do. (Mica-silicious)	-	-	-	-	-	do.
36	Soap-stone	-	-	-	-	-	do.
37	Pegmatite	-	-	-	-	-	do.
38	Trachyte	-	-	-	-	-	Tacuarembó
39	Basalt	-	-	-	-	-	Montevideo
39A	Scoriaceous Basalt	-	-	-	-	-	do.

No.							Department.
40	Augite	-	-	-	-	-	Durazno
41	Whetstone Slate	-	-	-	-	-	Canelones
42	Lime	-	-	-	-	-	Tacuarembó
43	do.	-	-	-	-	-	Paysandú
44	do.	-	-	-	-	-	Durazno
45	Ammonite converted into Lime	-	-	-	-	-	
46	Marble (Calcium Carbonate)	-	-	-	-	-	Maldonado
47	do. (greyish)	-	-	-	-	-	Minas
48	do. (dark)	-	-	-	-	-	Montevideo
49	do. (red)	-	-	-	-	-	Minas
50	do. (light red)	-	-	-	-	-	do.
51	do. (grey)	-	-	-	-	-	do.
52	Dolomite	-	-	-	-	-	Maldonado
53	Sands	-	-	-	-	-	
54	do.	-	-	-	-	-	
55	Mica	-	-	-	-	-	
56	Madrepore	-	-	-	-	-	

ANTHROPOLOGICAL.

Stone Balls (Diorite, Granite and Basalt),
 grooved and used by the Aborigines
 (now extinct) in warfare - - -
 Stone Arrow - - - - -

40	Argill.	Thurston
41	Wetstone Plate	Concho
42	Thin	Theunish
43	do	Payson
44	do	Durham
45	Ammonite converted into Limestone	
46	Mudstone (Carbonate)	Maldonado
47	do (greyish)	Mines
48	do (dark)	Montevideo
49	do (red)	Mines
50	do (light red)	do
51	do (grey)	do
52	Dolomite	Maldonado
53	Sands	
54	do	
55	Mica	
56	Alabaster	

ANTHROPOLOGICAL

Stone Balls (Diorite, Granite and Basalt),
 quoted and used by the Aborigines
 (now extinct) in warfare.
 Stone Arrow

EXTRACTED AND TRANSLATED FROM THE " ANUARIO ESTADISTICO "
OF THE REPUBLIC OF URUGUAY, 1888.

MINERAL KINGDOM.

This soil is very rich in Minerals, Metals, Clay, and combustible minerals. Gold, Silver, Copper, Iron, Tin and Mercury are found among the first. Granite, Mica, Feldspar, various and precious Agates, Calcareous Stone, Mountain-rock Crystal, Marble of different colours. Slate, Lithographic Stones, Alum, Gypsum, Cobalt, Calcareous Cement, Loadstone, Marble Basalt, and Columbite of great value, discovered by Mr. Lettson. A quantity of Flints and Crystallisations similar to Rubies, Topaz, Zirconite and Emerald, which appears in glittering points in pyramidal shapes are found in abundance in our mineral kingdom. The Mineralogist, Henry Petivenit, found Gold, Topaz and Diamonds in the river San Francisco, which runs through Minas; and Mr. Lettson, Gold in the departments of Salto and Tacuarembó.

From 1852 up to date, several mines were denounced, and samples of minerals were extracted from Godoy, Barriga Negra, San Francisco de Minas, Arapey, Chico, Aceguá, and other places.

The working of a Lead mine was tried in Soldado, department of Minas, and at present a French Company works the Gold mines of Cuñapirú in the auriferous region of the department of Tacuarembó. Another Company works a Copper mine in the department of Maldonado.

In the hills of Arequita, Penitentes, Campanero, Mahoma and Marincho, since last century the existence of Gold has been ascertained.

Gold in veins is found in Quartz and also in nuggets. By the source of the Arapey and Gueguay rivers, and especially of the Catalan and Pintado, begins the region of the Quartz stone and Agates, Amethysts, and glittering Flints.

Black basalt is plentiful in the hills of Hades and in the vales of Cuareim and Artigas, and on the shores of Invernada. Calcareous stone is also very plentiful, especially in the department of Minas, Maldonado, Florida, and Isla Mala. Marble is found in the two first departments. It is not rare to find calcareous Cement on the left shore of the river Brujas and on the sides of the Cerro of Montevideo; the stones which were employed in the construction of the porticoes of the Old City and Cabildo were extracted therefrom. Granite is predominant in these deposits. The Feldspar in the samples extracted from the hills of San Jozé, in Estanzuela and near the Aguada, is of pale white or alabastrous, rose or darkish yellow colours. Mica is generally black or dark yellow.

COPIED FROM "THE REPUBLIC OF URUGUAY, 1888-89," ISSUED
BY THE CONSULATE-GENERAL OF URUGUAY IN LONDON.

So far the mineral resources of the country have attracted little attention, owing specially to the difficulties of transport of machinery to the mineral regions of the Departments of "Salto," "Tacuarembó," and "Minas."

Some years ago a powerful French Company spent many millions of francs working the Gold Mines of "Cuñapirú," in the Department of "Tacuarembó." Its progress was very slow, but now that the means of transport have improved, and the Company is better managed, the prospects of success are brighter. Since then a Company denominated "The Gold Fields of Uruguay," with headquarters in London, is exploring the same region.

The Central Uruguay Railway Extension Company to Rivera, which is in progress, will run through the very centre of the district.

Agates of many varieties, Marble of many colours, Slate, Alum, Asphalt, Gypsum, and Cobalt, were discovered by Mr. Lettson, late British Minister at Montevideo. This mineralogist states that the Silver minerals of the country contain 87 per cent. of silver, Copper Ore 50 per cent., and Magnetic Iron Ore 72 per cent. of their respective metals.

A Lead mine has been discovered in Soldado, Department of "Minas." A mineralogist, Enrique Petivenit, discovered Gold, Topaz and Diamonds in the stream of San Francisco, Department of Minas.

Crystallisations, Amethysts, and Agates are found in the Northern Departments. They are sent in large quantities to Europe, especially to Germany, where they are polished and employed in the manufacture of fancy goods and jewellery.

EXTRACTED AND TRANSLATED FROM "LA REPUBLIQUE ORIENTALE
DE L'URUGUAY," BY ERNEST VAN BRUYSEL.

Several of those mountains, especially those of Cuñapirú, contain auriferous Quartz, and on several occasions Gold has been extracted by means of washing. Several efforts were made to work the mines regularly, but without sufficient resources to ensure success. A French Company with chief offices in Paris, with a capital of two million dollars, was formed to work the mines of Cuñapirú, and sent operatives and machinery, but we have not been able to obtain full information about the success of the operation. From what we have heard it went no further than to wash the mineral furnished by private enterprisers, or to purchase from the latter.

In the same department, which is one of the most interesting of

the country by its geological constitution, Platinum, Silver, Copper, Lead, Antimony and Cobalt are found, also Iron Ore, Agates of a variety of colours, marble remarkable by its whiteness, Manganese, etc., etc.

The Gold mines of Cuñapirú are not far from the chief town of the Department, which depends wholly on the extension the works will take, for its prosperity. This will be achieved as soon as it is connected by rail with the coast.

EXTRACTED AND TRANSLATED FROM "LA REPUBLIQUE ORIENTALE DE L'URUGUAY—"NOTICE HISTORIQUE ET STATISTIQUE"—BY COL. JUAN J. DIAZ.

MINES.

The Republic of Uruguay has been gifted by nature with a vast mineral wealth, greatly aided by its geological formation. Mines of argentiferous Lead, Coal, Copper and Antimony, Silver and Gold are found; the latter are found in the departments adjacent to Brazil.

Mr. Lettson, the eminent English Mining Engineer, and an authority on the subject, states that the Silver Ore of Uruguay contains 87 per cent. of pure Silver, Copper 56 per cent., and Magnetic Iron Ore 72 per cent. of Iron of best quality.

The rivulets running down from the Cuchilla Grande carry native Gold.

Copper is found in the streams of Cuareim and Arapey, and in the departments of Maldonado and Minas. Gold, Silver, and Lead mines are worked on a small scale in those departments, as also in the department of Tacuarembó, where several Companies with considerable capitals have been formed to work, on a larger scale, the rich auriferous Quartz which is there found.

Coal is found in Maldonado, Minas, and Cerro-Largo.

Iron Ore is found in several regions of the country. It is in great part magnetic; it yields from 70 to 75 per cent. of Iron.

Up to the present date the working of the mines, which constitute the future wealth of the country, has been neglected owing to the lack of workmen, and the greater advantages offered in the cattle-breeding industries.

The existence of Gold in certain regions of Uruguay was confirmed more than a century ago.

According to Fuentes, and other historians, Gold had already been found last century in the mountains of Arequita, Penitentes, Campanero, Mahoma and Marincho. At the time the mineral extracted from those places was assayed in the Royal Mint of

Madrid, yielding the following results: four samples of native Gold and two of Quartz, weighing 72 grammes, produced six grammes ten carats.

Two other pieces of $19\frac{1}{2}$ carats yielded one gramme on 36; the standard being 21 carats.

Gold, according to the previously-mentioned historians, is found in veins of Quartz and in nuggets.

More recent and deeper studies have confirmed the assertions of Fuentes and other writers of the 18th century.

Mr. Barrial Posada, who, besides his deep knowledge, has the experience of many years' study of the mining regions of South America, has shown in the most positive manner the great wealth of the auriferous region of Tacuarembó—mining region we should say; for not only Gold, but other metals are found there.

We regret that the limits of the present book do not allow us to insert a few chapters of the important work of the Spanish Mineralogist, Barrial Posada, on the auriferous region of Tacuarembó, its analogy and accordance with other regions of the South American Continent. This book, written specially for the South American Continental Exhibition, held at Buenos Aires in 1882, was awarded a Gold Medal, and with the remarkable reports upon the auriferous region of Tacuarembó and districts of Corrales and Yuguari by the same author, gives a perfect idea of the mineral wealth of those places.

FROM LAROUSSE'S DICTIONARY OF THE XIX. CENTURY.

Writing of the Mineral wealth of Uruguay, Mr. Larousse says: "The country has been largely endowed by nature with mineral wealth to the formation of which its geological constitution is particularly adapted. Deposits of argentiferous Lead, Copper, Antimony, Silver and Gold are found in abundance, the latter existing principally in the department on the Brazilian boundary, where auriferous Quartz particularly rich in the metal is found. The rivers springing from the 'Cuchilla Grande' chain of hills, carry Gold in powder, the collection of which gives very good results. At present, owing to the want of hands and to the great advantage offered by cattle breeding and sheep rearing, the working of mines, which constitute the future of the country, is much neglected. There are numerous Calcareous beds in the country, in different states of combination, both as Sulphates and Carbonates. As regards the latter there is a great variety of beautiful Marble, such as White Marble for sculptural purposes, and Coloured Marbles which are getting scarce in Europe. There is also a great variety of splendid Agates, which are exported to Europe in considerable quantities."

CODE OF MINING LAWS

REPUBLIC OF URUGUAY.

CODE OF MINING LAWS

OF THE

REPUBLIC OF URUGUAY.

CODE OF MINING LAWS

OF THE

REPUBLIC OF URUGUAY.

TITLE I.

MINES.

Art. 1.—For the purposes of this Code all minerals are comprised in the Branch of “Mining,” with the exception of the following:
 Silicious, Magnesian, and Aluminous Earths and Stones.
 Calcareous Earths, Limestone and Gypsum.
 Granite and Basalt.

Also, and in general, all substances used for building and for ornamental purposes.

Art. 2.—Mines are the property of the State.

Art. 3.—Private persons may acquire them by the means prescribed in this Code.

Art. 4.—Having obtained possession of a mine, the owner is obliged to work it in accordance with the legal prescriptions.

Art. 5.—The working of Auriferous Sands and also those producing Tin, and all other mineral productions of rivers, brooks and placers, are declared to be free when found in unoccupied ground of any dominion or ownership whatever. Notwithstanding, when the workings are carried on in fixed establishments, mining concessions, in conformity with the dispositions in Articles 28 to 31, must be constituted.

Art. 6.—All loose stones and precious metals found on the surface of the ground belong to its first occupant, provided it is not within the limits of a mining concession (*pertenencia*).

Art. 7.—Those minerals specified as exceptions in Art. 1 of this Code, when found in unoccupied State grounds, may be acquired by private persons, subject to the conditions in contracts or in Police Regulations, the authority of the State over them being in no way affected.

Art. 8.—Mines constitute a landed property distinct and separate from the surface property, although both may belong to the same owner; and the property, possession, use and enjoyment of them are transferable, as in the case of all other properties, subject to the dispositions of this Code.

The sale, promise of sale, or gift of a mine must be effected subject to the disposition of the Civil Code relating to landed property, but the tradition will not be considered accomplished until the said sale or donation be inscribed in the Mining Register, in the form prescribed by Article 37.

Art. 9.—All permanent things destined to the working of the mine, are to be considered a real property, such as buildings, apparatus, instruments, machinery, utensils, animals and vehicles employed in the service of the concession, superficially or subterranously.

The necessary provisions for six months required in the mine are also to be considered real property.

Art. 10.—Mines are not susceptible of material division.

Nor is it permitted to any partners in the ownership of a mine to exclusively appropriate one or many given galleries or workings of it. Notwithstanding, the interest of two or more partners in a mine may be divided into parts or shares.

TITLE II.

OF PERSONS WHO MAY NOT ACQUIRE MINES OR HAVE ANY INTEREST IN THEM.

Art. 11.—The acquisition of mines or of any interest in them is prohibited to:

- 1st. The Inspector-General of Mines.
- 2nd. Mining engineers employed by the State exercising administrative functions in mining within their territorial jurisdiction.
- 3rd. "Jefes Politicos" or Departmental Governors within their departments.
- 4th. District Judges in those departments in the exercise of their functions; other Magistrates who have to administer justice in mining affairs; and also the Fiscals of the Exchequer.
- 5th. The wives, and children under age, of the aforementioned functionaries.

This prohibition does not comprise mines acquired before the appointment to the above stated offices, nor those which might be acquired by the said functionaries during their term of office, their wives or children during the same period, as inheritance.

Nor does the prohibition comprise mines acquired by women before marriage.

Art. 12.—Those acquiring mines in contravention of the dispositions of the preceding article will lose all their rights, and the mines shall be adjudicated to the first person soliciting or denouncing them.

Mines cannot be solicited or denounced a second time by those who have lost their rights over them.

TITLE III.

DISCOVERY AND EXPLORATION OF MINES.

Art. 13.—Any inhabitant of the Republic may make investigations to discover and explore mineral deposits in open or uncultivated grounds, with the obligation of indemnifying the damages he may occasion, and after having obtained the licence from the respective Departmental Governor.

Should the lands belong to private persons, the owners cannot prevent investigators from exercising the right accorded by this Article.

Art. 14.—The permission of the owner or manager of the property is necessary before works of investigation are executed in fenced or cultivated lands. In case of refusal the petitioner may appeal to the Departmental Judge, who shall grant the permission, having first obtained a guarantee to answer for the compensation of all damage caused to its owner by the investigation to be made; the owner is to be notified of this, and cannot offer any resistance.

Art. 15.—The permission referred to in the foregoing Article will be conceded on condition that the investigation be effected within three months—which term cannot be prorogued—to count from the time the owner is notified, and in no case will a new permission with reference to the same ground be issued.

Art. 16.—The Judge cannot concede permission for investigations in houses, gardens, or orchards.

Art. 17.—No investigations must be made, or other mining works opened at a less distance than 40 metres from a building or a railway, or on steep ground higher or lower than any road or canal, without special permission from the Corresponding Departmental Judge, who, guided by the opinion of the Inspector-General of Mines, will concede or refuse the licence, prescribing in the document the measures to be adopted to ensure safety, based upon the professional report.

The same to be complied with when works are to be commenced at a less distance than seventy metres from canals, aqueducts, watering-places for cattle, or any springs.

Permission must be likewise obtained from the military authorities ere executing mining works within a distance of 1,400 metres from fortified places.

The infringement of this article will be punished by the imposition of a fine of from \$50 to \$500, or in default by imprisonment of from fifteen days to three months.

TITLE IV.

OF THE RIGHTS OF THE MINER TO HIS PROPERTY.

Art 18.—After the registration of a mine, the superficial grounds become subject to the service of the mine, and may be occupied in all the extension necessary for its convenient working, as the development of the mine may require; for the establishment of sorting floors smelting furnaces and machinery for the extraction and reduction of its Ores; for the construction of houses for the workmen, and means of transport to public roads, not only for the produce of the mine, but also for the materials and elements necessary for its working. But the owner of the ground cannot be compelled to consent to the establishment of other industrial or commercial enterprises.

Art. 19.—The surface grounds of the mine, as well as those adjoining, are subject to the right of pasturing for the animals necessary to its working, while those grounds are not cultivated or enclosed, and also for the use of the natural water running through them for the drinking purposes of workmen and animals. Works may also be executed on such grounds with the object of obtaining water for those purposes, and to obtain motive-power for the reducing machinery, and machinery in general.

Art. 20.—Notwithstanding the prescription in the previous Article, the rights relating to ground not over the mine will only be granted in cases where the necessary elements cannot be obtained within the limits of the property.

Art. 21.—The roads opened for one mine may be used for the service of all the others existing in the same district; in which case the cost of their repairs shall be distributed amongst the miners, in proportion to the use they severally make of them.

Art. 22.—Any person, whether or not owner of a mine, may solicit, before the Departmental Judge, a place on a stated drain, for the purpose of preparation, &c., of Ores. This official will grant the request, even though another person should have a similar concession—provided that no more land is comprised or water used than necessary, according to the importance of the works, and after having obtained a report from the Inspector-General of Mines.

The owner of the drain, in every case, shall be indemnified the damages that may be caused.

TITLE V.

OF INDEMNIFICATION TO OWNERS OF LAND.

Art. 23.—The right of occupation of grounds for the service of a mine is constituted by indemnifying not only the value of the ground occupied, but also all damages which may be caused to the owners of the surface grounds, and to any other.

Art. 24.—The indemnification shall be assessed by the interested parties, or in default, by umpires by them named. They shall also appoint a third to decide in case of difference of opinion; and if still they should be unable to agree, refer to the Corresponding Judge.

Art. 25.—Should the interested parties agree upon the amount of indemnity, the Departmental Judge must be apprised of the fact. In cases where the property of infants or incapable persons is concerned, the amount of indemnity must always be fixed by umpires.

Art. 26.—In the event of two conflicting assessments, the Judge, after considering both, shall fix the amount of the indemnity, this being the final decision.

Art. 27.—The indemnity agreed upon by the umpires, or decreed by the Judge, must in no case be in excess of the sum demanded by the interested party.

TITLE VI.

OF MINING PROPERTIES AND OF DISCOVERIES OF MINES.

Art. 28.—A mining property is a solid of square, rectangular, pentangular, or hexangular base, as chosen by the interested party, and of indefinite depth within the vertical planes of its limiting sides, the extension being subject to the variations prescribed in this code. The latitude of the rectangle must be equal or greater than the third of its longitude. The sides of the pentagon and hexagon must be regular.

Art. 29. The discoverer of mines at a place where no other mine has been registered within a radius of five kilometres, has a right to a mining property of sixty hectares of surface.

Art. 30.—The discoverer of a mine within a radius of five kilometres of a registered mine, has a right to a mining property of 36 hectares of surface.

Art. 31.—Regarding alluvial deposits, coal and fossil mines, the extension of the mining property will be triple of that established in the foregoing Articles.

Art. 32.—The first to discover a mine is preferred in its registration, though others may have investigated the site before.

In case of doubt as to who was the first discoverer, the first one to register the mine will be considered as the discoverer, excepting those cases where it is proved that fraud has been practised to anticipate the registration, or to delay the registration, by the person who really discovered it first.

Art. 33.—A person who discovers a mine while executing mining works by order, or for account of another, shall not be considered as its discoverer. Only the person for whom, or in whose name the works are being executed, shall be considered as the discoverer.

TITLE VII.

OF THE REGISTRATION OF MINES.

Art. 34.—The discoverer of a mine must make a written declaration of his discovery before the District Judge of the Department, or directly before the Attorney-General. He must therein express his name and those of his partners, if he has any, and his and their residences and profession; the most marked and characteristic signs of the place where the mine is situated; the name he purposes to give to the mine, and the extension he desires to give to the property. He must also produce a sample of the Ore.

Art. 35.—The District Judge of the Department, assisted by the Registrar, will note, under the declaration, the day and hour on which it was presented, and forward it to the Attorney-General, after having made an entry of it in the register kept for the purpose.

When the declaration is made before the Attorney-General, a record must also be left, in accordance with the conditions laid down in this Article.

Art. 36.—The petition and the decrees attaching to it must be presented to the corresponding Fiscal by the Attorney-General, who shall append the final decree.

Art. 37.—The entire declaration and decrees will be entered on the Register, and a copy of the proceedings given to the interested party, should he require it, and in conformity with Art. 35.

Art. 38.—The publication of the registration shall be made by inserting it in the daily papers of the Capital, and in those of the Department where the mine is situated, three times—once every twenty days.

Art. 39.—Should there be no daily papers in the Department, the publication of the registration must be made through the

periodicals, or in default by means of handbills to be attached during sixty days in frequent places.

Art. 40.—A note anent the publications of the registration shall be made at the foot of the original papers, which shall be archived.

Art. 41.—Those who may claim to possess a preferable right to a discovery must present their claims within ninety days, to count from the day of the first publication of the registration.

Art. 42.—If it be proved that a mine has been registered without a mineral deposit having been discovered, the concession granted will be null and void, and the same site will be open to others for investigation.

TITLE VIII.

OF CONCESSIONS TO EXPLORE A KNOWN VEIN.

Art. 43.—After the registration of a discovery, anyone may solicit a property of 12 hectares surface, to explore the vein during a hundred and fifty days, in the direction he indicates, starting from the point marked out by the discoverer, and no other person may make investigations or acquire discoverer's rights in the grounds of the concession. The petition must be made before the District Judge, who will grant the concession in accordance with the prescriptions contained in Art. 14.

Art. 44.—If two or more persons should solicit properties of this kind in the same direction, the first to present himself shall have the preference, and the others in the respective order of the dates on which their petitions are presented.

Art. 45.—If the *cessionnaire* discovers a mineral deposit, he must register, and will be subject to the other conditions prescribed in Art. 66, 67, and following, respecting discoverers.

Art. 46.—If within a hundred and fifty days, to count from the date the permit to explore is granted, the interested party has not registered or obtained a further term, he will lose all his rights, and a similar permit may be conceded to the first one to solicit it.

Art. 47.—If after reasonable investigations with regard to the granted extension of time no mineral deposit is found; be it either because of an elevation, a hard surface has to be penetrated, or because of fortuitous accidents, such as inundations, land-slips, etc., for which the *cessionnaire* is not responsible, he should solicit a further extension of time; such is to be granted after the Inspector-General of Mines has reported. In no case shall the extension exceed the original limit of time.

TITLE IX.

OF THE ABANDONMENT OF MINES AND OF THEIR LOSS THROUGH
DESERTION.

Art. 48.—The miner who should wish to abandon his mine must declare his intention in writing to the Attorney-General, who shall cause this declaration to be entered in the corresponding register, and published in the same form and for the same period as that relating to the discovery.

If there are any hypothecary creditors on the mine, the miner must advise them of his intention prior to the abandonment, and transfer them the rights, should they so exact it.

No conditions may be stipulated in the declaration of abandonment.

Art. 49.—Should the mine be abandoned in any other form than that prescribed in the foregoing article, the last concessionaire is liable for all taxes and obligations to which the said mine is subject.

Art. 50.—The rights over a mine are forfeited by desertion.

Art. 51.—By the desertion of mines is understood:—

- 1st. When in the course of six consecutive months no operations are carried on by at least four miners, in the interior or exterior of the mine, and in connection with its working.
- 2nd. When the work of four miners is suspended alternately (each suspension not reaching six months), and the aggregate reaches a period of twelve months in the course of two years, counting from the commencement of the first suspension.

Art. 52.—Though the work of the four miners referred to in the preceding Article be executed out of the limits of the property, it is to be considered as having been effected with the object of preserving the mine whenever it can be proved that it is conducive to its development; as for example, excavation of wells, conduits, &c.

Art. 53.—Desertion is incurred when, by destruction or through dilapidation caused by time, the necessary offices and dwellings built for the service of the mine are rendered uninhabitable; or when they have not been built within a year of the registration, excepting those cases where the owner possesses an adjoining concession, the dwellings of which may be available for the other mine.

Art. 54.—Desertion is not incurred when the suspension is due to inevitable causes, as absolute lack of hands, war or disease affecting the territory where the mine is situated.

Art. 55.—The rights to a watering place, referred to in Art. 22, are forfeited, if works are not commenced within a year, or through suspension of work for the same period.

Should permission to suspend works be solicited for justified reasons, it will be conceded only once after the corresponding report of the Inspector-General of Mines. This may, on no account, exceed one year.

Art. 56.—The working of a mine may be suspended for four years, without incurring desertion, in those cases where the owner having worked the property for two years without interruption, pays half-yearly, in advance, a contribution not under *seventy-five cents.*, or over *one dollar and twenty-five cents.* monthly per hectare; the amount to be fixed for each department by the Inspector-General of Mines, once every three years.

The payment of this contribution, for the purpose of retaining the rights, places the owner in the same position as if the mine were being worked regularly. A written declaration respecting the suspension must be made before the Departmental Judge, who, in turn, shall inform the Inspector-General of Mines.

Art. 57.—If a single half-year elapses without the contribution being paid the mine is considered as abandoned.

TITLE X.

OF THE DENUNCIATION OF MINES.

Art. 58.—Denunciation is the means of acquiring an abandoned mine.

Art. 59.—He who denounces an abandoned mine has the right to all its superficial extension. Notwithstanding, a mine that has belonged to a company cannot be acquired unless a company be formed for the purpose, in conformity with Article 144.

Art. 60.—Denunciation is effected in the same manner as registration, before the Departmental Judge or the Attorney-General. The interested parties must state who the previous owner or owners were, if known, and those of the adjacent mines, if occupied. They must also show, in accordance with the prescriptions of the foregoing title, that the mine has been abandoned or deserted.

If the last owner is known he must be summoned in legal form.

Art. 61.—Once the denunciation is registered and published in the same form, and with the same limits of time as that determined for the registration of a new mine, and there being no contradiction, and the Fiscal deeming one of the two cases referred to in the

previous Title or in Art. 70 and 72 justified, the mine shall be adjudicated to the petitioner. This to be recorded by the Corresponding Notary in a special register.

Art. 62.—If within ninety days of the publication of the denunciation, a protest should be lodged, no claim as regards possession will be entertained, except if based upon property. If the second claimant obtains a favourable verdict, he must reimburse the denunciator any expenses he may have made on the mine, unless fraud be proved. After the lapse of the term of ninety days no claim of the former owner can be admitted.

Art. 63.—He who denounces an abandoned mine is compelled, as the former owner may choose, to return to, or pay him, after a fair valuation, for the machinery, tools, utensils, provisions and articles and works, the said owner has left in the mine, and that can be removed without injury. Those articles and works not in this case, belong to the mine, and the new owner incurs no responsibility in this respect.

Art. 64.—Abandonment may not be denounced after the six months it has been incurred in, when, during the said period, works of "legal protection" have been maintained or re-established in the mine.

Art. 65.—If within the term of ninety days an abandoned mine is not denounced, the ex-owner may present a claim for it.

TITLE XI.

OF THE DUTIES OF THOSE WHO REGISTER AND DENOUNCE MINES.

Art. 66.—He who registers or denounces a mine is obliged within 120 days, to count from that following its registration, to make a shaft or gallery a metre-and-a-half in width, and ten in depth, within or without the vein, as he may choose. In the latter case, he must cut a horizontal gallery from the foot of the shaft till the vein is reached, with the object of examining the mineral about to be worked, the quality, direction and inclination of the vein, and other circumstances proving the existence of the deposit.

Art. 67.—Likewise, as regards Coal mines and quarries, the concessionaire must commence important works within the limit of time marked in the previous Article.

Art. 68.—For the purposes of Articles 66 and 67, owners may avail themselves of works existing in mines.

Art. 69.—If, owing to insurmountable causes, such as complete lack of hands, want of water, land-slips, or other such, which cannot be considered as a fault of the owner, it be impossible to comply with the prescription contained in Articles 66 and 67

within the fixed time, a further term, not to exceed ninety days, may be granted to the registrar, after the investigation of the cause, and report of the Inspector-General of Mines.

Art. 70.—Those who register or denounce a mine, lose all rights conferred by law if they do not comply with the prescriptions in Article 66 and 67, and the mine may then be registered or denounced by others.

TITLE XII.

OF THE MEASUREMENT, DEMARCATION, AND POSSESSION OF MINES.

Art. 71.—After the necessary formalities in connection with a registered or denounced mine have been observed, the measurement and demarcation of the property shall be proceeded with. To this effect the owners of the contiguous properties must be summoned, with ten days' notice, to appear personally, if known, or if they reside in the district or in the department where the mine is situated, or the manager of the mine whose owner resides anywhere else. If the owners or manager are not to be found, they shall be summoned by an edict inserted during twenty days in the paper or periodical of the department, and the edict to be fixed in the usual places should there be no paper or periodicals.

Art. 72.—The measurement and demarcation to be solicited by the registrar before the Attorney-General, and is to be terminated within 120 days, to count from the expiration of the terms fixed by Art. 66 and 67, and by 69, should it be incurred in, on pain of losing all those rights accorded by law. If these operations be not effected within the stipulated period, anyone may register or denounce a mine.

Art. 73.—In the measurement, the first person to claim is to have the preference, excepting those cases where contiguous mines are in question; in which event the registrar is to have the preference.

Art. 74.—The Attorney-General is to communicate with the Departmental Judge, directing him to commission the respective Justice of the Peace to preside over the operations effected by the Inspector-General of Mines, or the engineer that the said Inspector may have designed for the purpose.

Art. 75.—The commissioned Justice shall then carry Art. 71 into effect, and after the expiration of the terms respectively fixed in said Article, proceed with the Engineer, and assisted by the notary, or in default by two witnesses, to inspect the direction of the vein, its width, its hardness, the quality of the mineral, and the state of work; be it either a registered or denounced mine.

Art. 76.—The property will then be measured in conformity with Art. 82 and following.

The measurement to be effected by straight horizontal lines, marks being fixed at the limits.

Art. 77.—If between two or more neighbouring mines there should not be sufficient ground for the settlement of a granted concession, this will be limited to the extension of the free surface. In this case the commissioned Engineer must diverge from the prescriptions in Art. 28, so that no space may be left between the mines.

Art. 78.—A mine that is registered to work the continuation of a known vein, must be so measured that no free space is left between one and the other.

Art. 79.—Engineers must always act in accordance with the instructions given by the Inspector-General of Mines.

Art. 80.—Each of the adjacent concessionnaires has the right to appoint, before the commissioned Justice and within the limit of time, an expert to assist in the measurement and demarcation, to watch the operations of the Engineer, and finally to make any claims referring to the proceedings and appreciations of the measurer.

Art. 81.—As soon as the mine is measured, the concessionnaire will enter into possession, and will be obliged to keep in order and abide by the boundary stakes, and is unauthorised to alter his position, even should he allege change of direction or inclination of the vein.

Art. 82.—A minute of the operations will be made and signed by the commissioned Justice, Engineers, the interested parties, and other persons having assisted in the act. It must be presented to the Judge, who, after the legal requisites, will order a copy to be given to the interested party as deed of property. The originals will be yearly collected and archived by the respective notary.

Art. 83.—The commissioned Engineer will forward the duplicates of the proceedings and corresponding documents to the Inspector-General of Mines.

Art. 84.—The expenses incurred in connection with the operations referred to in the foregoing articles, travelling, transportation, porters, victuals, etc., as well as the honorarium of the Engineer, if not employed by the Inspector-General of Mines, must be defrayed by the interested parties.

Art. 85.—If in consequence of the summons referred to in Art. 71 anyone should wish to oppose the measurement, he must do so within the stipulated time, after which he cannot be heard. Opposition to interfere with the measurement.

Art. 86.—The Attorney-General, in the presence of the interested parties, the Fiscal and the Inspector-General of Mines, shall give his decision in connection with the opposition referred to in the previous Article, bearing in mind the opinions of the experts.

Art. 87.—If it should be desired to have the position of the concession altered, the interested parties may so solicit it, should others not suffer thereby. The expenses incurred on this account must be paid by the interested party.

Art. 88.—The measurement of a marked mine must be rectified if the owner of an adjoining mine alleges it has a greater extension than that assigned in the deed; in which case the expenses must be borne by the person soliciting the rectification, and in conformity with the previous Article.

Art. 89.—Exactly the same formalities must be observed as regards the new concession and rectification, as that relating to the primitive measurement and demarcation.

Art. 90.—Should any accident or fortuitous cause destroy any of the boundary marks, the owner must give notice of the fact to the Attorney-General, through the District Judge, in order that the former may order such marks to be replaced, and to give notice of this to the owners of surrounding properties. This operation to be entered in the Corresponding Register.

TITLE XIII.

OF THE RIGHTS OF THE MINER TO HIS PROPERTY, AND OF THE TRESPASS OF MINES.

Art. 91.—The miner is the exclusive owner, within the limits of his property and to any depth, not only of the registered vein or deposit, but also of other veins or mineral substances existing in the said property, and also of springs in the subterranean works.

Art. 92.—No miner may trespass on any property. He may only enter it after due agreement with the owner.

Art. 93.—If a miner following a vein, under the impression he is working within his own property, should enter another, and discovering this before the owner of the property trespassed upon, he is obliged to notify the latter of this fact. The mineral and the expenses must then be equally shared by them, until the real owner places the point object of the exploitation in connection with his own shaft.

Art. 94.—The trespasser shall not only lose his right to half of all the mineral that may be extracted, but also have to pay the owner of the mine the value of that he may have extracted, when it can be proved that he (the trespasser) has failed to communicate his invasion within ten days, or acted in bad faith.

Art. 95.—Trespass may not be alleged on a mine, the extension of the concession of which is not properly marked with boundary stakes.

Art. 96.—The neighbouring miners have the right to visit personally, or through an engineer or expert named by them, or the Judge in case of resistance, all the mines in the vicinity, when trespass is suspected, inundation or other damage feared, or, finally, when useful information may be derived—in their belief—for the working of their respective properties.

When the visit is solicited by reason of suspected trespass or through fear of inundation, an engineer, to be appointed by the petitioner with the authorisation of the Departmental Judge, may measure the workings nearest the mine of the said petitioner.

Art. 97.—An unfounded refusal, and any difficulty or obstacle put in the way of the inspection or examination, shall be taken as a presumptive breach of faith.

Art. 98.—If from the measurement effected in accordance with Art. 96, trespass should be proved, the Judge will order the provisional suspension of work in the part trespassed upon, and will fix seals on the dividing boundaries, while the interested parties ventilate their respective rights in the law courts.

Art. 99.—If the limits of the property should be passed in the underground works, this is not to be suspended, when vacant ground or an abandoned or deserted mine is entered into. On the contrary, a new concession of *twelve hectares* surface will be granted, or if this extension be not free, a grant of as much surface as is available will be made. The concessionaire is, nevertheless, obliged to register or denounce the new concession or grant, and to measure and mark it in accordance with the prescriptions in Art. 34 and following.

TITLE XIV.

OF THE CONDITIONS TO WHICH THE WORKING OF MINES IS SUBJECT.

Art. 100.—The working of mines must be effected in accordance with technical prescriptions and rules for safety, and police vigilance, to be laid down by the Executive Power.

Art. 101.—For the purposes of the preceding Article, mines are subject to the immediate vigilance of the Inspector-General of Mines, who will inspect or order their inspection through delegates in the manner and at the times he may deem necessary, or the Executive Power may order.

Art. 102.—Owners or managers of mines must place all the elements necessary to the inspection of a mine at the disposal of the Inspector-General of Mines or the engineer by him appointed for the purpose.

They must also produce for examination the books, plans, list of workmen, &c., in order that full particulars may be taken.

Those acting in contravention to the disposition of this Article will incur the penalty of a fine of not less than \$100 or more than \$500.

Art. 103.—Besides complying with the prescriptions of the foregoing Article, owners or managers of mines must forward annually to the Inspector-General of Mines, and on the date by him fixed, a plan and statement showing the work done during the year.

Those in contravention to this Article will be fined \$100, and double this amount for the second infringement.

Art. 104.—Owners or managers must also cause the mines to be kept well ventilated, in order to prevent any possibility of the workmen being suffocated by the accumulation or stagnation of gases or foul air. No accumulation of water by filtration must be allowed either.

Art. 105.—Owners or managers, on risk of incurring a fine of from \$100 to \$600, besides the criminal prosecution in case of accident, are forbidden to allow any work in places where lights are extinguished or burn with difficulty.

They are also forbidden, under penalty of a fine from \$50 to \$300, to allow any operation in the dark.

Art. 106.—Miners must also prop the roofs and walls of the workings, as may be consistent with safety, under penalty of incurring a fine of from \$100 to \$500 for the first offence, or of forfeiting the mine the second, in cases where the measures for safety have been ordered by the Inspector-General of Mines, and not carried out within the fixed period.

Art 107.—The owners or managers of those mines, the workings of which have collapsed, are obliged to repair the damage, and secure safety for the exploitation. If the repairs ordered by the Inspector-General of Mines are not completed within the term and under the conditions by him stipulated, a fine of from \$100 to \$500 will be incurred, and double this amount for the second offence.

Art. 108.—If a miner should occasion any damage to any other mine, owing to the inefficacy of drainage, he must indemnify said damage according to the assessment of experts.

Art. 109.—Adits for draining purposes may not be made without the consent of the Inspector-General of Mines, who, on giving his authorization, must point out the necessary precautions to avoid accidents.

The infringement of this Article will be punished with a fine of from \$50 to \$300, besides the liability to criminal prosecution in case of accident.

Art. 110.—A hand-rail, firmly fixed, must be provided in those galleries, the inclination of which exceeds 35 degrees. If the inclination exceeds 40 degrees, besides the hand-rail, steps must be cut out in the rock, or artificial ladders provided.

Contravention to this article will be punished with a fine of \$50 to \$100.

Art. 111.—Ladders must be so built as to insure safety to the miners.

Contravention to this Article will be punished in the same manner as infringement of the preceding Article.

Art. 112.—If the entrance and exit to a mine is made by means of cages placed in the shafts, cables of the first quality must be employed. All apparatus to ensure safety, as the Inspector-General of Mines may point out, are also to be used.

Art. 113.—In gunpowder or dynamite blasting operations, safety fuses must be used. The ramrods must be of wrought iron, copper, or any other substance softer than those metals.

Art. 114.—No women or boys under twelve years of age may be employed in the interior of mines, under penalty of a fine of from \$25 to \$50.

Art. 115.—If the working of a mine has to be extended under dwellings or buildings, the miner may be compelled to give a guarantee before the Departmental Judge, to compensate all damages the said works may occasion. Such guarantee shall not be demanded at a greater depth than forty metres, or if after the report of the Inspector-General of Mines or the appointed engineer, and after the interested parties are summoned, it be proved that all the necessary precautions to prevent any damage have been taken.

Art. 116.—Any damage occasioned to a mine by the working of another shall be indemnified, in accordance with a just assessment of the experts, by the owner of the said mine and in accordance with the prescriptions in Arts. 24 to 27.

Art. 117.—If the Inspector-General of Mines or the engineer by him appointed, on inspecting a mine find the means for ensuring safety deficient, he shall order any steps he may deem necessary to be taken. Should there be imminent danger the Inspector-General or engineer shall order the temporary suspension of work, in spite of any claim. Any claim in this connection must be made before the Departmental Judge.

Art. 118.—If a death should occur or any person be dangerously wounded through an accident in a mine, or the lives of the workmen be endangered, the owners, managers or directors, under penalty of a fine of \$500, must inform the respective Inspector of Police, who in conjunction with the Inspector-General of Mines, or the Expert of the district, will order the necessary steps to avoid further danger. To this effect, all the tools, workmen, etc., must be placed at his disposal. The Inspector shall then inform the respective Departmental Judge of the occurrence.

Art. 119.—The fines established in this Code must be imposed by the Departmental Judge.

Art. 120.—If a collection box, duly authorised, for the succour of invalid miners or widows and children of miners who have died while in the discharge of their duties, exists, the amount of the fines

established in this Code will be therein consigned. If this institution is not established the amount of the fines will be equally distributed among the charitable institutions.

TITLE XV.

OF THE WORKING OF ADITS AND THE SERVICES PROPER TO MINES.

Art. 121.—The miner may work his mine by means of adits, commenced outside his property on ground not occupied by other mines, without previous notice.

Art. 122.—If to execute these works he should have to commence them in a property not his own, or to traverse this in its total extension, or only in part, and not being able to arrive at an agreement with its owners, he should apply for permission to execute such works to the respective Judge.

The Judge will grant his permission, if, on the report of the Inspector-General of Mines, or an engineer, should be established:

1st.—That the work is possible and useful.

2nd.—That the work cannot be effected from any other point without incurring a large, excessive expense.

3rd.—That the working of the mines traversed by the adit is not interfered with to any considerable extent.

Art. 123.—Each of the parties may also appoint an expert to proceed in the matter, together with the one appointed by the Judge or the Inspector-General of Mines, who will notify these beforehand of the day when the examination of the ground is to take place.

Art. 124.—The Judge on granting the license will decide the direction to be taken by the adit, and the maximum of its extension in the other owner's property, in conformity with the report of the engineer or experts; and the constructor of the adit shall not vary the direction or extension in the course of the work without obtaining a new license, which must not be granted without a report by the engineer.

A new license will not be necessary when the variation is accidental, to avoid the difficulties which present themselves during the work.

Art. 125.—Before commencing the adit or gallery, a guarantee must be given by the person about to commence it to answer for the indemnity for damages done to the mine he proposes to traverse.

Art. 126.—The owner of the mine traversed must respect the adit or gallery traversing it, and not touch its retaining works, and abstain from taking Ores from points where the walls would

be left with less than 3 metres in thickness, unless he should properly and solidly fortify them. But the owner of the adit shall pay the damages caused to the miner by the fulfilment of this obligation.

Art. 127.—Should the constructor of the adit discover a metallic deposit in another's property, he is not allowed to work this, and must limit himself to follow on with his adit, and deliver the Ores extracted to the owner of the mine, deducting the cost of extracting them. He may appropriate, after registration, deposits in unoccupied lands.

The measurement of the new property, as in other cases, must be effected on the surface.

Art. 128.—The constructor of an adit who wishes to make said adit in abandoned or deserted mines, constitutes his right over them by making the adit after the denunciation and having proved abandonment or desertion.

Art. 129.—In order that a mine may be considered protected with only the mere action of constructing the adit it is necessary:

1st.—That the report of the Inspector-General of Mines or the engineer demonstrate that the adit leads to the working of a mine.

2nd.—That the necessary number of operatives be maintained, and the rules and conditions to preserve the property be observed.

Art. 130.—The owners of mines draining their properties through the adit, or working their mines through its facilities, must pay to the constructor of the adit, on the assessment made by experts, the value of the benefit received, or the cost of obtaining those benefits by other means.

Artificial drainage through the shaft of another mine cannot be effected except by mutual agreement.

Art. 131.—The mines are subject to give ventilating facilities to those requiring these, and to permit the subterranean passages of the others in the direction of the general drain. They will also allow free passage over their surface which is necessary for the work, and, on the surface as well as in the interior, all those services or uses which, without interfering with the working of such mines, are to be ceded for the benefit of the others. It is understood that all such services are to be granted subject to the payment of the damage caused by them, and which are to be valued by experts.

TITLE XVI.

OF THE DEPARTMENT OF THE INSPECTOR-GENERAL OF MINES

Art. 132.—This department to be under the surveillance of a national engineer, assisted by other engineers, and the number of clerks the executive may determine.

Art. 133.—This department is to :—

1st. See the prescriptions of this Code regarding measures of safety, order, etc., are carried out ; and also to promote the mining industry.

2nd. Assist in the demarcation of properties, intervene in the imposition of fines, and all other acts and relations of the miners that may affect the property of the State over mines, or its direct interest in the workings.

3rd. Collect all the plans and data necessary for the compilation of a geological chart of the Republic.

4th. Intervene in all special cases prescribed in this Code.

Art. 134.—Whenever a case of private indemnification should arise, and the official engineers cannot assist, the Judges or other public functionaries may appoint experts from among titled engineers, or in their absence from among the most intelligent persons.

TITLE XVII.

OF THE RECIPROCAL OBLIGATIONS OF OWNERS OF MINES, THEIR EMPLOYÉES AND WORKMEN.

Art. 135.—Contracts for the hire of services of workmen for a given time over one year, must be made in writing.

Art. 136.—If a time should not be fixed, the service may cease at the will of either party.

Notwithstanding, in the case of foremen, artisans, or other workmen of the same class as these, both parties must give notice, of at least fifteen days, of his intention to conclude the contract.

In default of this he must pay the other side, as indemnification, a fine equal to half a month's salary.

Art. 137.—If the workman who was contracted for a given time should leave his work in an inconvenient manner and without just cause, he shall pay to his employer a sum equal to one month's salary.

Art 138.—The employer who, in like cases, should dismiss the workman, will be obliged to pay the latter an equal sum, besides the expenses of his coming and returning, should he have been contracted in such a way as to be obliged to move his place of residence.

Art. 139.—The inaptitude, bad conduct, or insubordination of the workman, or his incapacity to attend to his work through any cause, for more than two months, shall be just causes on the part of the employer to put an end to the contract.

The employer, notwithstanding, must have the proper attentions paid to the workman who has been wounded or become ill in the

execution of his duty, or through any accident occurring in the mine, and pay half his salary during his illness if not exceeding six months.

Art 140.—A just cause on the part of the workmen shall be bad treatment by the employer, or his failure to pay the workmen's wages at the agreed time, or otherwise a fortnight after the month is due.

Art 141.—Credit shall be given in the books of the mine, when they are properly kept by its book-keeper, and not by the owner himself :—

1st.—In the order of amounts of salaries.

2nd.—In the order of payments on account made to workmen for the current month.

Art. 142.—Contracts made for the execution of stated works, and those referring to services of managers, book-keepers, and other employés of this category, although these may have been contracted for a given period, are not subject to the foregoing dispositions.

Art. 143.—In case of bankruptcy, the salaries and wages due to the workmen and other employés of the mine, must be paid preferentially with the product of the mine, tools, and utensils. With respect to the other goods and chattels of a bankrupt miner, the wages and salaries of the workmen and employés will enjoy the privileges granted by common right to clerks and servants.

TITLE XVIII.

OF MINING COMPANIES.

Art. 144.—Companies have a right (when consisting of, at least, three persons, proved by the production of the contracts) to a concession of 108 hectares of surface, if out of the 5 kilometre radius of a registered mine; and to 84 hectares if the mine is within the said radius.

Art. 145.—If a Company should denounce an abandoned or deserted mine, that has not belonged to another Company, it has a right to an increase of 48 hectares.

Art. 146.—If the mine be of alluvial formation, or of coal or peat, the concession will embrace three times the extension prescribed in the two preceding articles.

Art. 147.—Mines acquired by inheritance or bequeathment, shall be limited to the extension of the concession, though the owners be several.

Art. 148.—If a Company with a capital in proportion to the magnitude of the works about to be undertaken, should duly

appear before the Attorney-General to solicit a greater grant than that established in the foregoing Articles, and also an extension of the terms prescribed in Art. 66 and 67, no steps may be taken until after the Inspector-General of Mines has reported upon the relation of the capital with the cost of the projected works, and on the period which, in his judgment, should be granted for the commencement of the preliminary work. In no case must this term exceed double of that established in the said Articles. The Inspector-General of Mines must also decide upon the area to be granted, and which must not exceed the maximum of extension prescribed in the foregoing Articles. After an interview with the Fiscal the Judge may then give his decision.

Act. 149.—Usufructuary rights over a mine or part of a mine do not constitute property of same, as regards a Company, unless inscribed in the corresponding registers.

Art. 150.—The management or administration of the Company corresponds to all shareholders holding at least five per cent of interest or property in the mine.

Notwithstanding, the management may be given to one or more of the interested parties or to outsiders, if so agreed by said interested parties.

Art. 151.—Managers of mines enjoy the same rights conferred by law to managers of Companies in general.

Art. 152.—Managers must keep the books of the Company in order, showing clearly the investments in and product of the mine. All shareholders have the right to inspect the said books as often as they may desire.

Art. 153.—The expenses and products shall be distributed among the shareholders in proportion to the parts or shares they hold in the mine.

Art. 154.—The quota of each shareholder towards defraying stipulated expenses must be paid beforehand at the agreed time.

Should this not have been stipulated, payment must be made ninety days in advance.

Art. 155.—Whenever a shareholder does not comply with the request of the Board, or of the shareholders who have concurred with their calls, to contribute his quota within a fortnight from the day notice is given him, he shall be considered as having desisted from his rights, and his interest in the mine shall be distributed proportionately among those who have contributed.

Art. 156.—The regulation contained in the preceding Article applies also to shareholders who do not contribute punctually their share to expenses for the conservation of the mine, even though no agreement to this effect may have been made.

Art. 157.—The shareholder not concurring with his call may be summoned by the Attorney-General, and if absent must be represented.

Should he neither be found nor have any representative, no further step is necessary than the publication of the summons thrice in sixty days in two of the papers of the capital the Judge may designate, and in that of the department where the mine is situated. Should there be no paper in the department, handbills must be attached in the usual places during the same period.

Art. 158.—Those shareholders who through the default in payment of another have their interest in the mine augmented, must inscribe said additional in the Register of Mines.

Art. 159.—If a given time to work the mine is stipulated, those shareholders who have contributed may choose between dividing among themselves the interest of the defaulting member, as prescribed in the preceding Articles, or compelling the said member by law to pay.

Art. 160.—The shareholder who, without giving notice to the other shareholders, effects the necessary repairs for the maintenance of the mine, may only claim, proportionately, repayment from these.

Art. 161.—In the deliberations of the shareholders, those members shall have the right to vote—save and except specified cases—who hold or represent at least 5 per cent. of interest or property in the mine.

Those members who possess lesser parts, may unite them to form as many votes as whole parts (5 per cent.) they may compose.

Art. 162.—In the deliberations of the shareholders in legal assembly, all business shall be resolved by the majority of votes. Notwithstanding that each quota of 5 per cent. of the total value of the mine represents a vote, in no case shall votes belonging to one owner alone constitute a majority; but when they are one-half, or more than one-half of the shares, the result of the voting shall be considered as being equal on both sides, in which event the Attorney-General shall decide—taking into consideration the points most in conformity with the law and the interests of the mine.

Art. 163.—The notices or orders of summons to convene a meeting shall be given by the Attorney-General whenever he should deem this to be convenient, or when any of the shareholders, whose aggregate interest in the mine represents at least 20 per cent., should solicit it. The object of the meeting must be stated, and those shareholders who are absent must be apprised thirty days in advance. The meeting shall take place regardless of the number present.

Art. 164.—Each and every shareholder may freely dispose of his or their rights in the mine.

Art. 165.—A Company is not dissolved by the decease of one of its members.

TITLE XIX.

OF THE RIGHTS OF THE FISCAL.

Art. 166.—Mining concessionnaires must pay a "Mining Duty" equal to *one half* per cent. on the gross product of the minerals worked in the country, and *one* per cent. on the gross product of those exported in their natural state.

A further Duty (Customs) of *one half* per cent. on the gross product will be charged on *minerals* and *metals* exported from the Republic

Art. 167.—The Executive shall dictate measures for the enforcement of Duties established by this Code, and in case of non-payment of the Mining Duties, shall double them, or apply them three-fold for second offences.

Non-payment of the Custom Duties will be punished in accordance with the dispositions of the Custom House Regulations.

TITLE XX.

OF THE JURISDICTION OF MINES.

Art. 168.—The Executive shall exercise the economical and administrative jurisdiction over the branch of Mining, in accordance with the prescriptions in this Code.

Art. 169.—Contentious jurisdiction shall be resolved by the ordinary tribunals, in accordance with the Code of Civil Procedure, and excepting the special dispositions contained in this Code.

Art. 170.—Mines are not susceptible of sequestration or distraint, except where special mortgages or a stipulation to the contrary are in the case.

Art. 171.—If control over a mine be demanded, the summoned party shall remain in possession until the final sentence is given; but the claimant may appoint, at his expense, an overseer to watch the working of the property, and to keep an account of the expenses and products of the mine.

Art. 172.—In cases of distraint only the existing Ores extracted from the mine may be attached in lieu of other property of the debtor.

If the defendant should allege that he requires part of the Ores to continue the working of the mine with their product, the Corresponding Judge, after the report of the Inspector-General of Mines, or an engineer by him designated, shall decide the portion of the Ores to be destined to that object; and which, in no case, must exceed 50 per cent. of the alienated total.

Art. 173.—If the products of such Ores and those of the other goods distrained should not suffice to pay the debt, the creditor shall have the right to take the mine under his own management, as its judicial owner, until the whole of his credit has been paid with the products of the mine.

Art. 174.—The creditor to whom the mine is delivered as a judicial pledge, must manage it with the care and the same obligations as those imposed by law on the managing partners in the mine.

Should the mine not produce a sufficient sum to attend to its legal and prudent expenses and working, authorisation may be obtained from the Judge to supply it with the necessary provisions, and to enjoy the right of retention granted to furnishers of such provisions, not only in respect of the sums invested in supplying the mine with the necessary provisions, with the usual current interest thereon, but also in respect of the original credit.

Art. 175.—While the mine remains in possession of the creditor, the miner shall have the right to visit it, and to examine the working of it, and the books of its accounts and vouchers, either himself personally or through an agent, and also to make the observations and objections which the mode of working may suggest to him. He may also request the appointment of an overseer, with the powers conferred by Article 171.

Art. 176.—If the creditor should not maintain the mine in working order, or should he be found to be working the mine in a fraudulent manner, or that his management of the mine is negligent and extravagant, after having stated this to him and protested against such an abuse, he shall forfeit the right to manage the mine, and shall only be allowed to request the appointment of an overseer to receive the net proceeds of the mine, the possession of the latter devolving to the miner again.

Art. 177.—In cases of bankruptcy of the miner, the creditors may be requested by the Judge to take over the management of the mine for their account, if they should consent to do so; and those creditors who should consent to take over the working of the mine shall possess the same privileges and obligations established in respect of the executing plaintiffs or creditors. In all cases where creditors take over the management of a mine, the employées must be paid the amount of the salaries with the preference conferred upon them by Article 143.

Art. 178.—If in those cases of exceptions, prescribed in Art. 170, the creditor or creditors should refuse to take over the working of the mine, this shall be sold by public auction, in accordance with the prescription of the Code of Civil Procedure, and the purchaser becomes subject to the regulations imposed on the registrator for the maintenance of the mine.

But if the creditor or creditors take over the management of the mine, desertion may be incurred at any time, in which case the mine may be denounced in legal form.

TITLE XXI.

TRANSITORY ARTICLES.

Art. 179.—Notwithstanding Art. 10, concessionaires of large areas, especially granted by the Legislature, prior to the enforcement of this Code, and whose concessions have not become void, may divide or part with their properties after the report of the Inspector-General of Mines.

Those concessions which have become void owing to the non-fulfilment of the conditions under which they were granted cannot be registered by the party or parties.

Art. 180.—Those concessionaires referred to in the preceding Article, as well as those who may acquire parts of mines, also referred to in the foregoing Article, must duly register their respective concessions as laid down by this Code, and within the term of three months.

Art. 181.—Those having acquired mines before the promulgation of this Code, may extend their concessions within the limit prescribed (according to cases) by Articles 29 to 31 and 144 to 146, without detriment to third parties, and in conformity with Article 28.

Art. 182.—The present Code shall come into effect three months after its promulgation, and on that date the pre-existing ordinances on mining shall be abolished.

<i>Signed</i>	{	JOAQUIN REGUENA, <i>President.</i>
		LINDORO FORTEZA
		EDUARDO CANSTATT
		FLORENCIO MICHAELSON
		MARIO ISOLA
		BENJAMIN F. CONDE, <i>Secretary.</i>

MONTEVIDEO, 29TH JULY, 1884.

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