

SUPPLEMENT

ZEALAND NEW GAZETTE

OF THURSDAY, JANUARY 10, 1878.

Bublished by Authority.

WELLINGTON, FRIDAY, JANUARY 11, 1878.

Regulations under "The Mines Act, 1877."

NORMANBY, Governor.

WHEREAS by the fifty-first section of "The Mines Act, 1877," it is enacted that it shall be lawful for the Governor, subject to the provisions of the said Act, from time to time to make, alter, amend, and revoke rules and regulations for all or

any of the purposes thereinafter enumerated:
Now, therefore, I, George Augustus Constantine, Marquis of Normanby, Governor of the Colony of New Zealand, do hereby make the following Rules and Regulations for the several mining districts constituted under the said Act, and for such mining districts as may be hereafter constituted and appointed under the said Act.

As witness the hand of His Excellency the Governor, this tenth day of January, one thousand eight hundred and seventyeight.

J. T. FISHER.

I.—PRELIMINARY REGULATION. Interpretation Clause.

1. In the construction and for the purposes of these Regulations, the following terms shall, if not inconsistent with the context or subject-matter, have the respective meanings hereby assigned to them (that is to say)—
The words "Mining Registrar" or "Registrar"

shall include the person charged with the care or custody of the registration books in the War-

den's office.

"Working hours" shall mean between 8 a.m. and 12 noon and between 1 p.m. and 5 p.m. on any working day except Saturday, when working hours shall be between 8 a.m. and 12 noon only. The words "ordinary claim" shall mean any mining claim in alluvial ground, except river

dredging, wet, extended prospecting, frontage, and sea-beach claims.

"Ordinary quartz claims" shall mean all quartz claims except prospecting areas and prospecting quartz claims.

"River or creek claims" shall mean all claims in the beds of rivers or permanent streams.

"Dredging claims" shall mean claims in the beds of rivers or permanent streams that shall be taken up to be worked by dredging.

"Wet claims" shall mean claims in flooded ground which cannot be worked without appliances for

drainage, and defined as such by the Warden.
The words "tail-race" shall mean a tail-race constructed for the purpose of drainage, or for the discharge of tailings.
The words "ground-sluice" shall mean a race con-

structed for the purpose of saving gold.

The words "quartz reef" shall include any leader

or vein of quartz.

The words "Schedule hereto," and "form prescribed," shall mean the Schedule appended to these Regulations, and the form in such Schedule appropriate to the application or other matter

or to the like effect.
The word "protection" shall mean exemption from forfeiture under these Regulations

The words "new gold workings" ground previously unworked. shall mean

Words importing the singular number shall include the plural number, and words importing the plural number shall include the singular number, and words importing the masculine gender shall include the feminine gender.

Miners' Rights and Business Licenses.

2. Miners' Rights and Business Licenses shall be issued only by Receivers of Revenue or other persons duly authorized in that behalf, and may be signed by any such Receiver or other authorized person, or by any Warden. Such Miners' Rights and Business Licenses to be produced for inspection when demanded by the Warden or other officer, or by any person duly authorized in that behalf in writing by the Warden.

II.—CLAIMS TO BE MARKED.

How to Mark Claims.

3. Every claim, except as hereinafter provided, shall be marked at each corner by a peg not less than two inches in diameter, or cairn of stones or stack of sods not less than two feet high, and by trenches not less than six inches in depth and five feet in length

extending on either side of every such peg, cairn, or stack in the direction of the boundaries of the claim. When any corner cannot be marked on account of the nature of the ground, the peg, trench, or mark may be placed at the nearest practicable point.

Marking Quartz Claims.

4. Every quartz claim shall be marked by four substantial corner posts at least three inches in diameter and standing three feet above the surface of the ground, or in untimbered country by cairns of stones or stacks of sods standing not less than two feet in height, and by trenches not less than six inches in depth and five feet in length, extending on either side of every such peg, stack, or cairn in the direction of the boundaries of the claim, and if in bush one end line shall be cleared, and the trees placed on such line from peg to peg. And all such posts and lines shall be maintained free from rubbish, and clear so as to be readily observed.

Marking Dredging Claims and River Claims.

5. Claims on rivers shall be marked as provided in section 3 or by marks not less than one foot in length, to be cut upon the rocks above high flood mark.

Marking Frontage Claims.

6. Frontage claims shall be marked as provided in section 3, and in addition by similar pegs, stacks, or cairns placed at intervals of not less than fifty feet along the side lines.

Marking Sea-beach Claims.

7. Every sea-beach claim shall be marked by pegs, stacks, or cairns as provided in section 3 at each corner of such claim above high watermark.

Marking Prospecting Areas.

8. Prospecting areas shall be marked as provided in section 3 for ordinary claims.

III.—Size of Claims.

Ordinary Claims.

9. An ordinary claim in alluvial ground shall not exceed an area of 10,000 square feet (equal to 100 feet by 100 feet) for each holder of a Miner's Right, but not more than 100,000 square feet shall be held together as one claim.

100 FEET x 100 FEET.

Fo	r 1	man,	100	feet	x	100	fee	t =	10,000	feet
,,	2	men,	100	,,	X	200	,,	===	20,000	"
,,	3	,,	122	"	x	244	"	about	30,000	,,
99	4		141	11	X	282	,,	,,	40,000	**
,,	5	,,	158	,,	X	316	,,	,,	50,000	,,
11	6	**	173	**	X	346	,,	,,	60,000	,,
,,,	7	,,	187	,,	X	374	,,	,,	70,000	,,
,,	8	. ,,	200	**	x	400	,,	=	80,000	,,
11	9	,,	212	,,	x	424	,,	about	90,000	,,
	10		223	,,	x	446	"	,,	100,000	**

Double Ground.

10. The Warden may in his discretion grant claims in alluvial ground not exceeding twice the ordinary size on being satisfied that, either from the quality of the ground or any difficulty in working it, such extension of area is necessary, but no such grant shall be made until after application and the posting of notices in manner provided by Regulations. And no such claim shall exceed 200,000 square feet.

Extended Claims.

11. When any extraordinary expenditure of capital section or labour is requisite, or if the Warden is satisfied thereof.

that any ground cannot be profitably worked in claims of ordinary or double size, it shall be lawful for him to grant claims in alluvial ground, to be called "Extended Claims," such claims not to exceed one acre for each holder of a Miner's Right, and no such claim shall comprise more than six acres.

Frontage Claims.

12. A frontage claim shall be an area having 100 feet frontage to the terrace, river-bank, lake-bank, or hill-side for each holder of a Miner's Right, by a depth not exceeding 1,000 yards, but not more than 1,000 feet frontage shall be held as one claim, and the holders of any such claim shall be required within a reasonable time after the discovery of gold within the parallels to mark off an ordinary claim, the boundaries of which shall correspond with the parallels of the frontage claim, and shall thereupon cease to have any right to the remainder of such frontage claim.

Quartz Claims.

13. A quartz claim shall not exceed 100 feet in length, to be measured along the supposed course of the lode or vein, by a width not exceeding 300 feet upon each side of the supposed course for each holder of a Miner's Right: Provided that no miner or party of miners shall hold under this rule more than 1,000 feet along the course or supposed course of any reef.

River or Creek Claims.

14. A river or creek claim shall not exceed 100 feet in length for each holder of a Miner's Right, to be measured in the direction of the course of any stream, by a width of not less than 30 feet, but when the stream exceeds 30 feet in width the width of the claim shall be taken from bank to bank, the banks to be defined when necessary by the Warden, but not more than 1,000 feet in length along the course of any stream shall be held as one claim.

Dredging Claims.

15. In dredging claims each holder of a Miner's Right shall be entitled to an area of 200 feet along the course of the river or stream, by a width bounded by the ordinary high watermark, but not more than 2,000 feet along the course of any river or stream shall be held as one claim.

Sea-beach Claims.

16. A sea-beach claim shall not exceed 100 feet frontage to the sea at high watermark for each holder of a Miner's Right, with a depth not exceeding 100 feet above high-watermark, and with no limit to the seaward side, but not more than 1,000 feet frontage shall be held as one claim.

Prospecting Claims.

17. A prospecting claim in alluvial or quartz ground shall be a claim of double area, but not more than six such double areas shall be held together as one claim.

Prospecting Areas.

18. A prospecting area shall be an area in alluvial ground of 600 yards by 400 yards, and on a quartz reef 300 yards by 300 yards.

IV.—FORM OF CLAIMS.

Form of Ordinary Claims.

19. Any ordinary claim may be of any form provided that no such claim shall, except as provided in section 21, exceed in length twice the breadth

20. Double, extended, and prospecting claims in alluvial ground may be of any form, provided that no such claim shall, except as provided in section 21, exceed in length twice the breadth thereof, unless otherwise specially sanctioned by the Warden.

Spare Ground.

21. Any holder or holders of Miners' Rights may occupy any spare ground between two or more claims, or between any claim and old worked and abandoned ground, and such spare ground may be of any form, provided that it shall not exceed in area the number of superficial feet allowed by these Regulations.

V.—Applications and Grants. Notices to be Posted on Application.

22. Any person desirous of obtaining a registered right to any of the under-mentioned claims, rights, or privileges, shall, after marking the same, give notice to the Warden and to all persons whose interests will obviously be affected, in the form provided in the Schedule hereto, or to the like effect, and shall post and maintain for fourteen clear days copies of such notices in such conspicuous places as are hereinafter more particularly specified: Water-race.

Drainage Area. Tail-race. Branch Race. Flood Race. Sludge Channel. Main Tail-race.

Alteration or Extension of a Race.

Diversion of the Course of a Creek or River. Tramway or Shoot for Mining Purposes.

Dam or Reservoir. Puddling Machine

Amalgamation of Claims.

Residence Area.

Tunnel.

Protection for more than fourteen days, and Renewal.

Special Site for Machinery, or for any other Mining Purpose.

Double Člaim. Extended Claim. Prospecting Area. Ordinary Quartz Claim.

Notices to contain Particulars.

23. Every notice must contain the name of each member of the party applying, together with the number and date of his Miner's Right, and there shall also be set forth in the notice a state of the time and place at the big the state of the the time and place at which the application and objections (if any) will be heard and decided.

Where Notices are to be Posted.

24. Notices of application for any race, tramway, or diversion of a creek must be posted at each end of the proposed race, tramway, or diversion, and at each separate source of a water-race.

Notice of application for a tunnel must be posted

at the proposed mouth of the tunnel.

Any other notice must be posted on the claim, or the site of the right or privilege to which the application refers, and in all cases one copy of each notice must be left at the Warden's office.

Objections.

25. Any person objecting to the grant of any claim, right, or privilege for which application has appointed by him.

Form of Double, Extended, and Prospecting Claims been made, shall give notice in writing to the Warden in Alluvial Ground. | and to the applicant, and shall appear either personand to the applicant, and shall appear either personally or by agent to substantiate his objection at the time and place appointed for the hearing.

Priority of Application.

26. If more than one application shall have been made for the same claim, right, or privilege, the preference shall be given to the prior application, but if two or more applications be made on the same day for the same claim, right, or privilege, the priority of right may be decided by lot.

Hearing and Granting.

27. At the time and place appointed for the hearing of any application for any of the claims, rights, or privileges specified in section 22, the name of the applicant shall be called and the application and objections (if any) heard, and if no valid objection has been lodged, and if the Warden sees no valid objection tion, he may grant the application upon such terms as he may think necessary or desirable for the public good; and the same shall be registered and a certificate of registration, or in the case of a water-race a license, shall be issued to the applicant.

VI.—REGISTRATION.

Compulsory Registration.

28. Every claim, right, or privilege that may be granted by a Warden upon application, shall be held to be granted under the condition that a license or certificate of registration shall be taken out by the grantee within fourteen days from the day of the granting of the license, and in case the grantee shall fail to take out such license or certificate the grant shall lapse.

Permissive Registration.

29. All claims, rights, and privileges, mining partnerships, and agreements between holders of Miners' Rights or Business Licenses may be registered.

Registration of Transfers.

30. Any claim, right, or privilege held under these regulations, and any share or interest therein, may be transferred or assigned, but in all cases where it is provided that any such claim, right, or privilege must originally be registered, the transfer or assignment thereof must also be registered and noted on the back of the original certificate or license.

Registration Fees.

31. The fee payable upon every registration or renewal of registration, and upon every water license issued under these regulations, shall be one shilling.

Searches.

32. Any person requiring any information from the Registration Books in the Warden's Office may obtain the same on payment of a fee of one shilling.

VII.—PROSPECTING.

Discovery to be Reported.

33. Any person discovering new gold workings and being desirous of obtaining an increased area thereon shall mark off a prospecting claim, as provided in Regulation II., and shall immediately report such discovery with full particulars to the Warden, and the ground so marked off shall be protected until the Warden shall have finally refused or granted the claim; but the Warden may, if he think fit, refrain from granting or refusing such claim until the ground shall have been visited by himself or by some person

Notices to be Posted by the Warden.

34. Notices of all prospecting claims granted, with full particulars of locality, yield of gold, and description of workings, shall be posted by the Warden on the outside of his office for public information.

Where Prospecting Claims to be Obtained.

35. It shall not be lawful for the Warden to grant a prospecting claim for any new discovery at a less distance than two miles from any previously existing workings in alluvial ground, nor to grant a prospecting claim for any new discovery of a quartz reef at a less distance than half a mile from any previously existing quartz workings.

Occupation of Prospecting Claim.

36. Every prospecting claim shall, after being marked, be held by one man remaining on the ground during working hours until the application is dealt with, and, if granted, the claim must, unless by special permission of the Warden, be fully occupied within seven days from the date of grant.

Assisted Prospecting.

37. The Warden may, if he think fit, grant a prospecting claim to the actual discoverers of new gold workings conjointly with persons who have assisted them in prospecting either with contributions or otherwise, or with other persons who may be nominated by the actual discoverers, although the said persons may not have been on the ground prior to the granting thereof.

Prospecting Area.

38. The Warden may, upon the application of any persons forming a party of not less than four, grant protection for not more than three months for a "prospecting area" at a distance of not less than two miles from any existing workings in alluvial ground, or in the case of quartz workings at a distance of not less than half a mile from any existing quartz workings: Provided that in no case shall any such prospecting area be granted within a radius of half a mile of any other such prospecting area: Provided further that such protection shall only continue in force until gold is struck, in which case the discovery shall be reported, or until the holders are required by the Warden to mark a prospecting claim, in either of which cases a prospecting claim shall be marked and applied for as provided in Regulation II. and V., and protection shall thereupon cease as to the remainder of such prospecting area.

Protection for Prospecting Areas may be Renewed.

39. It shall be lawful for the Warden to renew from time to time the protection for a prospecting area: Provided that such renewed protection shall not be granted for more than three months at any one time.

Prospecting Areus to be Continuously Worked.

40. Every prospecting area shall be continuously worked by at least two men during the entire period of occupancy.

VIII.—SPECIAL SITES.

Special Sites may be Granted.

41. It shall be lawful for the Warden, on application, to grant to holders of Miners' Rights or Gold Mining Leases special sites not exceeding five acres in extent, for the erection of machinery, or for stacking or depositing auriferous earth or quartz tailings, headings, or other substances, or as washing sites or for other special purposes, and such special sites shall be marked out as ordinary claims.

Restriction of Site.

42. Special sites shall not, except under extraordinary circumstances, be granted for any land which is known to be auriferous unless the same has been worked out and abandoned, nor for land which is in the line or direction of any workings, or which is or may probably be required for business purposes.

IX.—Puddling Machines.

Main Sludge Channel to be First Constructed.

43. No person shall be permitted to erect a puddling machine in any locality wherein puddling operations have not heretofore been carried on until main sludge channel shall have first been constructed.

Main Sludge Channels to be Approved by the Warden.

44. The position and course of all main sludge channels and the width and depth thereof shall be subject to the approval of the Warden, who shall have power to remove, alter, and vary the same whenever it shall seem to him necessary so to do. And when any such channel shall be ordered by the Warden to be removed, altered, or varied at the instance of any person, the expense of such removal, alteration, or variation shall be borne by the person at whose instance such removal, alteration, or variation was made.

Expense of Construction.

45. The expense of the construction of any such channel shall be borne by the persons then or afterwards using the same in proportion to the position of each machine relatively to the said channel, and payment of such proportion to the person constructing the same shall be made prior to the granting of any certificate of registration.

Any person desiring to discharge sludge into any main sludge channel already constructed may be permitted by the Warden to do so on the same terms as provided for the use of tail-races.

Sludge Drains and Channels to be kept Clear.

46. Main sludge channels shall be kept clear and in good repair by the joint labour of the machine-owners in each locality, and the owner of each machine shall further keep clear and in good order the private sludge drain connected with such machine, and on no pretence whatever shall the sludge of any main channel or private drain be permitted to overflow the banks or edges thereof.

X.—TUNNELLING.

Mode of taking up a Tunnel.

47. It shall not be necessary to mark out or indicate the course of any tunnel otherwise than by posting at the proposed mouth of the tunnel a notice of application in the form prescribed by these Regulations. Schedule E.

Wall to be left.

48. No person shall drive any tunnel within ten feet of any tunnel the property of any other person except by the consent in writing of such other person or the authority of the Warden.

Ventilation.

49. When cross-drives or openings are required for ventilation, and the various parties concerned cannot agree thereon, the Warden may issue an order for making such drives or openings, and for the allocation of the work to be performed, and also for the distribution of any auriferous deposits which may be found in the intervening wall,

XI.—BLASTING.

Notice to be given.

50. Any person shall, before firing a heavy blast of gunpowder or other explosive substance, post notices signifying the intended time and place of firing such blast on the ground where such blast is to be fired, and on every public road or thoroughfare within a quarter of a mile of the said ground, and shall give three hours' notice to all persons residing within danger distance of the intended time of firing the same, and shall also one hour before such time hoist a red flag if between sunrise and sunset, or a red lamp if between sunset and sunrise, as a danger signal on some very conspicuous place on or near the claim: Provided that this regulation shall not apply to the cases of blasts where only drill-bores are used.

Small Blasts.

51. Ten minutes previous to the discharge of any small blast of gunpowder or other explosive substance within fifty feet from the surface of the ground, due notice of such discharge shall be given by the persons who shall have prepared the materials for such explosion to all other persons working, residing, or passing within a distance of one hundred yards from the place of such discharge.

XII.—RESIDENCE AREAS.

Area that may be occupied.

52. Subject to the conditions of these Regulations, the holder of a Miner's Right may, on application, be granted for residence an area of Crown land not exceeding one acre or 4,480 square yards. No individual shall under this regulation be allowed to occupy more than one acre of land.

Marking out and Application.

53. Any person desirous of occuping land as a residence area shall mark out the same as an ordinary claim, and shall apply to the Warden in the form prescribed by these Regulations. Schedule D.

Conditions of Certificate.

54. Every certificate for a residence area shall be subject to the condition, that the holder thereof shall erect and at all times maintain a secure and substantial fence around the land held by virtue thereof, and if any such holder shall fail or neglect to comply with the condition aforesaid such certificate may be cancelled, and the land declared to be forfeited.

Roadway to be left.

55. It shall be lawful for the Warden to reserve a right-of-way of such width as he may deem necessary between any two residence areas.

Tent Ground.

56. Subject to the conditions set forth in these Regulations, the holder of a Miner's Right shall be entitled to occupy for residence an area of 24 feet frontage by 48 feet depth without registration, provided that such area shall not be taken up on known auriferous ground, nor in the line of any workings, nor on land set apart for business purposes.

XIII.-Business Areas. Size of Business Areas.

57. Every holder of a Business License shall be entitled to occupy for business purposes an area not exceeding 20 perches of land, the frontage of such land not to exceed 33 feet, and the depth not to

in lawful occupation for business purposes of any greater area of land than 20 perches shall be entitled to continue to hold such greater area under any Business License that may be issued to him subse-quent to the enactment of this regulation, anything in this regulation to the contrary notwithstanding.

Sites to be Marked by Pegs.

58. Any person taking possession of a site for business purposes shall place and maintain at each corner of such site, in addition to any survey pegs which may be there, a peg not less than two inches square standing at least one foot above the surface.

Registration of Sites.

59. Any business site may be registered with the Warden for ten days whilst the holder is engaged in warden for ten days whilst the holder is engaged in preparing for the occupancy thereof, and such registration shall operate as a protection within the meaning of these Regulations; and such registration may be renewed by the Warden for an additional period not exceeding ten days at one time, and such renewal shall be indorsed on the certificate and recorded in the Registration Book.

Information to the Public.

60. When any business site has been registered the holder thereof shall post and maintain thereon a board not less than nine inches square with the word "Registered," the name of the holder, and the date and number of registration certificate legibly painted or written thereon.

Setting apart Land for Business Purposes.

61. The Warden may, wherever it shall be necessary for the public convenience, set apart land to be occupied for business purposes, and direct a surveyor to divide such land by streets and roadways, and to lay it off into sections in the most convenient manner. If after such survey as aforesaid it shall be found that any person has a substantial building or place of business upon any section so laid off he shall be entitled to occupy such section, or if the building is upon a street to occupy the section nearest to the building; provided that the nearest section be not in the legal occupation of some other person previous to the survey of the street.

Occupation to be subject to Survey.

62. Any business area that may be taken up or marked out previously to survey shall be held merely on sufferance subject to survey, and the whole or any portion of any such area may be taken for streets or public reserves if required for the public con-venience: Provided that such survey shall not affect the right of any holder of a business area to so much of a surveyed section as lies within the limits of his original area.

Public Notification by Warden.

63. Whenever the Warden shall have set apart any land for business purposes, and the same shall have been surveyed as aforesaid, he shall fix a time when such land shall be open for occupation by holders of Business Licenses for business purposes, and shall publish in such manner as he may deem suitable or convenient a notice of the time when applications will be received.

Application for Surveyed Sections.

64. Every person intending to take up as a business area any section of land set apart and surveyed for business purposes shall make application in writing at the Warden's office, stating the number exceed 165 feet: Provided that any person who shall writing at the Warden's office, stating the number under any regulation previously in force have been and description of such section, in accordance with the form set forth in Schedule I, quoting the number and date of his Business License; and every application shall be registered in a book set apart for that purpose, showing the date and hour upon which such application was received; and a time and place shall be fixed for the hearing, and the right to occupy such sections shall be granted according to priority of application, and a certificate of registration of any such grant shall be issued. In the event of two or more applications for any one section being lodged at the same time the same shall be decided by lot, and no site shall be taken up in any other way.

Space between Buildings.

65. An open space of not less than six feet shall at all times be left between buildings hereafter erected for business purposes by holders of Business Licenses; and the owner of a single business area shall only be entitled to build upon twenty-seven feet of his frontage. The holder or occupier of two or more adjoining business areas may build upon thirty-three feet frontage for each area except the thirty-three feet frontage for each area, except the two outermost of such business areas.

Absence from Business Area.

66. Any person in lawful possession of a business area, who may have erected thereon a substantial dwelling or place of business, may absent himself from such area for any space of time not exceeding nine months, provided that he lodge at the Warden's office an application for registration in the Form J in the Schedule hereto, and at the same time deposit the Business License under which he holds such area, and thereupon a certificate of registration shall be issued to him, and the said business area shall be protected within the meaning of these Regulations for the period specified in such certificate; provided that such protection shall not remain in force for any longer period than that for which the Business License is in operation; and if at the expiration of the time for which the area has been so registered and protected its owner do not resume possession thereof, the same may be deemed to be abandoned.

Building on Abandoned Areas.

67. Any person taking possession of a forfeited or abandoned business area on which a building has been erected may, if the building be not removed within seven days of such possession being taken, either remove it at the expense of the owner thereof or take possession of it and pay to him compensation, and such compensation may be settled by arbitration.

Information to the Public.

68. When any business site has been registered the holder thereof shall post and maintain thereon a board not less than nine inches square with the word "Registered," the name of the holder, and the date, number, and period of such registration legibly painted or written thereon.

Withdrawal of Business Sites.

69. It shall be at all times lawful for the Warden, by public notification, to withdraw such surveyed business areas from the operation of the above Regulations as he may deem are not absolutely required for business purposes.

70. A space of ninety-nine feet shall at all times, when possible, be left for a road or street between the frontages of business areas, and no person shall on any pretence whatever encroach upon any such road or street.

Occupancy of Sites.

71. To constitute sufficient occupation to hold a

owner of a Business License shall be actually residing thereon, or that such business or operations be carried on upon the site or in connection therewith as shall in the opinion of the Warden amount to bond fide beneficial occupation; and any area unoccupied for more than forty-eight hours, if it be not registered, shall be deemed to be forfeited unless sufficient reason, such as sickness or other good cause, be proved to the satisfaction of the Warden.

XIV.—ROADS AND TRAMWAYS.

Right of Roadway.

72. Every person holding a claim, or otherwise occupying land under these Regulations, shall be entitled to a right-of-way whereby he may at all times obtain free ingress and egress thereto and therefrom.

Sludge and Water to be kept off Roads.

73. No person shall allow any sludge or water to run or spread over any road, roadway, track, tramway, or crossing-place.

Roadway along Banks of Rivers, &c.

74. A width of two chains for the purposes of public roads and wharves shall, when necessary, be reserved by the Warden from occupation along the banks of all rivers, lakes, and other waters navigable for boats. Provided that it shall be in the power of the Warden to allow mining thereon, subject to such conditions as he may deem necessary.

Protection to Roadways, &c.

75. No person shall dig within the distance of ten feet from any street or main road, or five feet from any other roadway, tramway, or track in common use, nor drive underneath or in any way interfere with such street, main road, roadway, track, or tramway, without first obtaining the authority of the person or body charged with the care or management of such street, main road, roadway, track, or tramway, or, if there be no such body or person, of the Warden.

Mining on Streets and Roads.

76. If any holder of a Miner's Right shall be desirous of mining, or of cutting, constructing, and using a water-race for mining purposes upon or under any street, road, highway, or track in common use, and there is no corporation or body having the care and management of such street, road, highway, or track to whom application can be made as provided by the 29th section of "The Mines Act, 1877," such application shall be made to the Warden, and the Warden shall make such order as shall in his opinion be necessary or desirable.

Holes near Roads to be Fenced.

77. If any person shall sink a shaft or make any excavation within the distance of twenty feet from any street, main road, roadway, or track in common use, he shall properly protect such shaft or excavation by a sufficient fence or barricade to the satisfaction of the Warden, and no person shall at any time remove or injure such fance or barricade. remove or injure such fence or barricade; and in case any person shall leave or abandon any such shaft or excavation, he shall properly fill up, or completely cover with logs not less than six inches in diameter, or otherwise secure the same to the satisfaction of the Warden.

Road or Tramway may be carried through Claims.

78. Upon application being made to the Warden it shall be competent for him to authorize any person to make a road or tramway over, under, or through business area it shall be necessary, either that the any claim or land occupied under these Regula-

tions: Provided that compensation shall be allowed for estimated damage (if any), and prior to commencing the construction of such roadway or tram-way such compensation shall be paid to the holder or holders of the claim over, under, or through which the proposed road or tramway is to be constructed.

Road along Sea Beaches.

79. Beach claims shall not interfere with any traffic along the beach, nor with the discharge of water, tailings, or other matters thereon: Provided that the Warden shall have power to prevent or regulate the discharge of such water, tailings, or other matters.

XV.—AMALGAMATION.

Claims may be Amalgamated.

80. On application being made to the Warden it shall be lawful for him to allow any number of ordinary claims, not exceeding four in alluvial ground, to be amalgamated, provided that it be proved to the satisfaction of the Warden that such amalgamation is expedient or necessary for the efficient working of the ground.

Number of Persons to be Employed.

81. In the event of claims being amalgamated the same number of miners shall be employed on such amalgamated claims as were required before such amalgamation took place.

XVI.—PROTECTION.

Protection for Fourteen Days.

82. The Warden may without prior notice grant protection to any claim, area, right, or privilege held under these Regulations for a period not exceeding fourteen days, provided sufficient cause be shown, and such protection shall be given in writing in the form hereinafter prescribed, and a copy thereof shall be posted on the claim or the site of the right or privilege referred to.

FORM OF PROTECTION.

[District and date.] I hereby give notice that I have granted protection for days to the claim [right or privilege] occupied by and situate at

(Signed)

Protection for Extended Period.

83. If any person be desirous of obtaining protection for any claim, area, right, or privilege held under these Regulations for a longer period than fourteen days, he shall give notice in writing to the Warden. Such notice shall be in the form prescribed in the Schedule F hereto.

Period for which Protection may be granted.

84. The Warden may on application, as provided in the preceding section, grant protection for any claim, area, right, or privilege for any period not exceeding six months at any one time.

Notice of Protection to be Posted.

85. When any claim is under protection for a longer period than fourteen days, the occupier thereof shall post and at all times maintain on some conspicuous part of the said claim a board not less than nine inches square with the word "Protected," the name of the occupier, the number and date of his certificate, and the period for which protection is granted, painted or written legibly thereon.

Protection of Huts.

previous notice register his hut or place of abode; and any hut or place of abode so registered shall be protected during the absence of the owner for such period not exceeding six months as may be assigned.

Protection during Notice.

87. When any notice has been given and posted in conformity with these Regulations, the claim, area, right, or privilege to which such notice may refer shall be protected during the currency thereof and until the application has been finally dealt with by the Warden: Provided that this section shall not apply to notices of applications for protection.

Renewal of Protection.

88. Application for renewal of protection shall be made in the same manner as for the original pro-

Protection while Testing Quartz Lodes.

89. In the case of any quartz claim containing not less than four men's ground it shall be lawful for the registered owners thereof to work, hold, and occupy the same, for three months from the day on which such claim was first occupied by them, with half the number of men otherwise under these Regulations required to work, hold, and occupy the same; but should the owners of any quartz claim desire to test the reef or lode with a less number of men than above provided, they must apply in writing to the Warden in the form provided in Schedule F hereto for protection, or to the like effect, stating the number of men proposed to be employed, and the time for which protection is required.

Protection during Operations.

90. All claims, rights, and privileges of whatsoever nature lawfully held and enjoyed under these Regulations shall be protected during the time that the owners or holders thereof shall be actually engaged in operations connected therewith.

Protection in particular Localities at certain Seasons.

91. In case the Warden shall be satisfied that from any cause mining operations cannot conveniently be carried on in any particular locality at any certain season of the year, it shall be lawful for him to declare by public notice in the New Zealand Gazette, and in at least one newspaper circulating in the district, that between a certain day in each year and another certain day in the same, or the next ensuing year, all claims and mining privileges held within a certain portion of the gold field to be described in such notice shall be protected within the meaning of these Regulations.

Protection during Holidays, &c.

92. All claims, rights, and privileges shall be deemed to be protected while the holders thereof are attending elections of members of the House of Representatives or other public bodies, or attending any Court of justice, and also during the following periods viz., from Good Friday to Easter Tuesday inclusive, on Her Majesty's birthday, from the 22nd December to 5th January inclusive, and on any day proclaimed a public holiday.

Lunacy, &c.

93. No claim, right, or privilege, or share in any claim, right, or privilege, shall be deemed to be forfeited or abandoned in consequence of the death, lunacy, or bankruptey of any person, but every such claim, right, privilege, or share shall be protected for the benefit of his heirs, executors, trustees, creditors, or 86. The holder of a Miner's Right may without representatives, as the case may be: Provided that in

the case of a share in any claim a proportionate part of the expenses incurred in working such claim shall be paid out of the proceeds thereof.

XVII.—FORFEITURE AND ABANDONMENT. Surplus Ground to be Forfeited.

94. If any person shall occupy a larger area of ground than that to which he is entitled under these Regulations, he shall forfeit the surplus measured from any two corner pegs of the original claim or area at the option of the party claiming the surplus, unless in any special case such good cause shall be shown as shall in the opinion of the Warden entitle the prior occupant to the choice of ground: Provided that if any shaft, face, or works shall come within the area of the surplus ground so forfeited, the party claiming the ground shall pay such compensation to the original holder as the Court may award.

Forfeiture of Claims if Marks not maintained.

95. Whenever under these Regulations it is provided that any claim, area, right, or privilege is to be taken possession of by marking with pegs and trenches, or in any other way, the pegs, trenches, or other marks or indications must be maintained during the entire period of the occupancy of such claim, area, right, or privileges, and in case such pegs, trenches, or other marks or indications are not so maintained, the claim, area, right, or privilege shall be liable to forfeiture.

Insufficient Representation.

96. In every case in which a mining claim shall be held under the Regulations by virtue of any certain number of Miners' Rights, the same number of holders of Miners' Rights shall be employed upon the same or in connection therewith; and if at any time less than such number of holders of Miners' Rights shall be employed upon or in connection therewith the claim, right, or privilege shall, unless protected within the meaning of these Regulations, be liable to forfeiture: Provided that the Warden may decree a forfeiture of less than the whole of such claim, right, or privilege, and vary or cancel the license or certificate (if any) accordingly.

Non-compliance with Conditions.

97. In every case in which under these Regulations it shall be made a condition of the granting or occupation of any claim, area, right, or privilege that the land shall be fenced, or any other matter or thing be done thereon or in connection therewith by the holder, it shall be lawful for the Warden, upon the complaint of any person, and upon proof that the condition has not been complied with, to decree a forfeiture of such claim, area, right, or privilege, or any portion thereof, and to cancel or vary the license or certificate for the same (if any).

Abandonment.

98. Any claim, area, right, or privilege held under these Regulations, and for the forfeiture of which no other provision shall have been made, shall be deemed to be abandoned, and shall be liable to forfeiture, if entirely unused, unoccupied, or neglected for the space of one calendar month, unless protected within the meaning of these Regulations, and the certificate or license for the same (if any) may be cancelled.

Claims not to be Forfeited by neglect of Hired Workman, Contractor, Tributer, or Tenant.

99. No claim, area, right, or privilege shall be deemed to be forfeited through the neglect of any hired servant, contractor, tributer, or tenant 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 by either the applicant or objector, the survey shall

his last-known place of residence) such neglect or absence is continued, any such claim, area, right, or privilege shall be liable to forfeiture.

Sickness, Unavoidable Absence, and Failure of Water, &c.

100. No claim, area, right, or privilege shall be forfeited for any neglect the consequence merely of the sickness or unavoidable absence of any person, nor of failure of water or other natural contingency.

Cancellation of Certificate, &c.

101. Notwithstanding anything in the foregoing sections contained, no person shall be entitled to take possession of any claim or area held under any license, certificate, or other authority in writing of a Warden, unless or until such license, certificate, or other authority in writing shall have been cancelled.

Certificate or License may be Cancelled.

102. If any certificate or license shall have been obtained by misrepresentation, or if any of the prescribed conditions have not been duly complied with, the Warden may, upon proof thereof, cancel such certificate or license, or make such other order therein as may appear to be just or equitable.

Certificate or License-how cancelled.

103. Whenever in these Regulations it is provided that a certificate or license shall or may be "cancelled," a memorandum of such cancellation in the Registration Book shall, if signed by the Warden or Registrar, be conclusive evidence that such certificate or license has been legally cancelled.

Compensation may be Adjudged.

104. In all cases of forfeiture, the Warden may adjudge compensation to be paid by the person to whom any claim, area, or right may be awarded to the former owner or holder thereof, and appoint a time within which such payment shall be made: Provided that such compensation shall not exceed in amount two-thirds of the estimated value of any work actually performed thereon or in connection therewith which may be of any actual benefit to the person to whom the claim, area, right or privilege that is forfeited may be awarded.

Removal of Plant in case of Forfeiture.

105. All provisions of these Regulations relating to forfeiture and abandonment or removal notwithstanding, no person shall be entitled to take possession of any claim or area in or upon which valuable plant may be placed or laid down without first obtaining the sanction of the Warden, and in such case the owner shall be allowed a reasonable time to remove his property: Provided that should such plant consist in the whole or in part of timber so fixed to the work of the worker of the Warden was order. soil that it cannot be removed, the Warden may order the person to whom the claim or area shall be adjudged to pay the value of such timber, and such value shall if necessary be determined by arbitration.

XVIII.—Survey.

Survey may be required.

106. At or at any time prior to the hearing of any application or objection, it shall be competent for the Warden to order that a survey be made, and in such case the hearing of the application shall be adjourned to such time and place as may be convenient.

Cost of Survey.

107. In any case wherein survey may be demanded

be made by the District Surveyor or other surveyor to be approved by the Warden at the expense of the person demanding it, and in case the Warden shall order survey, it shall be competent for him to direct at whose expense it shall be made.

XIX.—GENERAL REGULATIONS. Interference Prohibited.

108. No person shall under any pretence whatever damage, destroy, or otherwise interfere with any race, tail-race, dam, sludge channel, or drain, machine, or other appliance connected therewith, nor with any claim or area, unless the sanction of the owners thereof or the authority of the Warden shall first have been obtained for such interference.

Depositing Earth or Tailings on Claims.

109. No person shall deposit or cause to be deposited upon any claim or area other than his own, any earth, stones, gravel, tailings, or any other substance: Provided that any person taking up a claim or area where tailings are being discharged shall make provision to carry such tailings through or by his claim or area, in such manner as shall not impede the discharge thereof.

Disposal of Tailings.

110. In all creeks or watercourses used for general washing sites the following Regulations shall be observed:—

(a.) No box shall be placed in the centre of a creek so as to impede the natural flow of water.

(b.) All flood-gates shall be left open for one day in each week, at the convenience of the majority of the parties washing in the creek, for running off tailings.

(c.) The Warden may order, if it be required, that all parties assist in making and keeping clear a good flood channel in the centre of the creek or other convenient course, to be used by all parties for running down tailings, and such channel shall be properly secured.

Causing Claims to be Flooded.

111. No person shall back the water of any creek, river, race, or watercourse upon any claim or area, or otherwise cause any claim or area to be flooded either wilfully or by neglect.

Obstructions to Watercourses.

112. No person shall deposit any earth, stones, tailings, or other substance in the bed of any water-course so as to obstruct the flow of water therein to the injury of any person.

Interference with Pegs and Notices.

113. No person shall alter the position of any trench, or remove any peg, cairn, or other mark from any claim or area in the occupation of any other person, nor deface, destroy, or remove any notice posted in accordance with these Regulations, nor interfere with any mark or boundary.

Working Ground Occupied for Races, &c.

114. Any person desirous of working the ground which is occupied by any race or tunnel, or portion of a race or tunnel, or which is occupied and held under these Regulations for any dam, reservoir, puddling machine, special site, residence area, site for business purposes, tent ground, or other purposes, shall apply in writing to the Warden, who may permit such person to enter upon and work the said ground: Provided that compensation shall first be paid to the holder or occupier, and the amount of such compensation may be settled by arbitration, or in the

case of a race or tunnel by first providing an equally good race or tunnel for the use of the occupier, but it shall be optional with the person working the ground either to construct a new race or tunnel or to pay the amount of compensation adjudged, and if he elect to construct a new race or tunnel the same shall be subject to the approval of the Warden or Warden and Assessors in the event of dispute, or at the option of either party to arbitration.

Discovery of Auriferous Deposits.

115. When any auriferous deposits are traced to the boundaries of any land occupied for residence, the Warden may upon satisfactory proof authorize the applicant or any other person by writing under his hand to enter thereupon, and, at such times and in such manner as he may appoint, to search the land so occupied for a continuation of the said auriferous deposit.

Auriferous Areas may be Worked.

116. If any residence area or business area shall be proved to be auriferous, the Warden may upon application order the whole or such part as shall have been proved to be auriferous to be given up for mining purposes to such person as shall have applied for the said ground.

Compensation to be Paid.

117. In all cases compensation for actual damage or loss shall, if the parties cannot agree, be settled by arbitration and paid to the occupier of any area by the person desirous of mining thereon prior to his taking possession thereof.

Conditions of Working.

118. Whenever any residence area or business area shall be given up in whole or in part upon compensation or otherwise, the Warden may make such orders relative to the mode of working the ground, the restoration of the soil, and other conditions, as he may deem necessary or desirable.

Resumption of Mining Privileges.

119. Every claim, right, or privilege held, taken, or granted under these Regulations shall be subject to the condition that it may be resumed by Her Majesty the Queen.

Permission to enter Claims.

120. The Warden shall have power to authorize in writing the entry of any surveyor, assessor, or any other person into and upon any claim or area for the purpose of measuring the depth of any shaft, or the dip, direction, inclination, or length of any tunnel or drive or for any other purpose.

Warden to be Judge of Objections.

121. The Warden shall in all cases be the sole judge of the validity of objections to the granting of any claim, right, or privilege, or to the issue of any license or certificate of registration, and also of what is a "reasonable time" for the performance of any work when no fixed period is provided by these Regulations.

Ownership of Trees upon Claims.

122. All trees situated upon any claim or area taken up for mining purposes shall be the property of the owners thereof during the time they are in legal possession of the claim or area on which such trees are situated.

Felling Trees across Roads or Claims.

123. Any person who may fell or cause to be felled

any tree across or upon any road, footpath, crossingplace, claim, area, water-race, or other mining property, or to the prejudice of any right or privilege, shall cause the same to be removed within twelve hours after the felling of such tree.

Holders of Claims entitled to all Discoveries within the Boundaries.

124. The holder of any mining claim shall be entitled to the benefit of all gold discoveries and workings within the boundaries of such claim.

Removal of Props or Timber.

125. No person shall remove any props or timber the removal of which may endanger the working of other claims or any existing rights.

Ground to be secured.

126. The Warden may, whenever he may deem it necessary for the public good, make such order as may be required for the proper securing or safe working of any claim, or order the suspension of work in any claim until it can be worked without danger to others.

Machinery to represent Labour.

127. In all claims where machinery is erected such machinery shall, for the purpose of occupying the claim, represent one man for every three hundred pounds expended in procuring and erecting the same; but should any dispute arise in reference to the amount so expended the onus of proof of such expenditure shall lie with the owner of the machinery.

Warden's Order to be in Writing.

128. Whenever in these Regulations it is said that the Warden may or shall order anything to be done or omitted to be done, such order shall be in writing, and shall be served upon the person to whom it is directed, either personally, or, if he cannot conveniently be found, by leaving it for him at his last or usual place of abode, or, in the case of copartners, at the claim, station, or other place of business of the firm, or, in the case of a registered company, at the registered office of the company.

Neglect of Warden's Orders.

129. No person shall neglect or refuse to comply with any written notice or order of the Warden duly served and in conformity with these Regula-

Existing Rights preserved.

130. Nothing herein contained shall be taken to affect any existing rights or privileges.

SCHEDULE A. TRAMWAYS OR SHOOTS.

[District and date.]

To the Warden at te that intend to construct a and terminating [*]. The is or thereabouts, and its hereby give notice that commencing [length of such intended course is

[Name of Applicant and number and date of Miner's Right.]

All objections to the above application for a mube lodged at the Warden's office at within fourteen eleders from the data beautiful. within fourteen clear days from the date hereof.

Hearing at on

on • Here state precise localities.

SCHEDULE B.

PUDDLING MACHINES

[District and date.]

To the Warden at hereby give notice that intend to erect a puddling machine at [Here state precise locality and the course of the sludge channel].

[Name of Applicant and number and date of Miner's Right.]

All objections to the above application must be lodged in writing at the Warden's office at within fourteen clear days from the date hereof.

Hearing at on .

SCHEDULE C.

AMALGAMATION.

[District and date.]

for

To the Warden at

We hereby apply to amalgamate our claims situate the following reasons.

Names.	Number of Miner's Right.	Number of Claims to be amalgamated.	Class of Claims.	Area of Claims held by each Party.	

All objections to the above application must be lodged at the arden's office at within fourteen clear days from the Warden's office at date hereof.

Hearing at on

SCHEDULE D.

RESIDENCE AREA.

[District and date.]

To the Warden at I hereby give notice that I desire to occupy for residence [State the extent] of land situate at , and that I have this day marked the corners of such land with , in conformity day marked the corners of such land with in conformity with the Regulations herein made and provided.

[Name of Applicant, and number and date of Miner's Right.]

All objections to the above application must be lodged in writing at the Warden's office at within fourteen clear days from the date hereof.

Hearing at on

SCHEDULE E.

TUNNELS.

[District and Date.]

To the Warden at hereby give notice that intend to drive a tunnel at [Here state precise locality]. The length, height, and breadth of such tunnel is—

1. Length:
2. Height:
3. Breadth:

or thereabouts, and its intended course is

[Name of Applicant, and number and date of Miner's Right.]

All objections to the above application must be lodged in writing at the Warden's office within fourteen clear days from the date hereof.

Hearing at on

SCHEDULE F.

PROTECTION.

[District and date.]

To the Warden at I hereby give notice that I desire to obtain a Protection Cer-tificate for [State the time] for my claim situate at [State precise locality], and that the following particulars are true in all

1. Classification of claim:

2. Date at which occupation commenced:
3. Time during which the claim has been worked:
4. The claim has [or has not] been protected before:*

5. Cause for which protection is required:

[Name of Applicant, and number and date of Miner's Right.]

All objections to the above application must be lodged in writing at the Warden's office at within fourteen clear days from the date hereof.

Hearing at on

* If the claim has been protected before, the applicant must state when and for what period.

SCHEDULE G,

SPECIAL SITE.

[District and date.]

To the Warden at I hereby give notice that I desire to occupy as a special site [State extent] of land for [State purpose], situate at [precise locality], and that I have this day marked the corners of such land with , in conformity with the Regulations herein made and provided.

[Name of Applicant, and number and date of Miner's Right.]

All objections to the above application must be lodged in writing at the Warden's office at within fourteen clear days from the date hereof. Hearing at on

SCHEDULE H. CLAIMS AND AREAS.

[District and date.]

To the Warden at I hereby give notice that I have this day marked out [Here state area, exact locality, and nature of claim, whether double, extended, quartz claim, prospecting area, or drainage area].

[Name of Applicant in full, and number and date of Miner's Right.]

All objections to the above application must be lodged in writing at the Warden's office at within fourteen clear days from the date hereof.

Hearing at on

SCHEDULE I.

APPLICATION FOR SURVEYED BUSINESS SITES. [District and date.]

To the Warden at

I hereby make application for [Section No.] of the surveyed ground set apart for business purposes at

[Signature and number and date of Business License of Applicant.]

SCHEDULE J.

REGISTRATION OF BUSINESS SITES WHEN ABSENT. [District and date.]

To the Warden at I hereby make application to register for [State period] the under Business License under Business License business site occupied by me at No. , dated

[Signature of Applicant.]

Mining Registrars appointed.

NORMANBY, Governor.

In pursuance of the power and authority in me vested by the eighty-third section of "The Mines Act, 1877," I hereby appoint the persons mentioned in the Schedule hereto to be Mining Registrars for the districts therein specified and set opposite their respective names, from the first day of January instant.

SCHEDULE.

C. H. W. Bowen, Esq.		Westport.
H. Lucas, Esq.		Reefton.
H. E. Cross, Esq.		Charleston.
E. C. Kelling, Esq.		Ahaura.
J. Eccleton, Esq.		No Town.
F. H. Ibbetson, Esq.		Lyell.
T. Kenrick, Esq.		Greymouth.
P. A. F. Birch, Esq.		Kumara.
J. S. Hickson, Esq.		Stafford.
J. McEnnis, Esq.		Greenstone.
A. Bissett, Esq.		Kanieri.
W. Blane, Esq.	,	\mathbf{Ross} .
J. Slattery, Esq.		Okarito.
J. F. Garvey, Esq.		Switzer's.
J. Fleming, Esq.		Arrow.
A. D. Harvey, Esq.		Clyde.
H. C. Brewer, Esq.		Naseby.
H. J. Abel, Esq.		Lawrence.
J. S. Worthington, Esq.		Queenstown.
S. M. Dalgleish, Esq.	• • •	Cromwell.

As witness the hand of His Excellency the Governor, this tenth day of January, one thousand eight hundred and seventyeight.

J. T. FISHER.

By Authority: GEORGE DIDSBURY, Government Printer, Wellington.