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A PROCLAMATION

Intimating Her Majesty's assent to a certain Bill passed by the General Assembly.

By His Excellency Sir GEORGE GREY, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

WHEREAS by an Act passed in the Session of Parliament held in the fifteenth and Sixteenth years of Her Majesty's reign intituled "An Act to grant a Representative Constitution to the Colony of New Zealand," it is amongst other things enacted that no Bill which shall be reserved for the signification of Her Majesty's pleasure thereon shall have any force or authority within the Colony of New Zealand until the Governor of the said Colony shall signify by speech or message to the Legislative Council and House of Representatives of the said Colony or by Proclamation that such Bill has been laid before Her Majesty in Council and that Her Majesty has been pleased to assent to the same :

And whereas a certain Bill passed by the Legislative Council and House of Representatives of the said Colony intituled, "An Act to amend and consolidate the Law relating to Gold Fields," was presented to the Governor of the said Colony for Her Majesty's assent and the said Bill was reserved for the signification of Her Majesty's pleasure thereon :

Now therefore, I, Sir GEORGE GREY, the Governor of New Zealand, in pursuance of the

provisions of the said in part recited Act, do by this Proclamation signify and proclaim to all whom it may concern that the said Bill has been laid before Her Majesty in Council and that Her Majesty has been pleased to assent to the same.

Given under my hand, at the Government House, at Auckland, and issued under the Seal of the Colony of New Zealand, this fifteenth day of September, in the year of our Lord, One thousand eight hundred and sixty-three.

G. GREY.

By His Excellency's command,
ALFRED DOMETT.

GOD SAVE THE QUEEN.

Delegation of the Governor's powers under the "Gold Fields Act, 1862," to the Superintendent of Otago.

By His Excellency Sir GEORGE GREY, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

WHEREAS by an Act of the General Assembly of New Zealand, intituled, "The Gold Fields Act, 1862," it is provided that it shall be lawful for the Governor in Council, under his hand and the public seal of the Colony, from time to time to delegate to the Superintendent of any Province or to such

other person as the Governor may deem fit, all or any of the powers vested in the Governor or the Governor in Council by the said Act, except the powers conferred by sections Nineteen, Thirty-one, Thirty-two, Thirty-three, and Sixty-one thereof, subject or not to any limitations or restrictions as he may think fit, and in like manner to alter or revoke any such powers:

Now, therefore, I, Sir GEORGE GREY, the Governor as aforesaid of the said colony, with the advice and consent of the Executive Council thereof, and in exercise of the power and authority for this purpose in me vested, Do hereby Delegate unto

JOHN HYDE HARRIS, Esq.,
as Superintendent of the Province of Otago, all the powers vested in me under or by virtue of the "Gold Fields Act, 1862," except the powers contained in sections Nineteen, Thirty-one, Thirty-two, Thirty-three, and Sixty-one of the said Act, to have, hold, and exercise within the Province of Otago the said powers hereby given the said John Hyde Harris, so long as he shall continue and remain Superintendent of the said Province, and no longer:

Provided always, that copies of all Rules and Regulations, made under the delegation aforesaid, shall be forthwith transmitted to the Colonial Secretary, in order that the same may be laid before the General Assembly, in accordance with the provisions of the sixty-third clause of the "Gold Fields Act, 1862."

Given under my hand at the Government House, at Auckland, and issued under the Seal of the Colony of New Zealand, this fifteenth day of September, in the year of Our Lord One thousand eight hundred and sixty-three.

G. GREY.

By His Excellency's command,
ALFRED DOMETT.

Delegation of the Governor's powers, under "The Gold Fields Act, 1862," to the Superintendent of Nelson.

By His Excellency Sir GEORGE GREY, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

WHEREAS by an Act of the General Assembly of New Zealand, intituled, "The Gold Fields Act, 1862," it is provided that it shall be lawful for the Governor in Council, under his hand and the Public Seal of the Colony, from time to time to delegate to the Superintendent of any Province or to such other person as the Governor may deem fit all or any of the powers vested in the Governor or the Governor in Council by the said Act except the powers conferred by sections Nineteen,

Thirty-one, Thirty-two, Thirty-three, and Sixty-one thereof, subject or not to any limitations or restrictions as he may think fit, and in like manner to alter or revoke any such powers:

Now, therefore, I, Sir GEORGE GREY, the Governor as aforesaid of the said Colony, with the advice and consent of the Executive Council thereof, and in exercise of the power and authority for this purpose in me vested Do hereby Delegate unto

JOHN PERRY ROBINSON, Esq.,
as Superintendent of the Province of Nelson, all the powers vested in me under or by virtue of the "Gold Fields Act, 1862," except the powers contained in sections Nineteen, Thirty-one, Thirty-two, Thirty-three, and Sixty-one of the said Act, to have, hold, and exercise within the Province of Nelson the said powers hereby given the said John Perry Robinson, so long as he shall continue and remain Superintendent of the said Province, and no longer:

Provided always, that copies of all Rules and Regulations, made under the Delegation aforesaid, shall be forthwith transmitted to the Colonial Secretary, in order that the same may be laid before the General Assembly, in accordance with the provisions of the Sixty-third Clause of the "Gold Fields Act, 1862."

Given under my hand, at the Government House, at Auckland, and issued under the Seal of the Colony of New Zealand, this fifteenth day of September, in the Year of Our Lord One thousand eight hundred and sixty-three.

G. GREY.

By His Excellency's command,
ALFRED DOMETT.

Delegation of the Governor's powers, under "The Gold Fields Act, 1862," to the Superintendent of Southland.

By His Excellency Sir GEORGE GREY, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander, in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

WHEREAS by an Act of the General Assembly of New Zealand, intituled, "The Gold Fields Act, 1862" it is provided that it shall be lawful for the Governor in Council under his hand and the Public Seal of the Colony from time to time to delegate to the Superintendent of any Province or to such other person as the Governor may deem fit, all or any of the powers vested in the Governor or the Governor in Council by the said Act, except the powers conferred by sections Nineteen, Thirty-one, Thirty-two, Thirty-three, and Sixty-one thereof, subject or not to any limitations or restrictions as he may think fit,

and in like manner to alter or revoke any such powers :

Now, therefore, I, Sir GEORGE GREY, the Governor as aforesaid of the said Colony, with the advice and consent of the Executive Council thereof and in exercise of the power and authority for this purpose in me vested, Do hereby Delegate unto

JAMES ALEXANDER ROBERTSON MENZIES,
Esquire,

as Superintendent of the Province of Southland, all the powers vested in me under or by virtue of the "Gold Fields Act, 1862," except the powers contained in sections Nineteen, Thirty-one, Thirty-two, Thirty-three, and Sixty-one of the said Act, to have, hold and exercise within the Province of Southland the said powers hereby given the said James Alexander Robertson Menzies so long as he shall continue and remain Superintendent of the said Province and no longer :

Provided always that copies of all Rules and Regulations made under the delegation aforesaid shall be forthwith transmitted to the Colonial Secretary in order that the same may be laid before the General Assembly in accordance with the provisions of the Sixty-third clause of the "Gold Fields Act, 1862."

Given under my hand, at the Government House, at Auckland, and issued under the Seal of the Colony of New Zealand, this fifteenth day of September, in the year of our Lord One thousand eight hundred and sixty-three.

G. GREY.

By His Excellency's command,
ALFRED DOMETT.

A PROCLAMATION

Proclaiming Coromandel a Gold Field.

By His Excellency Sir GEORGE GREY, Knight Commander of the most Honorable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, &c., &c.

WHEREAS by an Act of the General Assembly of New Zealand, intituled "The Gold Fields Act, 1862," it is enacted that it shall be lawful for the Governor from time to time by Proclamation to constitute and appoint any portion of the Colony to be a Gold Field under the provisions of the said Act:

And whereas an application has been made to the Governor for proclaiming the District of Coromandel as a Gold Field:

Now therefore I, Sir George Grey, the Governor as aforesaid of the said Colony, Do hereby in pursuance of the said power and authority Constitute and Appoint all that Territory hereinafter described to be a Gold

Field under the provisions of the said Act that is to say:—

All land being Waste Lands of the Crown situate within that part of the Coromandel Peninsula lying to the North of a line drawn from the mouth of the Waihou river on the West to the mouth of the Whitianga river on the East, thence following the Whenuakite river to its source, and thence by a straight line to the Hoho Point;

And I declare that this Proclamation shall come into operation and take effect on and from the day of the date hereof.

Given under my hand, at the Government House, at Auckland, and issued under the Seal of the Colony of New Zealand, this fifteenth day of September in the year of our Lord, One thousand eight hundred and sixty-three.

G. GREY.

By His Excellency's command,
ALFRED DOMETT.

GOD SAVE THE QUEEN!

ORDER IN COUNCIL.

Costs of Management of Otago Gold Fields to be regulated by Acts of Provincial Council.

G. GREY,
Governor.

At the Government House at Auckland, the fifteenth day of September, 1863.

Present:—

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by an Act of the General Assembly of New Zealand, intituled "The Gold Fields Act, 1862," it is provided that it shall be lawful for the Governor in Council, under his hand and the Public Seal of the Colony, from time to time to delegate to the Superintendent of any Province or to such other person as the Governor may deem fit, all or any of the powers vested in the Governor or the Governor in Council by the said Act, except the powers conferred by sections Nineteen, Thirty-one, Thirty-two, Thirty-three, and Sixty-one thereof, subject or not to any limitations or restrictions as he may think fit, and in like manner to alter or revoke any such powers.

And whereas it is further provided that whenever the Governor shall have delegated to the Superintendent of any Province all or any of the aforesaid powers, it shall be lawful for the Governor by Order in Council to appoint and declare that all the costs, charges, and expenses incident to the management and administration of the Gold Fields within such Province shall be regulated by Acts or Ordinances to be passed by the Superinten-

dent and Provincial Council of such Province.

And whereas by an instrument in writing, of even date herewith, issued under the Seal of the Colony, the Governor with the advice and consent of the Executive Council of the Colony, and in exercise of the before recited power, hath delegated unto John Hyde Harris, Esquire, as Superintendent of the Province of Otago in the said Colony, all the aforesaid powers, excepting those before recited to be excepted, to hold and exercise the said powers within the Province of Otago aforesaid.

Now therefore His Excellency the Governor, in pursuance and exercise of the power and authority for this purpose by the said Act conferred, Doth hereby, with the advice and consent of the Executive Council of the Colony, Appoint and Declare that all the costs, charges, and expenses incident to the management and administration of the Gold Fields within the Province of Otago shall be regulated by Acts to be passed by the Superintendent and Provincial Council of the said Province.

FORSTER GORING,
Clerk of Executive Council.

ORDER IN COUNCIL.

Costs of Management of Nelson Gold Fields to be regulated by Acts of Provincial Council.

G. GREY,
Governor.

At the Government House, at Auckland, the fifteenth day of September, 1863,

Present:—

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by an Act of the General Assembly of New Zealand intituled "The Gold Fields Act, 1862," it is provided that it shall be lawful for the Governor in Council under his hand and the Public Seal of the Colony from time to time to delegate to the Superintendent of any Province or to such person as the Governor may deem fit, all or any of the powers vested in the Governor or the Governor in Council by the said Act, except the powers conferred by sections Nineteen, Thirty-one, Thirty-two, Thirty-three, and Sixty-one thereof subject or not to any limitations or restrictions as he may think fit, and in like manner to alter or revoke any such powers.

And whereas it is further provided that whenever the Governor shall have delegated to the Superintendent of any Province all or any of the aforesaid powers, it shall be lawful for the Governor by Order in Council to appoint and declare that all costs, charges, and expenses incident to the management and administration of the Gold Fields within such Province shall be regulated by Acts or Ordinances to be passed by the Superintendent and Provincial Council of such Province.

And whereas by an instrument in writing of even date herewith issued under the Seal of the Colony the Governor with the advice and consent of the Executive Council of the Colony, and in exercise of the before-recited power hath delegated to John Perry Robinson Esq., as Superintendent of the Province of Nelson in the said Colony all the aforesaid powers excepting those before recited to be excepted, to hold and exercise the said powers within the Province of Nelson aforesaid.

Now, therefore, His Excellency the Governor, in pursuance and exercise of the power and authority for this purpose by the said Act conferred, Doth hereby with the advice and consent of the Executive Council of the Colony, Appoint and Declare that all the costs, charges, and expenses incident to the management and administration of the Gold Fields within the Province of Nelson, shall be regulated by Acts to be passed by the Superintendent and Provincial Council of the said Province.

FORSTER GORING,
Clerk of Executive Council.

ORDER IN COUNCIL,

Establishing Regulations for Gold Mining on the Coromandel Gold Field.

G. GREY,
Governor.

At the Government House at Auckland, the 15th day of September, 1863.

Present:—

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS it is provided by the "Gold-fields Act, 1862," that it shall be lawful for the Governor in Council, subject to the provisions of the said Act, to make Rules and Regulations relating to the terms and conditions upon which Miners' Rights shall be granted, and the forms of such Miners' Rights and of Licenses and Leases to be issued under the said Act, and the modes, times, and places of issue thereof; and also touching the extent and position of any claim, and the conditions under which it shall be worked, held, assigned, or forfeited, the application and use of machinery; and all such other Rules and Regulations relating to the mining, under Miners' Rights or otherwise, in any Gold Field as he may deem most beneficial.

Now, therefore, His Excellency the Governor, in pursuance and exercise of the said recited power and authority, Doth hereby, with the advice and consent of the Executive Council of the Colony of New Zealand, Make the following Rules and Regulations for the conduct of Gold Mining within the District of the Coromandel Gold-field.

And Doth further Declare that this Order shall take effect from the day of the date hereof.

FORSTER GORING,
Clerk of Executive Council.

RULES AND REGULATIONS
OF THE
COROMANDEL GOLD FIELDS.

Interpretation.

Wherever the term "Commissioner" is used in these Regulations, it shall be understood to mean the Commissioner, Warden, or Resident Magistrate, or any other officer entrusted with the superintendence of the gold field, or any portion of it, and holding a commission or appointment duly empowering him to have charge thereof. The words "miner," "person," and "claim," shall be read as both singular and plural.

The word "miner," as used in these Regulations, shall mean an "authorised person," being the holder of a "Miner's Right," and no other.

The word "claim" shall be taken to apply to any authorised holding, but generally to claims held under Miners' Rights.

Issue of Miners' Rights.

1. Miners' Rights shall be issued by an officer specially authorised in that behalf by the Governor, on payment of a fee of One Pound. Such Miner's Right to be carried on the person, and not transferable.

Miners' Rights to be shown when demanded.

2. Every holder of a Miner's Right must exhibit the same on demand of any officer duly authorised, or of any person holding a Miner's Right.

On refusal to show Miner's Right, the owner to lose protection.

3. Every holder of a Miner's Right refusing to exhibit it when demanded by any authorised person shall not be entitled to any protection in the possession of his claim.

Extent and position of Claim.

4. The extent of ground that may be occupied by any person holding a Miner's Right shall be, whether for sinking, surface digging, river working, or cradling, or for sluicing on ground or plank, or for mining on quartz reefs:—

	feet square.
For shallow sinking under 30 ft. deep	30
" deep " from 30 ft. to 50 ft.	40
" " " from 50 to 100 ft.	50
" " " from 100 to 150 ft.	55
" " " from 150ft. upwards	60
" quartz mining, 50 ft. along the reef by 150 feet on each side from the centre of the reef	
" river mining, 36 ft. frontage, with 12 feet of each bank allowed for the convenience of forming races, but which may be worked throughout.	
A wall of 6 feet to be left between such banks and any adjoining claim.	

5. The Commissioner may grant a double claim for alluvial or river mining, on ground which has been already worked.

Space left between Claims.

6. A space or wall of 3 feet in breadth for

shallow sinking, and 6 feet for deep must be left between the boundaries of adjoining claims, which shall continue in its natural state. On special application, any number of alluvial claims may be united, half in front and half in rear; and in such case the partition between such united claims and the next shall be 6 feet in width.

7. The wall being the common property of the claim holders between whose claims such wall may be situate, no party shall take down, mine into, or remove any such wall without obtaining the consent in writing thereto of the owners of adjoining claims. But the party so working or removing the said wall must secure the ground by placing props with good and sufficient caps and sole pieces, not more than 3 feet apart along the entire length of the wall so worked or removed. But in case that some of the claim holders refuse to divide the wall with the owners of the adjoining claim, the final decision shall rest with the warden.

8. Any person taking up a claim shall do so immediately adjoining a previous one, with the usual passage, or leave at least a complete claim and passages between.

Claims to be staked out.

9. Every claim must be distinctly marked by pegs driven firmly into the ground, one at each corner thereof, and standing at least 2 feet above the surface of the ground, and all to be kept clearly visible so long as the claim is occupied; provided that when any corner cannot be so marked on account of the nature of the ground, such peg be fixed at the nearest practicable point.

All Reef claims are required to be marked off, due North and South, on the supposed course of the reef; and the width of 150 feet on each side of it to be taken East and West. All boundaries on forest land to be well marked on the nearest large trees, and their distance from the pegs noted down, so as to prevent future trespass or litigation.

All claims of whatever kind are required to be surveyed as soon as possible, under instructions from the Commissioner, and at the cost of the claimants, by a surveyor approved by the Government. A plan of such survey to be lodged in the Commissioner's office. Any claims left unsurveyed, without a sufficient reason, will receive no protection in case of disputes arising as to their boundaries.

No fossicking or surface digging will be allowed on another man's claim. Everything found within the parallels of such a claim shall belong, without restriction, to its owners.

No person shall remove any peg from a claim in the occupation of any other person, nor deface, destroy, or remove any notice posted in accordance with the Gold Field Regulations, nor interfere with any mark or boundary.

Rewards for Prospecting.

10. Persons who discover available lands for mining shall be entitled to occupy in addition to their own individual claims:

If not more than two persons, 1 claim,
If more than two persons, 2 claims.

Any first comer on a new line of reef, or taking up ground half a mile a-head on the same line as that occupied by other miners, shall be entitled to mark out a prospecting claim which shall be confirmed to him by the Warden, on the discovery of payable gold, a fact to be ascertained by the Warden himself.

Amalgamation of Claims.

11. The Warden may, upon sufficient cause being shown, permit the amalgamation of any adjoining claims, (but not exceeding in the whole the extent of ground allowed for 24 persons, when taken in a line, or for 32 persons, when taken in a block) upon such terms and conditions as he may consider necessary to secure the effectual working thereof; Provided that seven clear days' notice, in writing, in the form hereinafter set forth, shall be given to the Warden by the persons desiring to amalgamate such claims; and copies of such notices shall be posted on each of the claims which it is proposed to amalgamate for a like period of seven clear days, at the expiration whereof the Warden may proceed to issue a Certificate of Registration.

Form of Notice.

No. (District and date.)
We hereby give notice that we desire to amalgamate our claims, situate at (here state locality), for the more efficient working thereof; and we declare that the following particulars are true in every respect.

Signatures in full of each person.	Numbers of Miner's Rights.	Number of claims proposed to be amalgamated.	Class of claims.	Area of claim held by each party.

Rights of Servants vested in Employers during Service.

12. If any person holding a Miner's Right shall hire himself to any employer for wages, the right to occupy the claim of such hired servant shall vest in the employers during the period of such service.

Claims not to be forfeited by neglect of hired Workmen.

No claim, right, or privilege shall be deemed to be forfeited through the neglect or absence of any hired servant employed thereon: Provided that if, after seven days' notice in writing of such neglect or absence has been given to the owner or holder thereof (either personally or by leaving the same at his last known place of residence), such neglect or absence is

continued, any such claim, right or privilege shall be deemed absolutely relinquished.

Copies of written Agreements to be lodged with the Commissioner.

13. When any mining partnership is entered into by a written agreement, a copy of such agreement to be lodged in the office of the Commissioner when required.

Road and Water Rights to be respected.

14. If a cart track shall have been formed over any abandoned claim, such track shall not be destroyed or obstructed by any person intending to rework the ground, unless they shall previously make another track in lieu thereof.

15. If any person shall take possession of unoccupied ground over which water escapes from an occupied claim, he shall not obstruct the flow thereof so as to throw it back upon the claim from which it escapes. But any miner, with the consent of the Commissioner, may lead water through or over an occupied claim, whether such claim is held under a Miner's Right, License, or Lease; provided that such water shall not be led in such a manner as to injuriously affect the interests of the occupier of any such claim, but shall be subject to the approval of the Commissioner, and be done in such a way as to be fair to all persons concerned.

16. Any person, with the consent of the Commissioner, may lay bare the bed of any river, either by diverting the stream or by other means; but ground intended to be so laid bare must be marked off by stakes, and the stream returned into its natural channel immediately below the workings, without detriment or damage to any claims adjacent.

17. No person shall obstruct, nor in any manner interfere with, such workings either in progress or completed: nor do anything to prevent the object proposed to be accomplished thereby.

18. If any person shall fell any tree or timber, either intentionally or by undermining or by other means, he shall remove it beyond the reach of floods, so that it may not be drifted down any stream. If any person shall fell timber on to an adjoining claim, so as to cause an obstruction, he shall, on demand of the occupier of such claim, immediately remove the same. Mill dams, however, in present use, are required to be respected; and all disputes arising on the same to be specially decided by the Commissioner.

Right to Surplus Ground on Creek Claims

19. If more ground shall be laid bare than the number of Miners' Rights held by the party shall entitle them to occupy, they shall be allowed one week from a notice thereof by the Commissioner to place thereon as many holders of Miners' Rights as they shall think fit; after which time any miner may occupy the surplus ground if there then remain any, paying to the party who constructed the works a fair proportion of the expense incurred in diverting the stream. In the event of a dispute arising as to the amount to be paid, it shall be

lawful for the Commissioner, in conjunction with the Assessors, to award such sum or sums to be paid as may seem to them or any two of them (and of whom the said Commissioner shall always be one) to be justly due to the persons who constructed the works.

Right of Road over Claims.

20. Upon any four or more persons applying for a road or crossing place over any gully, creek, quartz reef, tail race, or other obstruction, and guaranteeing that they will make the same if sanctioned, the Commissioner shall determine whether or not such road or crossing place is necessary, and shall make such order relative thereto as he may deem requisite; and no person shall in any way resist the making of any such road or crossing place, after its formation shall have been authorised by the Commissioner: Provided that when a road shall have been formed on an occupied claim it shall be lawful for the holder or holders of such claim to work the ground over or through which the road passes, if he or they previously construct another road in lieu thereof, and equivalent in value or usefulness to that proposed to be worked by him or them.

Discontinuing working of Claim, the same to be forfeited.

21. No Miner or party of Miners shall at one and the same time hold more than one claim, proportionate to the number, or hold any claim in reserve or non-worked beyond the space of 48 hours; and such proceeding will be considered as a relinquishment of right to any claim, however much previously worked, unless sufficient reason, such as sickness or some other urgent cause, can be shown to the satisfaction of the Commissioner on the claim becoming a subject of dispute. But the Commissioner may, at his discretion, suspend for seven days the operation of this regulation, as regards the period during which a claim may remain unworked or in reserve; but in such cases the suspension shall be given in writing.

"Shepherding" forbidden.—No person shall be deemed to possess a valid title to any claim unless the same shall be fairly worked during the entire period of occupancy.

The Registration, &c., of Claims.

22. If any person shall satisfy the Commissioner that he has reasonable cause for longer discontinuance than seven days, the Commissioner may register his claim, and such protection as aforesaid shall be granted to him upon such registration, for a term not exceeding three months.

23. Permission to retain a claim unworked may be granted by the Warden, or any person duly authorised, and the same shall be thereon registered for three months, during which time he shall be entitled to occupy a claim elsewhere. Such registration may be once renewed. The causes for which a claim shall be registered under this regulation shall be—

(1). Any claim having been proved to the satisfaction of the Commissioner to have been worked by the party wishing to register for at

least three months, no payable quartz having been obtained from the claim for at least one month previous.

(2). Sickness.

(3). Any claim which is sunk and worked to the water, the party being unable to overcome the same, the adjoining claims not being down to the water.

(4). Any claim the holder of which intends to procure machinery for quartz-crushing, or water-bailing, during the term of registration.

Application.

24. Application for permission to register must be made by a majority of the shareholders in writing to the Commissioner, stating—

(1). Date of application.

(2). Situation of the reef, and locality of the claim.

(3). Reasons for registering.

Certificate.

25. A Certificate of Registration shall be given to the applicant by the Commissioner, stating the reasons for which the claim is registered.

Assigning False Reasons.

26. Any party assigning any of the reasons above named, such not being true, shall not be protected in the possession of the claim by such registration.

Claims—how to be worked.

27. Any reef claim of 400 feet, held by eight men, must be worked regularly every day by at least four of the party until payable quartz is found, when the full number of members shall be employed on the claim.

The claims of six are to be worked by three, those of eight by four, and so on in the same ratio.

Names to be kept posted.

28. The names of the working party must always be kept posted on some conspicuous part of the claim. This regulation to apply to reef mining and deep alluvial sinking.

Taking possession of forfeited Claims.

29. Any holder of a Miner's Right may take possession of a claim supposed to be forfeited by its last occupant. Provided that if it shall be found, upon reference to the Commissioner, that the claim had not been legally forfeited, the Commissioner shall replace such occupant in possession.

Transfers of Claims.

30. Claims may be transferred to any authorised person, but such transfer shall not be legal until it has been registered in the office of the Commissioner. The fee for registering the transfer of any claim shall be five shillings for every claim so registered.

Tunnelling.

31. Any miner or company of miners wishing to cut a tunnel for quartz reef through unoccupied ground, shall be allowed 20 feet in breadth as a protection for their tunnel, for any necessary distance outside the parallel boundary of their quartz claim, and also a space of 60

feet square at the mouth of the tunnel, on which to deposit quartz or other substances.

All such cases to be decided by the Warden.

Conclusion.

32. The regulation of all other operations and proceedings connected with the proper working of the gold field shall be left to the discretion and judgment of the Commissioner, until otherwise provided for.

Penalty for Breach of Regulations.

33. Every person committing any breach, whether of omission or commission, of any of the above rules and regulations, will be liable to the penalties set forth in Clause Fifty-three of the Gold Fields Act, 1862: namely, for the first offence, a fine of any sum not exceeding ten pounds, and for the second or any subsequent offence, not exceeding twenty pounds.

34. One half of the penalty recovered, on conviction of selling fermented or spirituous liquors without a license, to be paid to the informer, or, in case of his being a Government servant, to be applied in such a way as the Governor may direct.

Licenses.

35. No liquor licenses to be granted to persons in the occupation of native lands unleased to the Crown, except with the consent of the native owners, and on the recommendation of the Resident Magistrate.

36. Every person engaged in trade or business of any kind within the limits of the gold field, shall obtain from the Commissioner a business license, for which he shall pay the sum of five pounds (£5) annually, and shall be entitled to occupy an allotment of land, the size of which shall be left to the discretion of the Commissioner.

37. Every holder of a wholesale license for the sale of fermented or spirituous liquors in quantities not less than two gallons, shall pay a fee for the same of twenty pounds (£20). Such license to remain in force for the period of twelve months from the date of issue.

38. Every holder of a retail license for the sale of fermented and spirituous liquors in any quantity shall pay a fee for the same, as fixed by the Governor. The holders of business or liquor licenses shall, if so required by the Resident Magistrate, be sworn in as special constables.

39. All business licenses may be withdrawn and cancelled by the Commissioner, upon proof to his satisfaction of a breach of the regulations of such gold field, or of any disorderly conduct upon the premises held under such licenses; and all liquor licenses, whether wholesale or retail, may be so withdrawn or cancelled by His Excellency the Governor, or his deputy, on the recommendation of the Resident Magistrate.

40. All business premises, of whatsoever kind, shall be subject to the same inspection as is provided under the "Licensing Act."

Table of Fees.

	£	s.	d.
Business License	5	0	0
Wholesale Spirit License	20	0	0
Retail Spirit License			
Miner's Right	1	0	0
Registering Written Agreement	0	10	0
Registering Transfer of Claim	0	5	0

Fees in Wardens' Court.

	£	s.	d.
Hearing by consent, without previous Summons, including Adjudication	1	0	0
Summons, Hearing, and Adjudication	1	10	0
Juryman's pay, per diem	0	7	0
Mileage, for every mile over ten which the Commissioner shall travel to hear any case	0	2	0

All Fees to be prepaid.

* * The following Sections of the Gold Fields Act, 1862, of the Licensing Act, and of the Sale of Spirits Ordinance, are appended for general information:—

XLIX. Any person not being the owner of a Miner's Right or of a lease under this Act, who shall mine for gold upon any proclaimed Gold Field, and any person who shall employ any such unauthorised person so to mine, and any person not being the holder of a miner's right, license, or lease, duly empowering him in that behalf, and not being an authorised person within the meaning of this Act, who shall occupy any waste lands in or become resident upon or at any proclaimed gold field, shall be liable to the penalties following, that is to say:—For the first offence, a sum not exceeding five pounds; for the second or any subsequent offence, a sum not exceeding ten pounds nor less than five pounds.

L. Any person who shall knowingly mine or employ any person to mine for gold on any land belonging to a private individual, without the consent of the owner thereof, or his duly authorised agent, shall be subject to the like penalties as are mentioned in the last preceding clause.

LI. If any person shall forge or alter any miner's right, license, lease, or other document issued under the authority of this Act, with intent to defeat the provisions thereof, or to defraud any person whomsoever, he shall be guilty of a misdemeanour, and on conviction thereof before any Court of competent jurisdiction, shall be subject to fine, or imprisonment with or without hard labour not exceeding three years, or both, at the discretion of the Court.

LII. If any person shall use or exhibit any forged miner's right, license, or lease, issued or purporting to be issued under the authority of this Act, knowing the same to be forged, or if any person shall fraudulently personate the holder of any such miner's right, license, or lease, or shall falsely and fraudulently represent that any servant or other person is an authorised person within the meaning of this Act, or

shall fraudulently use or exhibit as his own any miner's right, license, or lease, belonging to or granted to any other person, or shall use or exhibit as valid a miner's right license or lease which shall have expired, he shall be liable to a penalty for every such offence not exceeding fifty pounds.

LIII. Every person committing any breach, whether of omission or commission, of any of the rules or regulations made under the authority of this Act, shall for every such breach be liable to a fine or penalty not exceeding ten pounds for the first offence, and twenty pounds for any second or subsequent offence.—*Gold Fields Act, 1862.*

On persons selling without License.

XXXVII. If any person, not being duly licensed, shall sell any quantity of any fermented or spirituous liquor, or permit the same to be sold in or upon his house or premises, he shall forfeit and pay, for every such offence, the sum of fifty pounds, to be recovered in a summary way.—*Licensing Act.*

Supplying Spirits to Natives.

I. it shall not be lawful for any person whomsoever, either to sell, or to supply, or to give any spirituous liquor, or mixed liquor part whereof is spirituous, in any quantity whatever, to any person of the Native race.—*Sale of Spirits Ordinance.*

Penalty for so doing.

III. If any person shall supply or give any such spirituous liquor, wine, or fermented liquor, contrary to the provisions of this Ordinance, he shall forfeit and pay for any such offence any sum not exceeding ten pounds, to be recovered in a summary way, over and above any penalty which may be incurred for the sale of any such liquor without a license.—*Sale of Spirits Ordinance.*

ORDER IN COUNCIL

Constituting Wardens' Courts within the Otago Gold Fields.

G. GREY,
Governor.

At the Government House, at Auckland, the 15th day of September, 1863.

Present:—

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by the "Gold Fields Act, 1862," it is enacted that it shall be lawful for the Governor in Council from time to time to constitute for any Gold Field or for any part thereof, Wardens' Courts for the administration of Justice therein, and to appoint Wardens as Judges of such Courts, with power to act alone or with Assessors or Juries, and in such manner, and to exercise all or any of the powers therein after mentioned as the Governor shall think fit to direct:

Now therefore, His Excellency the Governor, with the advice and consent of the Executive Council of New Zealand, Doth hereby Constitute for the respective parts or districts after-mentioned of the Gold Fields of

the Province of Otago Wardens' Courts, for the administration of Justice within the said districts respectively, that is to say:—

For the district known as GABRIELS' DISTRICT.

For the district known as WAITAHUNA DISTRICT, including Waipori and the Woolshed.

For the district known as the DUNSTAN DISTRICT.

For the district known as the NOKOMAI DISTRICT.

For the district known as the MOUNT BENDER DISTRICT.

FOSTER GORING,
Clerk of Executive Council.

ORDER IN COUNCIL

Appointing Wardens within the Otago Gold Fields.

G. GREY,
Governor.

At the Government House at Auckland, the 15th day of September, 1863.

Present:—

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by the "Gold Fields Act, 1862," it is enacted that it shall be lawful for the Governor in Council from time to time to constitute for any Gold Field, or for any part thereof, Wardens' Courts for the administration of Justice therein, and to appoint Wardens as Judges of such Courts, with power to act alone, or with Assessors or Juries, and in such manner, and to exercise all or any of the powers thereafter mentioned as the Governor shall think fit to direct:

And whereas by an Order in Council of even date herewith there have been constituted for certain districts of the Gold Field of the Province of Otago Wardens' Courts, for the administration of Justice within the said districts respectively:

Now, therefore, His Excellency the Governor, with the advice and consent of the Legislative Council of New Zealand, Doth hereby Appoint the persons undermentioned, being Justices of the Peace and Resident Magistrates, that is to say.

EDWARD CROKER, Esq.

CHARLES WORTHINGTON, Esq.

JOHN NUGENT WOOD, Esq.

RICHMOND BEETHAM, Esq.

HENRY WIRGMAN ROBINSON, Esq.

ALEXANDER JAMES WILLIS, Esq.

JOHN SMITH HICKSON, Esq.

CHARLES WILLIAMSON, Esq., and

EDWARD HARDCASTLE, Esq.

to be Wardens and Judges of all Wardens' Courts now or hereafter to be constituted, with power to them and each of them to act alone or with Assessors or Juries, and in such manner, and to exercise all or any of the powers mentioned in the 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, and 30th Sections of the "Gold Fields Act, 1862," as the Governor shall think fit to direct.

FOSTER GORING,
Clerk of Executive Council.

ORDER IN COUNCIL,
Fixing Wardens' Courts Rules, for the Province of Otago.

G. GREY,
Governor.

At the Government House at Auckland, the
Fifteenth day of September, 1863.

Present:—

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS, by the Gold Fields Act, 1862, it is enacted that it shall be lawful for the Governor in Council from time to time to make, alter, and revoke Rules regulating the Procedure and Practice in the Courts to be established under the said Act, and in cases of Appeal therefrom, and also to fix the fees to be taken in respect of proceedings therein.

Now, therefore, His Excellency the Governor, by and with the advice and consent of his Executive Council, Doth hereby Order that the Rules and Fees respectively set forth in the Schedule hereunto annexed shall be the Rules regulating the Procedure and Practice in the Wardens' Courts within the Province of Otago, and in cases of Appeal therefrom, and shall be the Fees to be taken in respect to proceedings therein.

FORSTER GOERING,
Clerk of the Executive Council.

WARDEN'S COURT.

RULES.

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Secs.

1. Schedule of Forms and Scale of Fees to be part of the Rules.
2. Interpretation of words in Rules.
3. Time and place of holding Courts. Ad-journments.
4. The Clerk of Court.
5. Clerk's Deputy.
6. Clerk's Duties.
7. The Bailiff.
8. His duties.
9. Parties may appear personally or by Solicitor.
10. Officers of Court not to practice in the Court.
11. Action to be commenced by a complaint and summons.
12. Names, &c., of parties to be set forth in complaint and summons.
13. Grounds of action to be briefly set forth in complaint and summons.
14. Summons may be issued in certain cases against a party out of jurisdiction.
15. Service of Summons.
16. Service to be made by the Bailiff or other person authorised.

17. Summons of witnesses.
18. Parties to be heard in open Court. 'Ad-journment of hearing.
19. Procedure if complainant do not appear.
20. Procedure if defendant do not appear.
21. Re-hearing.
22. Procedure if both parties appear.
23. View.
24. The Judge to be sole Judge, except in cases where Assessors or Jurors are appointed.
25. The Assessors or Jurors to consist of four persons of full age.
26. Summons to Assessors or Jurors.
27. Assessors or Jury List how to be made and Jury chosen.
28. Number to be summoned.
29. Mode of service of Summons.
30. Jury to be reduced to four by challenge.
31. Jury to be sworn.
32. Payment to Jurors.
33. Procedure if either party refuse to challenge Jury.
34. The Evidence on the trial to be only of the causes of action or defence.
35. Verdict.
36. Judgment upon Verdict.
37. Minute of every decision to be entered by Judge in a book.
38. Injunctions.
39. Costs.
40. Judge to direct what number of Witnesses to be allowed.
41. Costs of Witnesses to be at discretion of Judge.
42. Costs to Complainant's Solicitor.
43. Costs to Defendant's Solicitor.
44. Court may order payment by instalments of sums of money for which judgment given.
45. Mode of enforcing decrees of Court.
46. Defects and errors may be amended.
47. Fees.
48. Pre-payment of fees.
49. Appeal.
50. Judge may make additional Rules. Schedule of Forms.

WARDENS' COURTS.

RULES FOR REGULATING THE PROCEDURE AND PRACTICE OF WARDENS' COURTS WITHIN THE PROVINCE OF OTAGO.

1. The Schedule of Forms and Scale of Fees hereunto annexed shall form part of these Rules.
2. In construing those Rules and Forms, the following terms, in inverted commas, shall bear the several meanings set against them respectively:
 - "The Act." The Gold Fields Act, 1862, (26 Victoria, No. 21.)
 - "Clerk." "Bailiff." The Clerk, Bailiff, or person duly appointed and authorised to act as such respectively.
 - "Oath" shall include affirmation.

Words importing the masculine gender only shall include females; and importing the singular number shall be extended to the plural number.

3. Every Warden's Court shall be holden at such place and times as the Judge shall appoint, and he may from time to time adjourn the Court.

4. There shall be for every Warden's Court a Clerk who shall be appointed by and hold office during the pleasure of the Governor or the Superintendent, or other person duly delegated by the Governor to exercise such power under the Act.

5. It shall be lawful for the Judge of the Court to appoint a Deputy to act for the Clerk as often as he shall be prevented by illness or other cause from acting in his office, and an entry of such appointment, and the cause of the Clerk's absence, shall be made in the Minute Book of the Court.

6. The Clerk of Court shall issue all Summonses, Warrants, and Writs of Execution, keep an account of all proceedings, take charge of and keep an account, in a book to belong to the Court, of all fees and fines payable or paid into Court, and of all monies paid into and out of Court, adjourn the Court to any day he may deem convenient when from any cause a Court cannot be held on the day appointed, and shall do and perform all other acts and duties properly incident to the office of Clerk.

7. There shall also be a Bailiff of Court, who shall be appointed by and hold office during the pleasure of the Judge thereof.

8. The Bailiff shall attend the Sittings of the Court, unless when his absence shall be allowed by the Judge, and shall, when required, serve all Summonses and Orders, and execute all the Warrants and Writs issued out of the Court, and in other respects shall be subject to the directions of the Judge.

9. The parties in every Complaint, Action, and Proceeding, shall appear and act personally or by a Barrister or Solicitor of the Supreme Court, and not otherwise, unless under special circumstances the Judge permits any party to appear by an agent, not being a Barrister or Solicitor.

10. No Officer of the Court shall, either by himself or by any partner or person in his employment, be directly or indirectly engaged as Council, Attorney, or Agent for any party in any proceeding in the Court.

11. Every action shall be commenced by a complaint and summons in the form or to the effect in the Schedule hereto annexed.

12. In the Complaint and Summons there shall be set forth the Christian and Surname and place of abode and calling and description of the Complainant, and likewise of the Defendant; but when the Christian and Surname of the latter are not known, he may be designated by any name or names which he may have acquired by usage or reputation.

13. In every Complaint and Summons there shall be set forth briefly but distinctly and ex-

PLICITLY the ground or cause of complaint; and if there be more than one ground or cause of complaint, each shall be stated substantively, and consecutively numbered, and there shall also be set forth the recovery or relief claimed.

14. Such Summonses may be issued against any Defendant residing or being without the District within which the Court has jurisdiction (but not out of the Province) provided it clearly appear from the complaint that the cause of action is otherwise within the jurisdiction of the Court.

15. The service of any summons shall be by delivering a copy of the same to the Defendant (or if more than one, to each of them) personally; or if he cannot be found, by leaving such copy at his place of abode; or in case of co-partners, at the Claim, Station, or other place of business of the firm.

16. The Summons may be served by the Bailiff or by any other person whom the Court may authorise, and he shall by a certificate under his hand certify the time and mode of such service, to be endorsed on the Summons, without prejudice to the Judge taking proof thereof by oath if he think fit.

17. Either party may obtain from the Clerk of Court Summonses to Witnesses, to be served at the option of such party either by himself as his agent, or by the Bailiff of the Court, with or without a clause requiring the production of books and writings in their possession or under their control.

18. The parties shall be heard in open Court upon the day appointed, but the Judge may adjourn the hearing of any cause in such manner, and on such terms as to payment of costs or otherwise, as to him may seem fit.

17. If the Complainant do not appear at the time appointed, and good cause for his absence be not shown, the Judge shall dismiss the complaint, and award a sum to the Defendant as costs, or adjourn the hearing of the same.

20. If the Defendant do not appear, the Court may either hold him as confessed, and give judgment accordingly, or institute such inquiry into the cause of action as may be deemed necessary, and thereupon pronounce such decision as may be consistent with the ends of justice, either alone or with the assistance of Assessors or Jurors.

21. Whenever the Court shall make a Decree, in the absence of any party interested in the subject matter of the suit, binding the rights of such party, the Judge may, in his discretion, at the same or any subsequent Court set aside such Decree, or any part thereof, and grant a rehearing of the suit upon such terms, if any, as to payment of costs, giving security, or otherwise, as he may think fit, on sufficient cause shown for that purpose.

22. When both parties appear, and from the nature of the cause, or the conflicting statements of the parties, it shall be necessary to take evidence, either party may, before, but not after,

any evidence is taken, move that the cause be tried with the assistance of Assessors or Jurors.

23. If from the nature of the case (*e.g.*, an encroachment to an unlawful or injurious operation) the Court deem it necessary to repair to the spot; and there on view investigate and determine the matter, the Court may proceed forthwith, or appoint a time for that purpose, and order the parties and witnesses then and there to attend.

24. In all actions brought before the Court, the Judge shall be sole Judge, unless he think fit to take the assistance of Assessors or Jurors, or unless either of the parties shall move that the complaint be tried by Assessors or Jurors, and shall pay into Court the costs for the summoning and attendance of the Assessors or Jurors.

25. The Assessors or Jurors shall consist of four persons of full age and good repute, who may be selected by the parties in the cause, from indifferent persons present in Court, if the said parties concur in this mode of proceeding. If they do not so concur, the Trial shall be adjourned to another day to be then fixed.

26. The Clerk of Court shall thereupon caused to be summoned twelve Assessors or Jurors residing within the District, for the Trial of the cause upon the day appointed.

27. The Assessors or Jurors so summoned shall be chosen from time to time in alphabetical order, as their names shall appear in the Jury List for the District, which list shall be yearly, or oftener if he think proper, prepared by the Judge of the Court, and shall contain the names of all men residing within the jurisdiction of the Court, being holders of Miners' Rights or Business Licenses.

28. It shall not be necessary to summon more than twelve Assessors or Jurors to attend any one sitting of the Court, and those summoned for the Trial of any one cause shall be deemed to have been summoned for the Trial of all causes to be tried at the same sittings of the Court with the assistance of Assessors or Jurors.

29. Every summons of an Assessor or Juror shall be served on him personally, or by leaving the same at his ordinary place of abode, at least one clear day before the sitting of the Court.

30. When the Assessors or Jurors shall be in attendance, if their number shall be odd, the Clerk shall strike off one, and the number being even, the Complainant and Defendant alternately shall each strike off one until the number be reduced to four.

31. The four thus remaining shall be empannelled and sworn to give their verdict in the cause to be brought before them.

32. Every such Juror thus empannelled shall be entitled to receive from the Clerk of the Court the sum of ten shillings, and the expense thereby incurred shall be costs in the cause.

33. If either party shall neglect or refuse to strike the Jury as above provided, or if the Defendant shall be absent, it shall be lawful for the Clerk of the Court to strike the Jury instead of such neglecting, refusing, or absent party.

34. No evidence shall be given by either party on the Trial of any case, except such evidence as may be material to the right of action, or to the defence.

35. It shall not be necessary that the Assessors or Jurors give a unanimous verdict, but Judgment shall be entered up in pursuance of the verdict of the majority.

36. Every Judgment entered up in pursuance of the verdict of a Jury, shall have the same force and effect as if such Judgment were entered in pursuance of the determination of the Judgment of the Court alone.

37. A minute of every decision shall be entered by the Judge, in a book to be kept for that purpose, and shall be signed by the persons, whether Assessors or Jurors, who concur in making such Decision, and no formal order shall be necessary, and a copy of such Minute shall, on demand, be given to any of the parties interested therein.

38. It being competent to the Court, whenever it shall seem fit, to order the working of any miner's claim affected by any matter in dispute brought before the Court, to be suspended until such matter shall have been investigated and adjudicated upon, if in any complaint there shall be set forth sufficient grounds in the opinion of the Court for an interim order or injunction on the person complained against to desist from working his claim, or from any act or proceeding in the working thereof likely to cause irreparable or serious injury, and if such relief or remedy be then claimed, the Judge may issue such order or injunction in the meantime. And afterwards on hearing the parties, may recal the same, or otherwise decide as he may see fit.

39. All the costs of any complaint or proceeding shall be taxed by the Court, and shall be paid or apportioned between the parties in such manner as to the Judge shall seem fit, but in default of any special direction, such costs shall abide the event of the action.

40. The Judge shall, in each case, direct what number of witnesses shall be allowed between party and party, and their allowance for attendance shall in no case exceed the highest rate of the allowance mentioned in the schedule.

41. The costs of witnesses, whether they have been examined or not, may in the discretion of the Judge be allowed, although they may not have been summoned.

42. The Complainant's Solicitor shall be entitled to receive in full for his fees and costs, in addition to the costs actually paid by him, a sum not exceeding £

43. The Defendant's Solicitor shall in every case in which judgment shall be given

for or against the Defendant, be entitled to recover in full of his costs and fees, in addition to the costs actually paid by him, a sum not exceeding £

44. The Judge may make such order as he may think fit, concerning the times, and by what instalments, any sum of money for which Judgment shall be obtained shall be paid; and all such money shall be paid into Court unless the Judge shall otherwise direct.

45. Every Order, Decree, or Judgment, made by the Court, shall be carried out and enforced in the same manner as any order or judgment of a Resident Magistrate may be enforced according to the Law for the time being in force for regulating summary proceedings before Justices of the Peace.

46. The Judge may at all times amend all defects and errors in any proceeding in this Court.

47. In default of the payment of any Fees, payment thereof, by order of the Judge, may be enforced by such means as may be employed to recover any sum of money adjudged by the Court to be paid.

48. The Judge, the Clerk, and any other Officer may refuse to do any act for which a fee shall be demandable, unless such fee shall be first paid.

49. The appeal allowed by Section 25 of the Act, shall be in the form of a case, agreed on by both parties or their Solicitors, and if they cannot agree, the Judge of the Warden's Court, upon being applied to by them or their Solicitors, shall settle the case and sign it, and such case shall be transmitted by the Appellant to the Registrar of the Court of Appeal.

50. The Judge may in pursuance of the 27th Section of the Act, prescribe such additional Regulations as may from time to time be necessary for the orderly transaction of the business of this Court.

SCHEDULE OF FORMS.

1. *Complaint.*

In the Warden's Court of District in the Province of Otago, New Zealand.

Be it remembered that upon the day of 18, cometh before me the undersigned, Judge of the District Warden's Court, sitting at in the said Province, A. B., (address, description, &c.) and complains against C. D., (address, description, &c.) Defendant.

1. That (here set forth briefly but distinctly and explicitly the ground or cause of complaint, and if there be more than one ground or cause of complaint state each substantively, numbering them 1, 2, 3, &c.)

Wherefore the Complainant claims that the Defendant be adjudged to (here state the nature of the claim or relief sought)

Stated before me at aforesaid this day of 18Judge.

2. *Summons.*

In the Warden's Court of District, in the Province of Otago, New Zealand, A. B. (address, description, &c.) Complainant, and C. D. (address, description, &c.) Defendant.

Whereas complaint hath this day been made before me the undersigned, the Judge of the said Court, by A. B. (address, description, &c.) Complainant, against C. D. (address, description, &c.) Defendant.

1. That (here set forth briefly but distinctly and explicitly the ground or cause of complaint, and if there be more than one ground or cause of complaint, state each substantively, numbering them 1, 2, 3, &c., as in complaint). Wherefore Complainant claims that the Defendant be adjudged to (here state the nature of the claim or relief sought as in the complaint). These are therefore to command you the said C. D., in Her Majesty's name, to be and appear on the day of 18 at o'clock in the noon, at the Court House, at before me to answer to the said complaint and demand (in any case falling under Rule 39, in which in the complaint an interim injunction is claimed, here insert) And in the meanwhile you are hereby enjoined to desist from (here state the matter of injunction distinctly) under the penalty, in case of disobedience of this injunction, contained in the Act.

Given under my hand and Seal this day of in the year of our Lord 18, at in the District aforesaid., Judge

3. *Certificate of Service.*

I, Bailiff to the Warden's Court at, do hereby certify that I served mentioned in the within Summons, with a copy thereof on the day of 18, between the hours of and noon. E. F.

4. *Summons to a Witness.*

In the Warden's Court of holden at, between A. B. Plaintiff, and C. D. Defendant.

You are hereby required to attend at the Court House in on the day of 18, at the hour of in the noon, to give evidence in the above cause, on behalf of (Plaintiff or Defendant, as the case may be) and then and there to have and produce (state any particular documents required) and all other Books, Papers, Writings and other Documents relating to the said action, which may be in your custody, possession, or power. In default of your attendance you will be liable to a penalty of

Five Pounds, under Section 54 of the Gold Fields Act, 1862.

Dated this _____ day of _____ 18__

C. D.,
Clerk of Court.

To A. B. (address, description, &c.)

5. Clerk's Notice of Jury.

In the Warden's Court of holden at _____, between A. B. Plaintiff, and C. D. Defendant
Take notice that this case will be tried by a Jury, the Plaintiff (or Defendant as the case may be) having demanded a Jury therein.

Dated this _____ day of _____ 18__

C. D.,
Clerk of Court.

To the Plaintiff or Defendant as the case may be (address, description, &c.)

6. Summons to Juror.

In the Warden's Court of holden at _____
You are hereby summoned to appear and serve as a Juror in this Court, at the (Court-house) on the _____ day of _____ 18__, at the hour of _____ in the noon, upon the trial of the cause or causes to be then tried by a Jury, and in default of attendance you will be liable to a penalty of Five Pounds, under section 54 of the "Gold Fields Act, 1862."

Dated this _____ day of _____ 18__

C. D.,
Clerk of Court.

To (address, description, &c.)

7. Order fining a Juror for non-attendance.

In the Warden's Court of holden at _____
Whereas _____ was duly summoned to appear and serve this day as a Juror in this Court, upon the trial of the cause or causes to be tried by Jury at this Court. And whereas he has neglected, without sufficient cause shown, to appear and serve as a Juror at this Court, it is hereby ordered that he shall forthwith (or on the _____ day of _____ 18__) pay to the Clerk of this Court a fine of £ _____ for such neglect.

Dated the _____ day of _____ 18__

By the Court, _____
C. D.,
Clerk of Court.

Hours of attendance at the office of the Clerk (place of office) from _____ until _____ except on (here insert the days of the week on which the office will be closed) when the office will be closed.

8. Bond—Where Plaintiff is Appellant.

Know all Men by these presents, that we, A. B. of _____, C. D. of _____ and E. F. of _____, are jointly and severally held and firmly bound unto G. H., of _____ in £ _____, * to be paid to the said G. H., or his certain Solicitor, Executors, Administrators, and Assigns, for which payment to be made, we bind ourselves, and each and every of us in the whole, our and each of our heirs, executors, and administrators, jointly and severally, firmly by these presents, Sealed with our Seals, and dated this _____ day of _____, one thousand eight hundred and _____

Whereas a cause is now depending in the Warden's Court of _____ holden at _____ wherein the above bounden A. B. is Plaintiff, and the above-named G. H. is Defendant, and whereas the above cause came on for trial in the said Court on the _____ day of _____ when a judgment was given for the said G. H., and whereas the said A. B. being dissatisfied with such judgment, gave due notice to the said G. H. of his the said A. B.'s intention to appeal from the same to the Supreme Court of New Zealand, at _____ according to the Gold Fields Act, 1862. And whereas it is thereby provided that the party who shall appeal as aforesaid shall give security to the satisfaction of the Court aforesaid, to appear and try such appeal and abide the judgment of the Court of Appeal therein and to pay such costs as shall be awarded. AND WHEREAS the above bounden C. D. and E. F., at the request of the said A. B., have agreed to enter into the above written obligation for the purposes aforesaid, and the security intended to be hereby given has been approved by the Judge of the said Court, as appears by his allowance on the margin hereof.† Now the condition of this obligation is such that if the above bounden A. B. shall appear and try the said appeal, and abide the judgment of the Supreme Court therein, and if the above bounden A. B., C. D., and E. F., or any or either of them, shall pay unto the said G. H., his Executors, Administrators, or Assigns, such costs as the said Supreme Court shall award, then this obligation shall be void, otherwise shall remain in full force.

Signed, Sealed, and delivered by the above bounden

L. S.
L. S.
L. S.

In the presence of

9. Bond—Where Defendant is Appellant.

Know all Men by these presents that we, A. B. of _____, C. D. of _____, and E. F. of _____, are jointly and severally held and firmly bound to G. H. of _____

* A sum sufficient to cover the costs of appeal, say £ _____, being double the estimated amount.

† I approve of this Bond.
(L. S.)

J. J. Judge.

in £ * to be paid to the said G. H. or his certain Solicitor, Executors, Administrators, or Assigns, for which payment to be made, we bind ourselves and each and every of us in the whole, our and each of our Heirs, Executors, and Administrators, jointly and severally, firmly by these presents, Sealed with our Seals, and dated this day of _____ one thousand eight hundred and _____

Whereas a cause is now depending in the Warden's Court of _____ holden at _____ wherein the above-named G. H. is Plaintiff, and the above-bounden A. B. is Defendant, and whereas the same cause came on to be tried in the said Court on the _____ day of _____ last, when a judgment was given for the said G. H., in the sum of £ _____, and whereas the said A. B. being dissatisfied with such judgment gave due notice to the said G. H. of his intention to appeal from the same to the Supreme Court of New Zealand, at _____ according to the provisions of the Gold Fields Act, 1862. And whereas it is thereby provided that the party who shall appeal as aforesaid, shall give security to the satisfaction of the Court aforesaid to appear and try said appeal and abide the judgment of the Court of Appeal therein, and to pay such costs as shall be awarded. And whereas the above-named C. D. and E. F., at the request of the said A. B., have agreed to enter into the above-written obligation for the purpose aforesaid, and the security intended to be given has been approved of by the Judge of the said Warden's Court, as appears by his allowance in the margin hereof.† Now the condition of this obligation is such that if the above-bounden A. B. shall appear and try said appeal and abide the judgment of the Court therein, and if the above-bounden A. B., C. D., and E. F., or any or either of them, shall pay unto the said G. H., his Executors, Administrators, or Assigns, such costs as shall be awarded by the Court, then this obligation shall be void, otherwise shall remain in full force.

Signed, Sealed, and delivered by the above bounden

L. S.
L. S.
L. S.

In the presence of _____

10. Case on Appeal.

In the Warden's Court of _____ holden at _____, between A. B. Plaintiff, and C. D. Defendant.

This is a suit (here state the cause of action, and the facts).

The question for the opinion of the Supreme Court is—First (here state the question for the opinion of the Court).

(Signature of Judge.)

* A sum sufficient to cover the costs of appeal, say £ _____, being double the estimated amount.

† I approve of this Bond.
(L. S.)

J. J. Judge.

11. Table of Fees.

Summonses	0	2	0
Summonses to Witnesses.....	0	2	0
Service of Summonses (if within one mile of the Court House)	0	3	0
For every extra mile one way.....	0	1	0
Hearing	0	4	0
Adjournment of Hearing, when made on application of Plaintiff or Defendant	0	2	0
Swearing Witnesses exceeding three on either side.....	0	2	0
Summoning Jury.....	1	4	0
Payment for the Jury	2	0	0
Entering up Judgment	0	2	0
Filing Notice of Ground of Appeal	0	8	0
Writ of Execution against Goods	0	4	0
Writ of Execution against the person	0	4	0
Issuing Warrant to Bailiff to deliver possession to a Plaintiff of premises recovered ...	0	8	0
Executing any Writ of Execution beyond one mile from the Court House, for every extra mile one way	0	1	0
Poundage on the sum levied or received, or for which the body is taken in execution, for every £1.....	0	1	0
Serving or Executing any Writ of Arrest, Injunction, Writ of Attachment, or any Summons, Order, Warrant, Precept, Writ or other process, not hereinbefore provided for, if within one mile of the Court House	0	8	0
For every extra mile one way ...	0	1	0
For keeping possession, per diem, any sum not exceeding	0	8	0
Auctioneers' Commission on goods sold, not exceeding five per cent.			
Advertising—For three lines of space, not exceeding 3s.; and 3d. for every additional line.			
Bailiff's Fee for Executing Writ against the Goods if satisfied within two hours of the levy	0	4	0
For every Search	0	1	0
For any Document required in Proceedings, and not enumerated in the Schedule	0	2	0
For every complete folio of 90 words above one	0	1	0
Copy of any Proceedings (first folio).....	0	1	0
And for every complete folio of 90 words	0	0	8
Cartage of Goods seized in Execution to Auction Room or place of security, reasonable expenses actually paid not exceeding 20s. per diem.			

ORDER IN COUNCIL.

Establishing Regulations for the granting of Gold Mining Leases in the Province of Otago.

G. GREY,
Governor.

At the Government House at Auckland, this
fifteenth day of September, 1862.

Present:—

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS it is provided by the Gold-fields Act, 1862, that it shall be lawful for the Governor in Council from time to time to make such Regulations, not being contrary to the provisions of the said Act, as he shall think fit, for regulating the granting of Leases for mining purposes, and the terms and conditions on which such Leases shall be granted, and such Regulations from time to time to alter and abolish.

Now, therefore, His Excellency the Governor, in pursuance and exercise of the said recited power and authority, Doth hereby, with the advice and consent of the Executive Council of the Colony of New Zealand, Make the following Rules and Regulations for the granting of Leases for Gold Mining within the district of the Otago Gold-fields;

And Doth further Declare that this Order shall take effect from the day of date hereof.

FORSTER GORING,

Clerk of Executive Council.

GOLD MINING LEASE REGULATIONS.

1. *What Lands may be Leased.*

Auriferous Crown Lands in the Province of Otago may be leased under these Regulations, except;

- (1.) The whole or any part of any land which any person other than the applicant is entitled to occupy and actually does occupy for mining purposes, or for residence, by virtue of a miner's right or business license.
- (2.) The whole or any part of any land in or over which any person other than the applicant has any interest or authority other than those above mentioned, which he may lawfully use or exercise for mining purposes, or for discovering the existence of gold or other metal or mineral.
- (3.) Lands containing within their boundaries any river, stream of permanent water, or spring, which may be required for public purposes or for the use of the miners generally.

2. *Boundaries of Land applied for to be defined.*

Persons intending to apply for a lease of Auriferous Crown Lands shall, previous to making application as hereinafter directed, erect or cause to be erected at each angle of the land proposed to be leased, a post, three inches

square, and standing at least three feet in height above the surface of the ground, and such posts shall be maintained at the expense of the applicant until the application shall have been granted or refused by the Governor.

3. *Mode of Application.*

Application shall be made in the form in the Schedule hereunto annexed marked A, and shall be addressed in duplicate to the Warden of the Gold Field within which the land so applied for is situated.

4. *Applicant to make a deposit.*

At the time of applying for such lease the applicant must deposit with the Warden the sum of twenty pounds (£20) as a guarantee for the payment of any expenses which may be incurred for the survey of the land applied for, or by reason of any objection to such application being allowed, and such Warden shall give to the applicant a receipt therefor, in the form in the Schedule hereunto annexed marked B., and any surplus which may remain over such expenses shall be returned to the applicant.

5. *Official Survey.*

Upon receipt of such application and deposit, the Warden aforesaid shall, as soon as may be, direct a Surveyor to proceed to the land applied for and to survey the same, and to report as to the area, boundaries and description thereof, the character of the ground, the likelihood of any river, creek, or permanent water spring, or artificial reservoir which may be included within the boundaries of the said land, being required for, or the feasibility of the same being applied to public purposes, or for the use of miners of the district generally, and also as to any claims to prior occupancy which shall come to his knowledge, enquiry as to which it shall be his duty to make, while making the said survey; and to furnish a plan of such land on a scale of sixteen inches to the mile, together with a tracing of so much of the general map of the district as will be sufficient to connect the particular area applied for with at least one trigonometrical station, or in the absence of any such, with some fixed point.

6. *Surveyor to affix notice.*

The Surveyor shall, at the time of making the survey hereinbefore directed, place a notice, in the form in Schedule hereunto annexed marked C., in some conspicuous place on the ground; and shall post a copy of such notice on the outside of the Warden's office.

7. *Priority of Application.*

In the event of more than one application being made for the same land, or any part thereof, such one of such applications as shall have been first left with the Warden shall be first considered; and in case any two or more of such applications shall be left with the Warden at the same time, it shall be in the discretion of the Governor to which of the applicants the lease shall be granted.

8. *Objectors to give notice.*

Any person objecting to the issue of a lease so applied for, shall, within twenty-one days after the posting of the notice by the Surveyor, forward to the Warden full notice of all such objections, and shall (except in cases of encroachment) deposit the sum of Ten pounds (£10); and such Warden shall give to the person making such deposit a receipt, in the form in the Schedule annexed marked D; as security for the due prosecution of his objections, and in satisfaction of any expenses to which the Applicant may be put by such objections if disallowed; and if such objections should not be prosecuted or should fail, so much of such Deposit shall be handed over to the Applicant as may be necessary to repay the expenses of such Applicant; and the balance (if any) shall be refunded to the person so objecting.

9. *Cases of Encroachment.*

When application shall have been made for a lease of any land to the whole or any part of which any person other than the Applicant shall claim to be entitled by virtue of prior occupation under a miner's right or business license, the objection to the granting of such lease may be heard by the Warden in the same way as a case of encroachment under the Gold-Fields Act; and such Warden shall immediately report the hearing of any such objection, and the decision arrived at therein, to the Superintendent of the Province.

10. *Enquiry into Application.*

After the expiration of twenty-one days allowed for objections, the Warden shall appoint a time and place for holding an enquiry into the truth of the particulars alleged by the applicant, and of the objections (if any) made by each objector, and two clear days' notice of the holding of such enquiry shall be given to each of the persons interested therein.

11. *Proceedings at Enquiry.*

At such enquiry the Warden shall take evidence in relation to the application and objections, and immediately thereafter he shall forward to the office of the Provincial Secretary the application and objections, if any, thereto, and the evidence taken by him as aforesaid with his opinion thereon, together with the report, plan, and tracing furnished to him by the Surveyor as hereinbefore directed.

12. *Governor to issue Leases.*

The Governor will, if he shall think fit, upon the recommendation of the Superintendent of Otago, issue to any Applicant a lease of the land applied for, or any part thereof, after the time prescribed by the thirty-second section of the Gold Fields Act, 1862; viz. three months after notice of the intention to grant the same shall have been published in the Government Gazette, and at least one of the local newspapers best calculated, in the opinion of the Governor, to give publicity to the same amongst the persons specially interested.

13. *Date of Lease.*

Every Lease will bear date the day of execu-

tion thereof by the Governor and will be transmitted to the Warden, at whose office the same may be obtained, and the Warden shall deliver the same to the applicant, or such person as shall be duly authorised to receive and execute the same, upon his application thereto, and execution thereof, within the time hereinafter prescribed, and upon delivery to the Warden of a Receipt showing that a fee of one pound, together with the first half year's rent, has been paid to the Receiver of Land Revenue or Gold Receiver for the District.

14. *Execution of Lease.*

Upon receiving the lease the Warden aforesaid shall cause notice to be given to the Lessee or Lessees requesting his or their attendance at the Warden's Office, or other convenient place, to execute and take delivery thereof, within a reasonable time not exceeding Thirty days from the date of such notice, and should the said lessee or lessees or his or their lawful Attorney, as hereinafter provided for, fail to comply therewith, or to show reasonable cause for an extension of the time allowed for the purpose, the Warden shall report the circumstances to the Provincial Secretary, and the Superintendent may thereupon declare the lease forfeited, or take such other action therein as he may think fit.

15. *Proceedings in case of refusal of Lease.*

If any lease so applied for shall be refused, either in the first instance, or after a failure to comply with the terms of the notice in the last preceding Section mentioned, or if any application for a lease shall be withdrawn, a notice thereof shall be published in the Government Gazette, and the Warden shall thereupon instruct a Mining Surveyor to proceed without delay to the ground described in such Mining Lease, and cause all posts, notices, &c., by which such ground shall have been distinguished, as applied for under the leasing regulations, to be removed; and further to notify, for the information of the Miners in the vicinity, that such ground is open to persons holding Miners' Rights or Business Licenses or to Applicants for a Lease, as if no lease of the said ground had ever been applied for.

16. *Costs.*

All costs and expenses incurred by, or on behalf of, or by direction of, the Government, by reason of the withdrawal of any application for Mining leases, or of the non-execution of any such lease within the time aforesaid, shall be considered expenses within the meaning of the second clause of these Regulations.

17. *Term.*

The term of the lease cannot in any case exceed fifteen years.

18. *Areas of Leases.*

The extent of any lease granted under these regulations shall be, except in special cases hereinafter provided for, on quartz lodes or veins, not less than one hundred (100) yards, nor more than four hundred (400) yards in

length along the line of the lode, by a width of not less than fifty (50) yards, nor more than two hundred (200) yards measured across the lode; and in alluvial workings an area not exceeding ten (10) acres.

19. *Rents.*

The rents received shall in all cases be at the rate of five pounds per acre, and the said rents shall be made payable *half-yearly in advance*, during the entire term; and the day of the execution of the lease by the Governor shall be deemed to be the day upon which the first payment shall be due.

20. *Special Cases.*

In cases where it shall be shown that a departure from the foregoing areas or rents would, under special circumstances, be desirable, the same may be extended, diminished, or otherwise altered, and such covenants, conditions, and stipulations may be imposed, and such rents and royalties reserved, as may be considered necessary.

21. *Attorney may be appointed.*

In case of the inability of any lessee or lessees, by reason of absence, sickness, or any other lawful impediments, to execute a lease, the lawful Attorney or Attorneys of such lessee or lessees shall be permitted to execute such lease for and on his or their behalf.

22. *Power of Attorney.*

All such Attorneys shall be appointed under Power of Attorney, in the form, or to the effect, set forth in the schedule hereunto annexed marked E, and the execution thereof shall be attested by a Justice of the Peace, and every such Power of Attorney shall be registered in the office of the Registrar of Deeds before it shall be acted upon.

SCHEDULE A.

(Form of application for Lease.)

Place and Date.

To, _____

Sir,—I herewith deposit the sum of Twenty pounds as required by the Mining Lease Regulations of Otago, and I agree, if my application (the particulars of which are hereunder set forth) be investigated, that such sum shall in all respects be held subject to the terms of such regulations, and that upon the approval of this application, I will execute a lease upon the basis therein stated if the Governor shall think fit to grant the same.

I have &c.,

Signature of Applicant.

SCHEDULE B.

General Remarks.	
Time of commencing operations.	
Term for which lease required.	
Precise locality.	
Proposed mode of working the land.	
Amount of capital proposed to be invested.	
Minimum number of men to be employed by the Lessee.	(1.) For the first months men. (2.) Subsequent when in full work men.
Extent of land applied for.	
Style under which it is intended to conduct the business.	
Name and address in full of applicant.	

(Form of Receipt for deposit with Warden.)

In the matter of the Application for a lease under the Mining Lease Regulations.

Received from the above named parties the sum of Twenty (20) pounds, pursuant to the Regulations for leases of lands for Gold Mining.
Dated &c.,

Signature of Warden.

SCHEDULE C.

(Form of Notice to be posted by the Surveyor.)

To all persons whom it may concern
I hereby give notice that
residing at _____ did on the _____ day of _____ apply to the Warden at _____ for a Gold mining Lease of (acres or yards) of land, which I have this day marked out, and that any person desiring to object to the issue of such lease must, within twenty-one clear days from the date of this notice, forthwith enter

his objection at the office of the said Warden. And I further give notice that the said land is exempted from occupation for any purpose whatsoever until the application of the aforesaid has been finally dealt with.

Signature of Surveyor.
Dated the _____ day of _____

SCHEDULE D.

(Form of Receipt for deposit with Warden.)

In the matter of the Application of _____ for a lease under the Mining Lease Regulations, and of objections thereto lodged by A.B., C.D. &c.

Received from _____ the sum of Ten (10) pounds, pursuant to the regulations for leases of Crown Lands for Gold Mining.

Dated, &c.

(Signed) Warden.

J.K. } Names of Applicants, and Addresses.
L.M. }

SCHEDULE E.

Know all men by these presents, that I, A.B. (or we A.B. and C.D.) do hereby make, nominate, constitute and appoint, and in my (or our) place and stead put E.F. of (residence and addition) to be my (or our) true and lawful attorney for me (or us) and in my name (or our names) to accept the lease of auriferous Crown Land for mining purposes for which I (or we) on the _____ day of _____ 18____ applied, and the deed of which was on the _____ day of _____ 18____ executed by His Excellency the Governor, and for me (or us) and in my name (or our names) and as my (or our) act and deed to sign, seal and deliver such deed of lease, and for me (or us) and in my name (or our names) to enter into all such covenants and agreements as I (or we) shall be required to enter into in and by said deed or otherwise, in the matter of said lease, and generally for me (or us) and in my name (or our names) to do execute and perform all such other acts, deeds, and things as may be necessary or may be required to be done executed or performed in and about the acceptance and execution respectively for me (or us) and in my name (or our names) of such lease and deed of lease respectively, and I (or we) do hereby ratify and confirm and covenant that I (or we) will ratify and confirm all and whatsoever the said E.F. shall lawfully do or cause to be done in or about the premises by virtue of this power.

In witness whereof, &c.

N.B.—Printed copies of the forms in these schedules will be issued at the Wardens' office free of expense.

ORDER IN COUNCIL.

Constituting a Warden's Court within the Nelson Gold Field, and appointing a Warden thereto.

G. GREY,
Governor.

At the Government House at Auckland, the 15th day of September, 1863.

Present:—

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by the "Gold Fields Act, 1862," it is enacted that it shall be lawful for the Governor in Council from time to time to constitute for any Gold Field or for any part thereof Wardens' Courts for the administration of Justice therein, and to appoint Wardens as Judges of such Courts with power to act alone, or with Assessors or Juries, and in such manner, and to exercise all or any of the powers thereafter mentioned as the Governor shall think fit to direct:

Now therefore, His Excellency the Governor, with the advice and consent of the Executive Council of New Zealand, Doth hereby constitute for the district aftermentioned of the Gold Field of the Province of Nelson a WARDEN'S COURT for the administration of Justice within the said district, that is to say for the district known as the MASSACRE BAY DISTRICT.

And Doth further hereby Appoint the person undermentioned being a Justice of the Peace and Resident Magistrate, that is to say,

JAMES MACKAY, Esq. Junior,

to be the Warden and Judge of such Court, with power to him to act alone, or with Assessors, or Juries, and in such manner, and to exercise all or any of the powers mentioned in the 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, and 30th sections of the "Gold Fields Act, 1862," as the Governor shall think fit to direct.

FORSTER GORING,
Clerk of Executive Council.

ORDER IN COUNCIL,

Issuing Regulations for the granting of Gold Mining Leases in the District of the Nelson Gold-fields.

G. GREY,
Governor.

At the Government House, at Auckland, the fifteenth day of September, 1862.

Present:—

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS it is provided by the "Gold-fields Act, 1862," that it shall be lawful for the Governor in Council from time to time to make such Regulations, not being contrary to the provisions of the said Act, as he shall think fit, for regulating the granting of Leases for mining purposes, and the terms and conditions on which such Leases shall be granted, and such Regulations from time to time to alter and abolish;

Now, therefore, His Excellency the Governor, in pursuance and exercise of the said recited power and authority, Doth hereby, with the advice and consent of the Executive Council of the Colony of New Zealand, Make the following Rules and Regulations for the granting of Leases and Occupation Licenses for Gold Mining within the district of the Nelson Gold-fields;

And Doth further Declare that this Order shall take effect from the day of the date hereof.

FORSTER GORING,
Clerk of Executive Council.

Rules and Regulations for the granting of Leases and Occupation Licenses for Gold Mining within the District of the Nelson Gold-fields.

Interpretation:—Whenever the Term "Commissioner" is used in these Rules and Regulations, it shall be taken to mean the Commissioner, Warden, or Resident Magistrate, or any other Officer entrusted with the superintendence of the Gold-field or any portion of it, and holding a Commission under the hand of the Governor duly empowering him to have charge thereof.

1. Applications for Leases of auriferous lands must be made in writing, and directed to the Commissioner in charge of the District.

2. The Commissioner shall, as soon as possible after the receipt of any such application, proceed to examine the land applied for, and, should he approve, he may direct that the boundaries shall be properly surveyed and defined; he shall also demand that a deposit equivalent to one year's rent shall be paid to the Receiver of Land Revenue.

3. All surveys shall be made at the expense of the applicants, and by a Surveyor approved of by the Government.

4. On completion of the survey, and description, the application will be forwarded with the Commissioner's remarks thereon for the Superintendent's approval or disallowance.

5. In the event of the Superintendent's approval, he will forthwith cause a notice of the application to be published in the *Government Gazette*, and in one or more newspapers having circulation within the Province.

6. In the event of no objection being raised to the granting of a Lease, it will then be prepared at the Crown Lands Office at Nelson, and thence transmitted for the Governor's approval and signature.

7. Pending the execution of the Lease, the Commissioner will issue a License (to be called an "Occupation License") to the applicant or applicants, authorising him or them to occupy beneficially the lands applied for, and rent will be charged from the date of the issue of such License.

8. Persons leasing lands for Gold Mining purposes shall be bound to expend one hundred pounds per acre per annum in labour or works for each acre of the land demised to them. Proper accounts of the expenditure incurred in Gold Mining, or in purposes connected with

it, shall be kept by the Lessees, and shall be furnished to the Commissioner when required.

9. No block shall be leased of a greater area than fifty acres.

10. All rents must be paid yearly, in advance, after the following rates:—

For each block containing one acre and under, two pounds (£2).

For each block containing upwards of one acre, and not exceeding three acres, one pound ten shillings (£1 10s.) for every acre, or for any portion less than an acre.

For each block containing upwards of three acres, and not exceeding four acres, one pound five shillings (£1 5s.) for every acre, or for any portion less than an acre.

For each block containing upwards of four acres, and not exceeding five acres, one pound two shillings and sixpence (£1 2s. 6d.) for every acre, or for any portion less than an acre.

For each block containing upwards of five acres, one pound (£1) for every acre or for any portion less than an acre.

11. At the expiration of three months after the issue of an "Occupation License" to the applicant he shall prove to the satisfaction of the Commissioner that he has expended at least five pounds (£5) for each acre of the land occupied by him.

12. Any person who shall for three months consecutively delay the commencement, or shall for three months discontinue the *bona fide* working, of any mine and premises demised to him, or which he shall have been duly licensed to occupy, shall forfeit his Lease, or right to a Lease; and it shall be lawful for the Governor for the time being, or for any person appointed by him for that purpose on behalf of the Crown, to re-enter upon any lands and premises so demised or licensed and thereby determine the Estate of the said Lessee or Occupant or his Executors, Administrators, and Assigns therein. Notice of the determined Lease shall be published in the *Government Gazette*.

13. The deposits received on applications for Gold Mining Leases shall be held for the first year's rent, if the application is approved of; and, in the event of such application being disallowed, the amount will be returned to the Applicant, after deducting such sum as will suffice to cover all the preliminary expenses which may have been incurred.

14. Nothing herein contained shall be deemed to apply to Gold Mining Leases which shall have been issued previous to the date of these Rules and Regulations.

Form of Occupation License.

No. In accordance with the Rules and Regulations under which Gold Mining Leases of Crown Lands shall be granted within the "Nelson Gold Fields," I, A. B., (Warden) of the said Gold Field, being duly empowered in that behalf, do hereby license C. D. to occupy for Gold Mining, and purposes connected therewith, all that piece or parcel of Land situated at _____ containing by ad-

measurement acres, more or less, subject nevertheless to all the terms and conditions under which Occupation Licenses shall be granted.

Dated at this day of 186 .
Entered on Record in Reg. F
A. B.,
(Warden).

ORDER IN COUNCIL

Regulations respecting delegation of powers to Superintendents under "Diseased Cattle Act, 1861."

G. GREY,
Governor.

At the Government House, at Auckland, the fifteenth day of September, one thousand eight hundred and sixty three.

Present:—

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by Warrants under the hand of His Excellency the Governor, bearing date this fifteenth day of September One thousand eight hundred and sixty three, the Governor has with the advice and consent of the Executive Council of New Zealand delegated to the Superintendents respectively of the Provinces of Auckland, Taranaki, Wellington, Hawke's Bay, Nelson, Marlborough, Canterbury, Otago, and Southland, certain powers conferred on him by the "Diseased Cattle Act, 1861," subject to certain Regulations to be made by the Governor in Council under the said recited Act.

Now, therefore, His Excellency the Governor, with the advice and consent of the Executive Council of New Zealand, by virtue of the authority given to him by the 14th section of the above recited Act, doth hereby Make and Ordain the following Regulations:—

1. The delegation of powers under the said Warrants shall continue to be in force for the period of one year from this date, subject to be rescinded according to the provisions of the above recited Act.

2. Each Superintendent shall, immediately after exercising any of the delegated powers, notify the same to the Governor, and he shall transmit to the Governor particulars of all appointments and copies of all Regulations made by him.

3. He shall, so soon as conveniently can be, notify all Regulations made by him to the Colonial Secretary or Chief Secretary of each of the Australian Colonies, and cause the same to be published in England in the *Times* newspaper.

4. In the exercise of powers delegated under the 9th section of the said Act, the Superintendent of any Province, may, either in the first instance or afterwards, from time to time by Proclamation in the *Government Gazette* of the Province, except out of any district proclaimed as infected under the said Act, any Port or

Place within the limits of such district, and every such excepted Port and Place shall be deemed not to be within the proclaimed district, and the Superintendent may also from time to time by Proclamation as aforesaid, rescind any Proclamation of an infected district wholly or as to any part thereof, and also the Proclamation of any such exception as aforesaid.

5. In the exercise of powers delegated under the 10th section of the Act, the Superintendent of any Province may prohibit the importation, either by land or by sea, of cattle into such Province from any other Province or any particular Port or place in any other Province, or across the borders of a Province or any particular part thereof.

6. In all such last-mentioned cases such Superintendent shall cause notice as speedily as possible of such prohibition to be given to the Superintendent of the Province from which the importation shall be prohibited, and also to the Governor.

7. The Superintendent of any Province may in his discretion suspend or forbear to exercise all or any of the powers delegated to him under the said Act.

8. The Superintendent of each Province shall, as soon as can be after the commencement of each sitting of the Provincial Council of such Province, lay before such Council copies and particulars of all the Appointments, Regulations, Acts and Proceedings whatever issued, made, or done by him under the delegated powers of the said Act.

9. If the Provincial Council of any Province shall by resolution declare their dissent from all or any of such Appointments, Regulations, Acts and Proceedings, such Resolution shall be forthwith transmitted by the Speaker to the Governor for his consideration.

FORSTER GORING,
Clerk of Executive Council.

Colonial Secretary's Office,
Auckland, 15th September, 1863.

HIS Excellency the Governor, with the advice and consent of the Executive Council, has been pleased to delegate under the "Diseased Cattle Act, 1861," to the Superintendents respectively of the Provinces of

Auckland,	Nelson,
Taranaki,	Marlborough,
Wellington,	Canterbury,
Hawke's Bay,	Otago,
and Southland,	

the several powers vested in the Governor by the 2nd, 4th, 5th, 7th, 9th, and 10th Sections of the said Act, subject to be rescinded as in the said Act provided, and subject to the Regulations contained in the Order in Council of even date herewith.

ALFRED DOMETT.

*Charles Mellso, Esq., of Papakura,
appointed Coroner.*

Colonial Secretary's Office,
Judicial Department,
Auckland, 12th September, 1863.

HIS Excellency the Governor has been
pleased to appoint

CHARLES MELLOP,
of Papakura, in the Province of Auckland,
Esquire, to be a Coroner having jurisdiction
within the said Province.

ALFRED DOMETT.

Colonial Secretary's Office,
Judicial Department,
Auckland, 15th September, 1863.

HIS Excellency the Governor has been
pleased to accept the resignation by

LAUGHLIN O'BRIEN, ESQ.,

of his appointment as Sheriff for the Chatham
Islands.

ALFRED DOMETT.