

**Petition – Ratepayers Barnard St against renewal to Royal Hustlers of permit to mine under Barnard St**

Sandhurst  
8 December 1871

Gentlemen,

We beg leave respectfully to request that permission to mine under those portions of Barnard Street which abut upon our respective properties, shall, at the end of the current year, be granted to us, according to the principles of the conditions which you have recently made for mining under streets.

The permit for this street is now held by the Royal Hustler's Company and we are aware that only under exceptional circumstances would the renewal at the end of the year be withheld. But we submit that the history of the permit in question will fully justify our request that it now may be re-considered and that our superior claims to the privilege involved may receive your favourable notice.

The first application of the Company was on the 16<sup>th</sup> April 1869, for all the street from View Place to Water Street, nearly half a mile, and without regard to the wishes of the many owners of the properties, or asking their consents, the application was granted, but for fourteen months afterwards the Company failed to take up the permit, or pay any rent notwithstanding repeated applications by the Officers of the Council.

In June 1870, a resident in the street applied for a small part, adjoining his own property, against this, the dormant application was revived by the Company, who attempted to excuse their default by saying, that they were waiting for an expected reduction in the rental of road claims. And yet the first notice of motion upon this subject was only given on 26<sup>th</sup> November 1869, and during this interval of seven months other applicants duly paid the current rates, and took up their permits.

While the contending claims of the Company and the proprietor referred to, were before the Council, other persons applied for the street, from Waterloo Street eastwards, and obtained it. But finally that part, from View Place to Waterloo Street, was left in the hands of the Company whose existing permit will expire with the current year.

We now beg to urge upon your considerations that neither upon the first application of the Company nor upon its revival against a resident applicant, was any regard paid to those claims of owners of property, which were then usually recognised and which are now admitted as paramount. Many of us are now mining upon our own lands, and others intend to begin – and therefore we all hope to enjoy the privilege of extending our workings under the street fronting our properties.

The large extent of ground held in the reserve by the Royal Hustlers Company, renders the small width of the street of little importance to their operations while it is much to us, and will encourage us to more effort in developing the mining resources of our neighborhood, than would perhaps be prudent without the privilege we ask for.

We therefore trust our case with confidence in your hands, and hope that our desires may be met, by your being pleased to direct, that the expiring permit of the Company shall not be renewed and that we may be allowed to apply for our respective frontages at the beginning of the new year.

We now remain  
Gentlemen  
Your obedient Servants

#### List of Petitioners

Page	Surname	First name
3	Bayne	Alex'r
3	Schellenberger	George
3	Selwood	Jesse
3	Welch	William
3	Cunnington	Thomas S.
3	Holton	E
3	Milroy	Thomas
3	Douglas	Wm. A.
3	Faul	F. G.
3	Reeve	Allen
3	Condon	Michael
3	Dick	James
3	Southam	Thomas C.
3	Brierley	James

Sandhurst

8<sup>th</sup> December 1871.

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The permit for this street is now held by the Royal Shustler's Company, and we are aware that only under exceptional circumstances would the renewal at the end of the year be withheld. But we submit that the history of the permit in question will fully justify our request that it may now be reconsidered and that our superior claims to the privilege involved, may receive your favourable notice.

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The Worshipful, The Mayor  
and City Council



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Gentlemen

Your obedient Servants.

Alex<sup>r</sup> Wayne

George Spiller

Joseph Belcher

William Welch

Thomas Harrington

Ed. Brown

Thomas Miley

Wm. A. Day

J. E. Fox

Allen Reed

Michael Condon

James Dick

Thomas Poutham

James Brierley



2 1/2 18 1/2

Robertson

James M. Russell to  
Royal Warrant to a  
to mining sections of Canada

12

Referred to Morning (11.00 a.m.)

for export.

2. 11. 12.

11/2/71

*Dr. Huthers Permit to take*

9/1/72  
S. A. L.  
J. C. R.  
K. R. L.