



SUPPLEMENT
TO THE
NEW ZEALAND GAZETTE.

OF
THURSDAY, MAY 12, 1887.
Published by Authority.

WELLINGTON, MONDAY, MAY 16, 1887.

WM. F. DRUMMOND JERVOIS,
Governor.

WHEREAS by "The Mining Act, 1886" (hereinafter termed "the said Act"), 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, William Francis Drummond Jervois, Governor of the Colony of New Zealand, in pursuance and exercise of the powers and authorities in that behalf conferred by the said Act, do hereby make the following rules and regulations for all mining districts constituted under the said Act, and for such mining districts as may be hereafter constituted thereunder, such regulations to take effect as from the first day of June, one thousand eight hundred and eighty-seven; and I do hereby declare that as from such last-named date all regulations under "The Mining Act, 1886," shall be and the same are hereby revoked.

REGULATIONS.

Interpretation Clause.—In the construction and for the purposes of these regulations the terms mentioned herein shall have the same meanings as set forth in section 11 of "The Mining Act, 1886." The word "Surveyor" in these regulations shall mean the District Surveyor or Chief Surveyor of the provincial district.

PART I.—LICENSED HOLDINGS.

APPLICATIONS.

1. *What Lands may be held as Licensed Holdings.*—Any Crown lands within any mining district in New Zealand may be held as licensed

holdings 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; (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 miners generally for mining purposes.

2. *Areas.*—The area of ground that may be held under any license for gold-mining purposes shall not exceed thirty acres, and may be in any form, provided the length does not exceed twice the breadth.

3. *Boundaries of Land applied for to be defined.*—Persons intending to apply for a licensed holding of 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 licensed a post not less than 3in. in diameter, and standing at least 1ft. in height above the surface of the ground, or, where that is not practicable, a cairn of stones not less than 2ft. in height shall be erected at each corner of the land, and trenches not less than 6in. in depth by 10in. in width shall be cut for a distance of 5ft. on either side of such cairns, stacks, or posts, in the direction of the boundaries of the land proposed to be applied for; and, if in bush, one end-line shall be cleared and the trees blazed on such line from peg to peg. And all such posts and lines shall be maintained free from rubbish and clear during the whole of the time the land shall be held under license as herein provided, so as to be readily observed, and such posts, cairns,

and trenches shall be maintained at the expense of the applicant until the application shall have been granted or refused.

4. *Mode of Application.*—Every application for a licensed holding shall be made in triplicate, in the form in the schedule hereto marked 1, to the Warden of the district within which the land so applied for is situate, and shall be lodged in such Warden's office by the applicant in person or his agent.

5. *Costs of Survey to be paid by the Applicant.*—The sum to be deposited by the applicant for survey and necessary expenses, in accordance with subsection (2) of section 115 of the said Act, shall be the fees for survey according to the scale set forth in Schedule 41 to these regulations, together with the cost of advertising the application as hereinafter provided, and such further necessary expenses as may be incidental to the application.

6. *Hearing of Application.*—Upon receipt of such application, the Warden shall appoint a day for the hearing thereof, being not less than sixteen days from the receipt of such application, and shall give public notice thereof not less than twice, by advertisement in one or more newspapers circulating in the district, in the form of Schedule 1 to these regulations, and shall forward a copy of such advertisement to the Commissioner of Crown Lands in the district wherein the land applied for is situate. A copy of such application shall be posted and maintained on the ground until the day of hearing, and copies of the newspapers containing the advertisement of such application shall be produced to the Warden before he shall proceed to hear the application.

7. *Priority of Application.*—In the event of more than one application being made for the same land or any part thereof, the Warden shall determine which of the applicants shall be held to have the prior right, and in so doing shall be guided by priority of occupation, provided that it shall be shown that the prior occupant has used reasonable diligence in lodging his application.

8. *Protection during Application.*—All lands for which application shall have been made in the manner aforesaid shall be exempt from occupation from the date of such application until the same shall have been granted or refused.

9. *Survey, and Report to Warden.*—Upon receipt of any application the Warden shall forward a copy of the same to the District Surveyor, or when there is no such officer to the Chief Surveyor of the provincial district, who shall make or cause to be made a survey and furnish a plan of the ground to the Warden, with a report as to the area, boundaries, description, and character of the ground; as to 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 for goldmining purposes; and also as to any claims

to prior occupancy which shall come to his knowledge, inquiry as to which it shall be his duty to make while making the said survey; and the surveyor shall also furnish to the Warden a plan of such land, 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.

10. *Survey before Final Hearing.*—The surveyor shall, if possible, make the survey prior to the day fixed for the hearing; but, if from any cause the survey cannot be made or the plan prepared in time, the hearing may be adjourned from time to time at the discretion of the Warden; and no application shall be finally dealt with by the Warden until the plan and report of the surveyor shall have been received. Provided that in all cases survey shall be made within three months from date of application, except in mountainous districts.

11. *Notice to be posted by Surveyor.*—Whenever the surveyor shall have made any survey as aforesaid, he shall place a notice, in the form contained in Schedule 2 hereunto annexed, in some conspicuous place on the said ground.

OBJECTIONS.

12. *Objectors to give Notice.*—Any person except the Commissioner of Crown Lands objecting to the issue of a license so applied for shall, prior to the hearing, forward to the Warden a full statement in writing of his objections, and shall serve a copy thereof on the applicant, and also shall (except in cases of encroachment) deposit the sum of £5 with the Receiver of Gold Revenue—who shall give a receipt to the person making such deposit—as security for the due prosecution of his objections and payment of any expenses to which the applicant may be put by such objections if disallowed; and, if such objections shall not be prosecuted, or shall be disallowed, so much of such deposit may be handed over to the applicant as the Warden may award, and the balance (if any) shall be refunded to the person so objecting.

13. *Cases of Encroachment.*—When an application shall have been made for a licensed holding for gold-mining purposes 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 a prior occupation under a miner's right or business license, the objection to the granting of such license may be heard by the Warden in the same way and the decision or judgment enforced as in any other case of encroachment or interference.

HEARING.

14. *Hearing.*—Upon the day appointed as aforesaid for the hearing the Warden shall proceed to hear the application and any objection thereto, and may examine the parties and their

witnesses (if any) and such hearing may be adjourned from time to time.

15. *Proceedings in case of Objections.*—If at the hearing of any objection as aforesaid the Warden shall find such objection valid he shall thereupon reject the application, either as to the whole or a part of the land applied for, and he may award to the objector and his witnesses any reasonable costs and expenses; and, if the Warden shall disallow the objection, he may award to the applicant and his witnesses (if any) reasonable costs and expenses, to be paid out of the deposit made by the objector as aforesaid, or otherwise as the said Warden may direct, and any award of costs and expenses may be enforced as a judgment in the Warden's Court.

LICENSE.

16. *Warden to issue License.*—If, at the hearing, there shall be no objection, or if on hearing the objections (if any) the Warden shall not find any such objection valid, and if there be no reason known to the Warden why a license of the whole or any part of the land applied for should not be granted to the applicant, he shall issue a license to such applicant in the form set forth in the Fifth Schedule of "The Mining Act, 1886," and inform the Commissioner of Crown Lands of the district accordingly.

17. *Proceedings in case of Refusal of License.*—If any license so applied for shall be refused, or if any application for a license shall be withdrawn, a notice thereof shall be posted outside the Warden's office, and it shall be stated in such notice that such ground is open to persons holding miners' rights or business licenses, or to any applicant for a license, as if no license of the said ground had ever been applied for.

18. *Rent.*—Rent will be charged at the rate per acre per annum prescribed by section 117 of "The Mining Act, 1886;" and any fractional part of an acre will be considered as a full acre, and charged for accordingly.

19. *Registration of Assignment.*—Every sale or assignment of any licensed holding for gold-mining purposes, or of any interest therein, shall be registered at the Warden's office.

20. *Withdrawal of Application.*—Any applicant for a licensed holding may withdraw his application by giving notice in writing to that effect to the Warden; and, should any such application be so withdrawn before any expense of survey has been incurred, the applicant shall be entitled to receive back one-half of any money he may have paid as survey fees, and also his deposit after deducting any expenses incurred.

21. *Unoccupied Land contiguous to a Licensed Holding.*—The owner of any licensed holding for gold-mining purposes upon which *bonâ fide* mining operations are being carried on, who may desire to include therein any unoccupied land, not exceeding

in area one-third of such licensed holding, and which shall be situated immediately contiguous thereto, may, after having registered such land as a claim, apply to the Warden for permission to hold the same unworked until application is made for a license to include the same as hereinafter provided; and upon the report of the Inspector or surveyor the Warden may, in the exercise of his discretion, grant or refuse such application: Provided that such permission shall be revoked and determined if the owner of such licensed holding shall cease to carry on *bonâ fide* mining operations, and the area of the licensed holding, including the unoccupied ground, shall not exceed thirty acres: And provided also that before the next annual payment in respect of such licensed holding shall become due the license for the same shall be surrendered, and a new application be made for the whole of the land, to be included in one license, provided the whole area does not exceed thirty acres.

22. *Special Claims.*—All special claims shall be subject to the regulations for licensed holdings in addition to such other terms and conditions as may be prescribed by the Warden.

No special claim shall be amalgamated with any other special claim, licensed holding, or claim.

23. *Licensed Holdings and special claims may be forfeited.*—If any licensee or special claimholder fails or neglects to perform any condition contained or implied in his license or special claim, application may be made by any person for the forfeiture of such license or special claim in the form or to the effect set forth in Schedule 4 hereto; and at the time of lodging such application there shall be deposited therewith the sum of £15, as security for the due prosecution of the application, and in satisfaction of any expenses to which the licensee or special claimholder may be put should such application prove unsuccessful; and if such application shall not be prosecuted, or shall fail, so much of such deposit may be handed over to the licensee or special claimholder as may be necessary to repay the expenses of such licensee or special claimholder, and the balance (if any) shall be refunded to the applicant, after deducting the cost of the service of the notice hereinafter mentioned.

A copy of such application shall be served personally on the licensee or special claimholder, or in such other manner as the Warden may direct, or, at the discretion of the Warden, may be posted on some conspicuous portion of the ground for such time as the Warden may direct, together with a notice in the form or to the effect set forth in Schedule 5 hereto.

At the inquiry in the notice mentioned, the Warden shall take evidence in relation to the application, and the licensee's or special claimholder's answer to the neglect complained of; and shall decide on the whole facts of the case as to

whether the land included in such license or special claim shall be forfeited or not.

EXCEPTIONS TO LICENSED HOLDINGS AND SPECIAL CLAIMS.

24. The exceptions next hereinafter appearing shall be made from all licensed holdings special claims and also mineral licenses granted under "The Mining Act, 1886," and the covenants, clauses, provisoes, conditions, and agreements next hereinafter appearing shall be applicable to and shall be implied in all such licenses or special claims, that is to say,—

(A.) *Right of Ingress and Egress.*—Her Majesty reserves to her Government of New Zealand, and all officers and servants thereof, the right of ingress, egress, and regress to, from, and across the land hereby held as a licensed holding or special claim, and the mines thereon or thereunder, and of granting to any person or persons, or to the public, such right of ingress, egress, and regress, and of granting to any holder of a miner's right the privilege of entering on such land for the purpose of constructing tunnels, shafts, water-races, tail-races, storm-channels, sludge-channels, tramways, or flood-races over, under, or through the said land, provided that the mining operations of the licensee or special claim-holder are not injuriously affected thereby: Also, leading head-water or tail-water through the same: Provided always that all such operations shall be sanctioned by the Warden, and due compensation given to the said licensee or licensees, special claimholder or holders, his or their heirs, executors, administrators, and assigns for any injury or damage sustained thereby.

(B.) *Rent in Arrear, to distrain Machinery, Tools, &c.*—Provided also that if the rents, payments, dues, or duties reserved in or payable under this license or special claim grant, shall be in arrear and unpaid for the space of twenty-one days next after any of the days hereinbefore fixed for payment thereof, it shall be lawful for the said licensor, grantor, or any person duly authorized in that behalf, to enter upon the premises hereby held as a licensed holding or special claim, and to distrain the machinery, tools, buildings, or other property of the said licensee or special claimholder, for the time being in, under, or upon any part of the premises hereby held as a licensed holding or special claim, for or in respect of any such rent, dues, or duties which ought to have been paid to the licensor or any person duly authorized to receive the same, and should such default continue for the space of sixty days, then to determine the interest of the licensee, or special claimholder in the premises so held as aforesaid, and that without releasing such licensee or special claimholder, his executors, administrators, or assigns, from his or their liability in respect of any rent, payments, or duties then due.

(C.) *Plan or Section of Mine.*—Provided also that they, the said licensee or licensees, special claimholder or special claimholders, his or their executors, administrators, or assigns, will and shall at all times during the continuance of his or their license or special claim grant if required so to do by the said licensor grantor or any person duly authorized in that behalf, prepare and keep a proper plan or section of all the workings, and actual condition, of the mines and premises hereby held under license or special claim.

(D.) *Number of Men to be Employed.*—Provided also that he or they, the said licensee or licensees, special claimholder or holders, his or their executors, administrators, or assigns, will and shall at all times during the continuance of the license or special claim grant, employ in or about the mines and premises hereby held as a licensed holding or special claim, a number of men being in the proportion of not less than one man to every full area of two acres of the lands hereby held, or the number of men mentioned in such license or special claim grant.

(E.) *To furnish Returns, &c.*—Provided also that he or they, the said licensee or licensees, special claimholder or holders, his or their executors, administrators, or assigns, shall and will at all times during the continuance of the licensed holding or special claim, furnish true and accurate half-yearly returns in the form in Schedule 3 hereto, to the Warden or other officer duly authorized in that behalf, of the average number of men on or about the mines and premises hereby held as a licensed holding or special claim, and shall from time to time, whenever so required by the Warden, Surveyor, Inspector, or such other duly-authorized officer, up to the period when the full sum hereby agreed to be expended in or about the said mines and premises shall have been so expended, furnish a true and accurate account, certified as aforesaid, of the amount at such date expended as aforesaid.

25. In any case in which an application shall have been made in pursuance of these regulations for a license to occupy land, in any part of which any person other than the applicant or applicants may be entitled under any license to cut, construct, or use any race or dam, or to enjoy any other easement for mining or other purposes, the Warden may, if he shall think fit, authorize the issue of a license of such land, subject to all existing rights in, to, or to the use of such race, dam, or other easement, and impose such terms as the said Warden may think fit, in order to secure the enjoyment of the same, or to secure compensation for any injury or inconvenience likely to arise to such person by reason of the issue of such license: Provided always that the Warden may, if he shall think fit, authorize the construction in or upon any land comprised in any license

under these regulations of any race, dam, tunnel, or shaft, road, canal, railway, tramway, or other works which may be required for mining purposes, or for public convenience.

PART II.—MINERAL LICENSES.

26. *Requirements preliminary to the Issue of a Mineral License.*—Every parcel of land applied for as a licensed holding for metals or minerals other than gold or silver shall be marked at each corner by a peg not less than 3in. in diameter, or cairn of stones not less than 2ft. high, and by 7 trenches, not less than 6in. in depth by 10in. in width and 5ft. in length, extending on either side of every such peg or cairn, in the direction of the boundaries of the land: Provided that, 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. Upon each peg there shall be affixed a plate composed of wood, or of iron, tin, zinc, or other suitable metal, with the words, "Applied for mineral license," together with the name and address of the applicant, or, if more than one, of each applicant, and the extent of the area to be applied for, or thereabouts, legibly marked thereon; and such pegs shall be maintained at the expense of such applicant or applicants until the application shall have been granted or refused by the Warden.

27. Every applicant shall apply for the required license in manner hereinafter directed; but within twenty-one days previous to so applying the land proposed to be licensed by him shall have been marked in manner herein required. The applicant shall also publish in a newspaper circulating in the district or nearest to the district in which the land shall be situated, or, if two or more such newspapers shall circulate equally near thereto, then in any one of them, and seven days at least previous to the day of making his application, a notice containing the matter in the form in Schedule 6 hereto.

28. The applicant shall at the time of making his application deposit with the Receiver of Gold Revenue, or, if there be no such Receiver, with the Warden, the sum of £20, as a fund, to be disposed of in such manner as the Warden shall direct, for the payment of the expenses of survey and of any other expenses which may be incurred by or on behalf of or by direction of the Crown in connection with such application. Any portion of such sum which shall remain after such payments shall be returned to the applicant; but if the applicant shall neglect or refuse to take delivery of the license, then the surplus remaining after any such payments shall have been made shall be forfeited.

29. If any person shall be in occupation, for the purpose of residence, of the land applied for, or any part thereof, the applicant shall, previously to applying for the license, obtain from such person his written consent, duly witnessed, to a license of the land so occupied by him being granted to the applicant.

30. *Application for License.*—The applicant shall then, but within fourteen days after the erection of such marks as aforesaid, and after the lapse of seven days from the day of such publication in a newspaper as aforesaid, apply for the required license in the following manner: that is to say, he shall leave with the Warden an application in duplicate, in the form in Schedule 7 hereto; and the Warden shall, as soon thereafter as it may conveniently be done, enter, or cause to be entered, in a book to be kept by him for the purpose, a copy of such application, numbered according to the order in which it shall have been received, with a memorandum of the day and hour of such receipt, and such day and hour he shall also indorse upon such application, and he shall thereupon return the said receipt to the applicant, and give to him a certificate in the form in the Schedule 8 hereto, and the Warden shall forward a copy of such application to the Commissioner of Crown Lands of the land district in which the land applied for is situate.

31. *Priority of Application.*—In the event of more than one application being made for the same land or any part thereof, the Warden shall determine which of the applicants shall be held to have the prior right; and in so doing shall be guided by priority of occupation, provided that it shall be shown that the prior occupant has used reasonable diligence in lodging his application.

32. Upon receipt of any such application, the Warden shall appoint a day for the hearing thereof, being not less than fourteen days from the date of receipt of such application, and shall give public notice of such application in one or more newspapers published in the district, in the form of Schedule 9 to these regulations.

33. *Official Survey.*—Upon the receipt by the Warden of the application, and the deposit of the money as aforesaid, he, the said Warden, shall forward a copy of the application to the District Surveyor, or, where there is no such officer, to the Chief Surveyor of the provincial district, who shall make or cause a survey to be made of the land applied for, and report as to the area, boundaries, and description thereof, the character of the ground, and extent of the surface thereof in respect of which he shall consider the license applied for ought to be granted, having regard to the nature of the minerals or metals intended to be mined for; also setting forth as accurately as may be the minerals or metals which it is supposed to contain, as also the likelihood of any river, creek, or permanent water, spring, or arti-

ficial 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 the miners of the district generally; also as to any claims to prior occupancy, respecting which he shall make inquiry while making the survey; and such report shall be accompanied by a plan of the land applied for on the scale of two chains to the inch, showing whether the land is applied for on or below or both on and below the surface, together with a map of so much of the district within which the land shall lie, on the scale of 2in. to a mile, as will suffice for showing the situation of the particular area applied for with respect to at least one fixed point in the district.

34. The said surveyor shall, after having obtained such direction as aforesaid, proceed with all reasonable speed to carry out the same, and he shall also mark out the land applied for, by fixing at each angle thereof, or as near as possible thereto, and in or near the middle of the side lines thereof, a sufficiently distinguishing and distinctive mark, standing at least 3ft. above the surface of the ground; and he shall also mark out that portion of the surface of the said land in respect of which he shall consider the license applied for ought to be effectual, both on and below the surface, by fixing at each angle of such portion, or as near as possible thereto, and in or near to the middle of each of the boundary-lines thereof, another sufficiently distinguishing mark, distinctively different from the mark hereinbefore mentioned, standing at least 3ft. above the surface of the ground; and shall securely affix upon some convenient place within the boundaries of the land applied for a notice, dated on the day of the completion of the survey, in the form of Schedule 9 hereto; and shall also, as soon as he conveniently can after having made the survey, post a similar notice, but altered as by the said schedule is directed, and dated on the same day as the notice to be posted on the ground as aforesaid, on the outside of his office, and at the post-office nearest to the land applied for, or, if there shall be a Warden's Court nearer to the said land than such post-office, then at such Warden's Court.

35. *Objections.*—Any person objecting to the issue of such license to any applicant shall, within twenty-one clear days after the date of the notice to be posted on the land by the surveyor as aforesaid, lodge with the Warden, and also forward to the applicant, at the address stated in such notice posted as aforesaid, full notice in writing of all objections intended by him to be taken against the issue of such license to the applicant.

36. Every person so objecting shall, at the time of lodging the notice of his objections with the Warden, deposit with the Receiver of Gold

Revenue for the district, or, if there be no such Receiver, with the Warden, the sum of £20, to be disposed of in such manner as the Warden shall direct, in satisfaction, so far as the same will extend, of all expenses to which the applicant shall, without sufficient reason, be put by reason of such objections, in case the same shall not be prosecuted or shall fail; and such Receiver shall give to the person paying the said sum a receipt therefor, in the form in Schedule 10 hereto; and in case there shall be no such expenses, or, if there shall be any, then subject to the payment thereof, the said sum shall be refunded to the person objecting.

37. *Inquiry into Applications and Objections.*—After the expiration of twenty-one clear days allowed for objections, the Warden shall hear the application, and shall decide whether the applicant shall have a license granted to occupy the land applied for or not, and immediately after the hearing shall inform the Commissioner of Crown Lands for the district in which the said land is situate, whether the said application has been granted or refused.

38. All costs and expenses incurred by or on behalf of or by direction of the Crown, by reason of the withdrawal of any application for a license, shall be considered expenses within the meaning of the clause hereof.

39. The parcel of land granted under a mineral license shall be in the form of a parallelogram as nearly as practicable, and the same shall be described in the license by accurate boundary-lines.

40. The term of the license shall not exceed twenty-one years.

41. The area of land for all licenses under this Part of these regulations shall be (except in special cases hereinafter provided for) an area of not less than one acre or more than three hundred and twenty acres.

42. *Licenses.*—All licenses under this Part of these regulations shall be designated "mineral licenses," and shall apply to all lands which contain ironstone, tin, copper, lead, antimony, zinc, arsenic, mercury, platinum, and other metals and minerals, and also all lands which contain the ores of these and other metals not previously enumerated (except gold and silver).

43. Any such license which shall be granted shall contain such covenants, conditions, reservations, and exceptions as the Warden in each case shall approve, having regard to the special cases herein provided for.

44. *Registration of Assignment.*—Every sale or assignment of any licensed holding for mining purposes, or of any interest therein, shall be registered at the Warden's office.

45. *Withdrawal of Application.*—Any applicant for a licensed holding may withdraw his applica-

tion by giving notice in writing to that effect to the Warden, and to each objector (if notice of objection has been given) upon payment of such expenses, if any, as the Warden shall direct; and, should any such application be so withdrawn before any expense of survey has been incurred, the applicant shall be entitled to receive back one-half of any money he may have paid as survey fees.

46. *Miscellaneous Provisions relating to Licenses.*—Where gold or silver is associated with other minerals or metals in any land or premises comprised in any license under these regulations, if the applicant for any such license, or, in case any such license shall have been granted, if the licensee therein shall desire to mine for such gold or silver, or should the nature of his operations be such as to lead to the removal of gold or silver, he must, independent of the mineral license, make application for a license in accordance with the regulations relating to licensed holdings for gold and silver; and, if he shall proceed to mine for such gold or silver before he shall have obtained such last-mentioned licensed holding, the licensed holding obtained by him under these regulations shall be liable to be forfeited upon the order of the Warden.

47. If the title to any ground applied for under these regulations shall be disputed by any person, each party may maintain their works and boundaries until the hearing of the application and of the objections thereto, and upon such hearing the Warden may decide the rights of the parties according to priority of occupation and the justice of the case as if a summons had been issued for a trespass or encroachment.

48. *Special Cases.*—In cases where it shall be shown that a departure from the foregoing areas, rents, covenants, conditions, reservations, and exceptions would under special circumstances be desirable, the same may be altered by the Governor, subject to "The Mining Act, 1886:" and, subject to the said Act, such covenants, conditions, reservations, exceptions, and stipulations may be imposed and inserted in any license under these regulations, and such rents and royalties reserved as by the said Governor may be considered necessary.

49. *Mode of determining Amount of Compensation to be paid for Buildings or Improvements on Land occupied for Residence by Holder of a Miner's Right or Business License.*—If any person shall desire to obtain a mineral license of any land, or part thereof, occupied for the purpose of residence or business by the holder of a miner's right or business license, or of land including land so occupied, or part thereof, he shall, at the time of causing the notice to be published in a newspaper as hereinbefore required, serve upon the person so occupying a copy of such notice, with a memo-

randum subjoined thereto stating that the land about to be applied for is, or is part of, or includes land occupied by the person so served, or part thereof, as the case may be, and specifying the amount of compensation which he will be willing and will undertake to pay in respect of any building or other improvements erected or made by such last-mentioned person, or any person under whom such person derives title, on such land or the part thereof which shall be required; and, in case the person so served shall not be satisfied with the amount so specified, he shall, in case he and the applicant cannot agree as to the amount of compensation, be entitled to take an objection to the granting of the said license on the ground that such amount is insufficient, and such objection shall be prosecuted in the manner hereinbefore prescribed for the prosecution of objections generally; and at the time and place fixed for the hearing of objections the Warden, if with the consent of both parties, shall proceed to inquire into the matter of such compensation, and shall determine the amount thereof, and make an award of the same in the form in Schedule 11 hereto, which shall be signed by the Warden. In the event of the parties interested not giving their consent to have the amount of compensation determined by the Warden, then they shall proceed to arbitration as provided for in "The Mining Act, 1886." And, in case no such objection as last mentioned shall be taken, the applicant shall pay or tender to the person so served the amount so specified.

50. In every case where any such compensation as aforesaid is to be paid, the applicant shall, before the issue to him of a license, produce satisfactory evidence to the Warden that the amount of such compensation has been paid to the person entitled thereto, or tendered to and refused by such person, and if so refused, or in case such last-mentioned person cannot be found, lodged to the credit of the deposit account of the Receiver of Gold Revenue of the mining district in which the land held is situated; and when such evidence shall be so produced the Warden shall grant a license, and issue the same to the applicant, who shall then be entitled to enter upon the land so occupied as aforesaid, and be deemed to be in possession thereof.

PART III.—AGRICULTURAL LEASES.

51. *Application.*—Every application for any agricultural lease of Crown lands shall be in the form of Schedule 12 hereto, or to the like effect, and must, if the land has been already surveyed, be for one or more sections as surveyed, and not for a portion or portions of a section or sections, unless under exceptional circumstances. Every applica-

tion for any such lease shall be lodged at such Warden's office as shall be appointed for that purpose, and copies of every application for unsurveyed land must be posted and maintained by the applicant for fourteen days on boards standing not less than 3ft. above the surface of the ground, and erected one at each corner of the land applied for; and every application for unsurveyed land shall be advertised twice, by and at the expense of the applicant, in such newspaper as the Warden may direct, and copies of the newspaper containing such advertisement shall be produced to the Warden at the time of hearing.

52. *Application for Unsurveyed Lands.*—Any person applying for any unsurveyed land shall pay to the Receiver of Gold Revenue at the time of application the fees for survey, according to the scale in force at the time in the particular locality. But if the applicant withdraws the application before any expense is incurred, he shall be entitled to receive back one half of any money he may have paid for cost of survey.

53. *Who may apply.*—Every application must be made by the applicant in person, or by an agent authorized in writing by the applicant to make the same; and the Warden shall not entertain any application unless he is satisfied that the same is made by or on behalf of a person resident in the Colony of New Zealand of the full age of twenty-one years, and legally capable of being bound by the contract into which it is thereby proposed to enter, and who is not, in respect of the land applied for, or in respect of any part thereof, the agent or servant of or a trustee for any other person, or under any disability.

54. *Application to be recorded.—Day fixed for Hearing.*—The Warden shall cause every application for an agricultural lease to be recorded in a book to be kept for that purpose, shall forward a copy of same to the Commissioner of Crown Lands of the district in which the land applied for is situate, and shall appoint a day, being not less than fourteen nor more than thirty days from the date of the receipt of such application, for hearing and deciding the same and any objections that may be made thereto.

55. *Objections.*—Objections which are authorized by "The Mining Act, 1886," or the regulations made thereunder, setting forth the grounds of objection must be made in writing to the Warden, and lodged at the office at which the application shall have been lodged twenty-four hours at the least before the time appointed for hearing; and the person objecting must, at the time appointed for hearing, urge the objection personally or by counsel or agent. The Warden may also refuse certificate if the whole or part of the land is auriferous, whether objections are lodged or not.

56. *Hearing.*—Upon the day appointed as afore-

said for the hearing the Warden shall proceed to hear the application and any such objection as aforesaid, and may examine the parties and their witnesses (if any) on oath; and such hearing may be adjourned from time to time.

57. *Appearance.*—Upon the day appointed as aforesaid for the hearing the applicants and objectors or their agents shall appear; and any applicant or objector failing so to appear, either personally or by agent, shall, in the discretion of the Warden, be deemed to have withdrawn his application or objection.

58. *Proceedings in case of Objections.*—If at the hearing of any objection as aforesaid the Warden shall find such objection valid, he shall thereupon reject the application either as to the whole or a part of the land applied for; but if there be no objection, or if the Warden shall not find any objection to be valid, and there be no reason known to the Warden why the land should not be leased, he may decide that a lease should issue, and in such case may issue a certificate for the whole or any part of the land applied for.

59. *Survey may be required.*—At any time before finally dealing with any application the Warden may require a report or survey to be made by the District Surveyor, or, when there is no such officer, the Chief Surveyor of the Provincial Survey District, who shall make or cause to be made a report and survey, and in such case the cost of such survey or report shall be paid by the applicant to the Receiver of Gold Revenue.

60. *Mode of Procedure when more than one Applicant for Land.*—If the Warden, on such inquiry as aforesaid, shall find that more than one application has been made for a lease of the same land on the same day, and shall find that no valid objection exists to the issuing of a lease of such land or some portion thereof, he shall cause the lease of such land or such portion thereof as he shall decide to issue a certificate for to be put up for sale by auction by the Receiver of Gold Revenue, at such time and place as the said Warden may appoint, the said applicants alone being allowed to bid for the same, and the highest bidder at such sale shall be entitled to the lease of the land so offered. If only one applicant shall be in attendance at the time appointed for the auction, no auction shall take place, but such applicant shall be entitled to a certificate for such land. All applicants not in attendance in person or by agent as aforesaid at the time appointed for the auction shall be deemed to have withdrawn their applications.

61. *Granting Certificate.*—If no valid objection as aforesaid be made, and no reason be known to the Warden why the application should not be granted, or if on hearing such application he shall decide that a part only of the land applied for should be granted, he shall require the appli-

cant to pay to the Receiver of Gold Revenue a sum, calculated in the case where survey fees have not been paid by the applicant at the rate of 2s. 6d. per acre, and in the case where survey fees have been paid by the applicant at the rate of 1s. 3d. per acre, of the land intended to be granted; and such payment shall cover all charges in respect of such grant, inclusive of rent, for the first six months of the term; and upon production of the Receiver's receipt for the above sum to the Warden he shall give to the applicant a certificate in the form of Schedule 13 hereto, bearing even date with such receipt, from which date the commencement of the term of the lease (if a lease be granted) shall be taken and computed, and on granting such certificate the Warden shall inform the Commissioner of Crown Lands for the district in which the said land is situate accordingly.

62. *Governor's Power to refuse Lease reserved.*—On issuing any certificate the Warden shall forthwith forward to the Governor a duplicate of such certificate, and, notwithstanding the issue of the same, it shall be lawful for the Governor within sixty days from the date thereof to refuse to grant to the applicant a lease of the land referred to in such certificate; and immediately upon such refusal being communicated to the applicant, either personally or by letter addressed to him at his usual or last known place of business or abode, the certificate and all rights purported to be conferred thereby shall become and be absolutely void, and the applicant shall forthwith quit and deliver up possession of the said land, and failing his so doing he may be proceeded against as a trespasser on Crown lands.

63. *Certificate to be exchanged for Lease.*—Whenever a lease of any lands for which a certificate shall have been granted as aforesaid shall be executed on behalf of Her Majesty, the same shall be forwarded to the Warden, who shall thereupon give notice in writing, in the form of Schedule 14 hereto, to the holder of the certificate, directing him to attend at the Warden's office within thirty days of the date of service of such notice and execute such lease. Such notice may be served either personally or by registered letter posted to applicant's place of abode or last known place of residence: And if such person shall without reasonable cause refuse or neglect to comply with such notice, or to pay the rent (if in arrear) as hereinafter provided, he shall be deemed to have relinquished his claim to the land comprised in such lease, and the certificate for the same shall thenceforth be void; and the Warden shall report the circumstance of such refusal or neglect to the Governor, who may thereupon, by notice in the *New Zealand Gazette* and in one newspaper circulating in the district, declare such land to be open for application and occupation by any other person for the same or any other purpose.

64. *Rent.*—Rent at the rate of 2s. 6d. per acre per annum shall be payable half-yearly in advance during the term; and at the time of the execution of the lease rent shall be paid up to the first day of January or the first day of July next following the date of such execution, together also with the six months' rent payable subsequently to such first day of January or first day of July, as the case may be, and thereafter the rent shall be payable by equal half-yearly payments in advance, on the first day of January and the first day of July in every year; and for the purpose of computing rent every fractional part of an acre shall be considered as an acre, and charged for accordingly.

65. *Sale and Assignment.*—No sale or assignment, other than a sale or assignment by act or operation of law, of any agricultural lease, or of the right, title, or interest therein or thereto, shall be valid or effectual either at law or in equity if made without the license in writing of the Governor or his delegate; and no license to assign will be granted unless and until the lease shall have been executed by the applicant as hereinbefore required and all arrears of rent shall have been paid, and it shall be certified by the Warden that the conditions hereinafter contained regarding improvements have been fulfilled.

66. *Registration of Assignment.*—Every assignment of any agricultural lease shall be registered at the Warden's office, and on every such registration a fee of 1s. will be charged.

67. *Conditions of Occupation.*—Every certificate and lease shall be subject to the conditions following, that is to say: (1) That no sale or assignment shall be made without license; (2) that not less than one-twentieth of the whole area shall be cultivated within twelve months, not less than one-tenth of the whole area cultivated within two years, and not less than one-fifth of the whole area cultivated within four years after the commencement of the term; and within six years from the date of the lease there shall be substantial improvements of a permanent character on the land to the value of one pound for every acre of land as defined in "The Land Act, 1885."

68. *Land may be taken for Roads.*—Such public road or roads may be taken through or over any portion of the land comprised in any certificate or agricultural lease granted as aforesaid, as public convenience may require, upon payment to the occupier of compensation for any improvements that may have been made on the land actually taken.

69. *Construction of Water-races.*—It shall be lawful for the Warden to authorize the construction and use of water-races, flood-races, storm-channels, sludge-channels, tail-races, tunnels, and tramways through and over any lands held under certificate or agricultural lease,

and to grant free entry to such lands for the purposes of cleansing and repairing such races: Provided that the lessee or occupier shall be entitled to compensation from the person constructing any such race, and that for the purposes of the construction of such races, and the settling of the amount of such compensation, such lands shall be held to be private lands within the meaning of "The Mining Act, 1886."

70. *Area withdrawn to be deducted.*—When any land held under certificate or lease shall have been withdrawn for any of the before-mentioned purposes, the area so withdrawn shall be deducted from the acreage originally granted, and the rent thereafter payable under such certificate or lease shall be reduced in the same proportion as the deduction bears to the entire acreage.

71. *Conditions of Entry to search for Gold.*—The right of free entry upon any land held under certificate or lease as aforesaid, for the purpose of searching for gold or for any other metal or mineral, or for taking roads, is reserved to the Governor, and to such persons as shall be authorized so to do in writing under the hand of the Governor, subject to such conditions as the Governor for the time being may appoint; and every certificate or lease shall be subject to a condition that such certificate or lease may be determined when any gold or other metal or mineral shall be discovered on the land.

72. *Application to enter to search for Gold.*—Any holder of a miner's right desiring to enter, for the purpose of searching for gold, upon any land held under certificate or agricultural lease, shall apply to the Warden in the form in Schedule 16 hereto, and shall serve upon the occupant or lessee of the land a duplicate copy of such notice.

73. *Application to be heard.*—On the receipt of any such application to enter to search for gold, the Warden shall appoint a day and place for hearing the same, and on the day appointed shall proceed to hear the application and any objection thereto that may be made by the lessee or occupier, or on his behalf, and shall report to the Governor, who may thereupon grant or refuse such application.

74. *Deposit.*—In every case in which permission shall be granted to any holder of a miner's right to enter upon any such land for the purpose of searching for gold, he shall deposit with the Receiver of Gold Revenue for the district such sum of money as the Warden may consider sufficient as security for the due performance of any conditions of such permission; and it shall be lawful for the Warden, in case of failure to comply with such conditions, or any of them, to order payment of the whole or any part of such money to the lessee or occupier of the land, or to make such other order in relation to the same as to him shall seem just; and the deci-

sion of the Warden shall be final and conclusive as regards all parties concerned.

EXCEPTIONS TO AGRICULTURAL LEASES.

75. The exceptions next hereinafter appearing shall be made from all agricultural leases granted under "The Mining Act, 1886." And the covenants, clauses, provisoes, conditions, and agreements next hereinafter appearing shall be applicable to all such leases, that is to say,—

(A.) *Right of Ingress and Egress.*—Her Majesty the Queen reserves to the Governor of New Zealand and his delegates, and to his and their officers and servants, the right of ingress, egress, and regress to, from, and across the land hereby demised and the mines thereon or thereunder, and of granting to any person or persons or to the public such right of ingress, egress, and regress, and of granting to any holder of a miner's right the privilege of entering on such land for the purpose of cutting water-races or tail-races, flood-races, storm-channels, sludge-channels, tunnels, and tramways for mining purposes, and of leading head-water or tail-water through the same: Provided always that all such operations shall be sanctioned by the Warden, and due compensation given to the said lessee or lessees, his or their heirs, executors, administrators, and assigns. When any land has a frontage on any stream of water, the lessee shall have no claim or right of action against the Crown or any person whomsoever for damage caused by the fouling, pollution, or diversion of the waters of such stream by any tenants or licensees of the Crown, or of any public authority, in the prosecution of gold-mining.

(B.) *Rent in arrear, to distrain Machinery, Tools, &c.*—If the rents, dues, or duties reserved in this lease shall be in arrear and unpaid for the space of twenty-one days next after any of the days hereinbefore fixed for payment thereof, it shall and may be lawful for the said lessor, or any person duly authorized in that behalf, to enter upon the premises hereby demised, and to distrain the machinery, tools, buildings, or other property of the said lessee or lessees for the time being in, under, or upon any part of the premises hereby demised, for or in respect of any such rent, dues, or duties which ought to have been paid to the lessor or any person duly authorized to receive the same.

(C.) *On Breach of Covenants, Lessor to re-enter and determine Lease.*—Provided lastly, and it is hereby declared and agreed by and between the said parties hereto, that in case the said lessee or lessees, his or their executors, administrators, or assigns, shall fail or neglect to perform and keep all and every of the covenants, conditions, or provisions and agreements hereinbefore contained and implied by virtue of "The Mining Act, 1886,"

or of any regulations made under the authority of the said Act which are in force at the time of the execution hereof, it shall and may be lawful for the said lessor, or any person duly appointed in that behalf, forthwith or at any time or times thereafter to enter into and upon the land and premises hereby demised, and thereby determine this lease, and that without releasing the said lessee, his executors, administrators, or assigns, from his or their liability in respect of any rent then due, or for or in respect of any preceding breach of covenant.

OCCUPATION LICENSES.—SMALL AREAS.

76. (A.) Every person desirous of obtaining an "occupation license," to occupy, for agricultural, horticultural, or dairy purposes, any reserve or portion of any reserve set apart for mining purposes, or any other Crown land within any mining district not exceeding fifty acres, shall make application to the Warden in the form of Schedule 34 to these regulations, or to the like effect.

(B.) Every application for a section or sections of surveyed land shall state the numbers of section and block.

(C.) Every application for other than a whole section or whole sections of surveyed land shall state the estimated area, and shall contain a verbal description of the land applied for, with approximate measurements of boundary lines, and be accompanied by a tracing or sketch from a survey map.

(D.) Every application for unsurveyed land shall contain a verbal description of the land, with approximate measurements of boundary lines and estimated area, and the boundaries shall, so far as practicable, be straight lines, roads, existing survey lines, or natural boundaries.

(E.) All land applied for other than whole sections shall be marked out by erecting at each angle a post not less than three inches in diameter and standing not less than three feet above the surface of the ground, and by L trenches not less than six inches deep, ten inches wide, and five feet long.

(F.) A copy of every application shall be posted at each corner of the land applied for, and maintained, for at least fourteen days before the hearing.

(G.) Every application shall be advertised by and at the expense of the applicant twice in such one newspaper, or once each in such two newspapers, as the Warden may direct, and copies of such newspaper or newspapers shall be produced at the hearing.

(H.) If there be no valid objection, and the Warden be not aware of any sufficient reason why a license should not issue, he may grant to

the applicant a license to occupy the land applied for, or such portion thereof as he may deem expedient, and such license shall be in the form of Schedule 34A to these regulations, or to the like effect.

(I.) In granting any license to occupy, the Warden may impose such special conditions as he may deem advisable.

(J.) It shall not be necessary that the land be surveyed before the issue of a license, unless specially required by the Warden; but in every license for unsurveyed land, or for a portion or portions of a section or sections of surveyed land, the area intended to be granted shall be stated and the land shall be described as nearly as may be by boundary lines.

(K.) Whenever an occupation license shall be issued the licensee shall be entitled to occupy the land described in such license, but subject always to survey; and in case the land on being surveyed shall be found to exceed or fall short of the area stated in the license, the occupation license shall be amended accordingly, but so that the total area shall in no case exceed fifty acres.

(L.) On the issue of an occupation license the licensee shall pay to the Receiver of Gold Revenue the amount of one year's rent, and shall continue to pay the same amount on the same day of each succeeding year until the expiry of the license or until the license shall be otherwise determined. Rent shall be at the rate of not less than one shilling (1s.) nor more than two shillings (2s.) for every acre or portion of an acre: provided that if on survey the area shall be increased or diminished, the rent shall, upon the written direction of the Warden, thereafter be adjusted accordingly.

(M.) Occupation licenses may be granted for any term not exceeding ten (10) years; but at the expiration of any such term the license may be renewed, subject, however, in each case to such increased rent and other conditions as may from time to time be prescribed by regulations or may be considered by the Warden to be advisable.

(N.) Free access shall be given over the land occupied under any such license for holders of miners' rights to prospect for gold, and to mark out and take up claims, and to take levels for and mark out the proposed course and position of races, dams, tunnels, and tramways for mining purposes; and the Warden may on application grant any such claim, race, or mining privilege without any compensation to the licensee, provided that, if the land or any portion thereof is cultivated or otherwise improved, such cultivated or improved land shall not, unless by consent of the licensee, be interfered with or taken possession of for mining purposes until after three months' notice to the licensee, who shall be entitled to remove any buildings or other improvements that he may have on the land, and if the

land be in crop he shall be allowed a reasonable time to save and remove the crop.

(o.) In case any portion of any land occupied under any such license shall be required for mining purposes, and the licensee shall surrender the same, he shall be entitled to a reduction of rent at the rate of two shillings (2s.) for every acre so surrendered.

(p.) Any holder of an occupation license may at any time voluntarily surrender his license.

PART IV.—LICENSES TO SEARCH FOR ANY METAL OR MINERAL OTHER THAN GOLD WITHIN MINING DISTRICTS.

77. Every person desirous of obtaining a license to search for minerals or metals other than gold or silver within a mining district shall apply for the same by delivering to the Warden an application containing the name and address of the applicant, a statement of the minerals which he proposes to search for, and the locality, together with a plan or sketch showing the extent of the area of land for which he seeks to obtain a license; and every such application shall bear date the day of the delivery as aforesaid.

78. The fee shall be 1d. per acre, but in no case be less than £1.

79. The area to be granted shall in no case exceed three square miles.

80. The license shall be for any term not exceeding twelve months, and be in the form in Schedule 17 hereto annexed, and shall have indorsed thereon a plan of the lands on and over which the licensee may search for the mineral or metal named in such license; and such license shall be subject to the restrictions, limitations, and conditions in the memorandum indorsed thereon, or thereunder written or printed.

PART V.—GOLD-MINING REGULATIONS.

PRELIMINARY REGULATION.

81. *Interpretation Clause.*—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 Warden'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 except dredging claims. "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 channel constructed for the purpose of drainage, or for the discharge of tailings, whether used or not for the purpose of saving gold. The words "ground sluice" shall mean a race constructed for the purpose of saving gold, and into which the gold is carried by the action of the water used in ground sluicing. 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" shall mean ground previously unworked. 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.

82. *Miners' Rights, Consolidated Miners' Rights, and Business Licenses.*—Miners' rights, consolidated miners' rights, and business licenses shall be issued and signed only by the Warden or Mining Registrar. Such miners' rights, consolidated 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.

PART VI.—WATER-RACES, DAMS, AND RESERVOIRS.

WATER RIGHTS AND RACES.

83. *Applications.*—Every application for any water right or privilege must be made as directed by "The Mining Act, 1886."

84. *Superiority of Right.*—Superiority of right to a supply of water shall be determined by priority of occupation, the earlier occupant having the superior right; and, in all cases when the occupier claims under a license or certificate granted by a Warden, occupation shall be taken

to have commenced at the date of such license or certificate.

85. *Heads of Races.*—Every water-race shall have a point specified at which it shall be taken from the creek, river, or other source. In water-races already cut this shall be taken to be the point from which the race now heads; and no person shall shift a water right or any portion thereof from one race to another, or alter the head of any race, without the written sanction of the Warden, or to the prejudice of any existing right.

86. *Branch Races for the Distribution of Water.*—Any person intending to construct a branch race, merely for the distribution of water already held or owned by any person under any license or right, shall give notice in the form in Schedule 19 hereto or to the like effect, and shall otherwise proceed as provided in "The Mining Act, 1886" (for water-races).

87. *Side-streams.*—Where a water-race crosses any watercourse the use of which is required by holders of miners' rights, or by the owners or occupiers of any land, such water-race shall be carried either over or under such watercourse, so as not to interfere with the natural flow of water therein.

88. *Water not to be wasted.*—Holders of licenses shall not allow any water to which they may be entitled to run to waste, but such water shall be apportioned to other holders of license according to priority of right.

89. *Amalgamation of Water Rights.*—To give increased facility in working claims, and to prevent unnecessary waste of water, the holders of any two or more water-race licenses may jointly construct or use one water-race for the conveyance of the water to which they are entitled; but in any such case the intention to convey the water in a race to be constructed by the joint labour of the applicant and the holder of any other license, or in any race already constructed, shall be set forth in the application; and, if a license be granted, the fact that the water is to be conveyed in such jointly-constructed race or in such previously-constructed race shall be noted on the face of the license, and, if any water-rights be amalgamated after being granted, such amalgamation shall be registered, and endorsed on license.

90. *Water to be Gauged when demanded.*—Every holder of a water-race license shall place a gauge-box in his race within seven days after receiving a written notice from any person entitled to receive a supply of water from the same source. When water is taken from one source only, the supply shall be gauged at the source of supply; but, if the race is fed or supplied in part by any side-stream or streams, the gauge-box shall be placed immediately below the last of such side-streams.

91. *Quantity of Water to be granted.*—It shall

be lawful for the Warden to grant the quantity of water applied for in any application, or any less quantity, as he may see fit.

92. *By-washes.*—Holders of water licenses shall be entitled to make such by-washes as may be necessary for the security of their races, and to hold the right to run water from such by-washes down such natural channels as may be convenient, provided that there be no prejudicial interference with previously-existing rights; and any person desiring to make such by-wash, or secure such right to run water, shall give notice in writing to the Warden, and to any person whose interests may be affected; and such notice shall be posted for not less than fourteen days at the point where it is intended to make such by-wash, at the expiration of which time, if there be no valid objection, the Warden may grant the application, and a certificate of registration may be issued to the applicant.

93. Any license for a water-race may be granted for any term not exceeding fifteen years, and the same may be renewed at any time after the expiration of the term for which the same was granted, upon application being made to the Warden in the manner provided for the granting of water-race licenses: Provided that the Warden before granting such renewal shall be satisfied that the right in question has been continuously and *bonâ fide* held and used, and that no forfeiture has been incurred otherwise than by failure to renew license.

94. *Gauge-boxes.*—When other and more accurate means of measuring water are not conveniently available it may be done by using gauge-boxes of the dimensions and forms as hereinafter specified. Every gauge-box for measuring water shall be 12ft. long, 20in. wide inside measurement, open on the top, and shall be set truly horizontal. The outlet end of the gauge-box shall be closed with a board lin. in thickness, with the exception of an orifice which shall be the whole width of the gauge-box, and of such depths as shall be hereinafter specified for the number of sluice-heads to be discharged; but in all cases the lower side of orifice shall be 2in. above the bottom of the gauge-box, and the depth of the sides of such gauge-box shall be regulated so that they shall not have a less depth than the depth of orifice, the height of the board above the orifice, with two additional inches added. The dimensions of orifice and height of board above orifice for the number of sluice-heads to be discharged shall be as follows: For one sluice-head the orifice shall be 20in. wide by 2in. deep, and the depth of board above the orifice shall be 5in. For two sluice-heads the orifice shall be 20in. wide by 3½in. deep, and the depth of board above orifice shall be 5in. For three sluice-heads the orifice shall be 20in. wide by 5in. deep, and the height of board above the orifice shall be 5in. For four sluice-heads

the orifice shall be 20in. wide by 5 $\frac{5}{8}$ in. deep, and the height of the board above the orifice shall be 7in. For five sluice-heads the orifice shall be 20in. wide by 6 $\frac{3}{4}$ in. deep, and the board above the orifice shall be 7in. in height. For six sluice-heads the orifice shall be 20in. wide by 7 $\frac{1}{2}$ in. in depth, and the height of the board above the orifice shall be 8in. When more than six sluice-heads of water requires to be measured an additional gauge box shall be used. In measuring the discharge through the orifice for the number of sluice-heads required the water must stand on a level with the top of the board above the orifice.

TAIL-RACES.

95. *Tail-race to be marked.*—Any person applying for a tail-race shall, in addition to posting notices at each end of the proposed race, mark out the course of the same in the manner prescribed for marking water-races in "The Mining Act, 1886," and make application for the same in the form set forth in Schedule 20 annexed hereto.

96. *Use of Tail-races for Drainage or Discharge of Tailings.*—It shall be lawful for the Warden to authorize any person to use a tail-race, not being a ground-sluice or race for saving gold, the property of any other person, on condition of first paying to the owner thereof a proportionate share of the expense of construction, or a periodical payment in advance as a rent for the use thereof; and such proportionate share of expense or rent shall, if necessary, be decided by arbitration, provided that the utility of the tail-race be not prejudiciously interfered with: Provided also always that the person so using any tail-race shall assist in clearing the same whenever it shall be necessary to do so; and, in case he shall fail to do so within seven days after receiving notice from the owner, it shall be competent for the owner to clear the same, and to recover from the person so failing to assist his proportionate share of the expense of clearing such tail-race as aforesaid.

MAIN TAIL-RACES FOR MINING PURPOSES.

97. When the majority of persons from whose claims water or tailings flow to a common outlet are desirous of constructing a main tail-race, or using any natural channel as a main tail-race, such majority shall make application in writing to the Warden in the form in the Schedule 21 hereto, or to the like effect; and, should the Warden decide to grant such application, he may declare such tail-race or natural channel to be a "main tail-race;" and the said majority shall elect annually from amongst the persons interested three persons as trustees to hold the said natural channel or main tail-race on behalf of all those concerned, and the said trustees shall, subject to conditions and rules approved by the

Warden, be empowered to enter into contracts or employ labour for the efficient maintenance of the said natural channel or main tail-race, and shall collect, sue for, and recover any moneys that may be due in respect of contributions, rates, or dues, and the said majority shall be empowered to prescribe terms and conditions, subject to the approval of the Warden, for the construction of such main tail-race by the joint labour or contributions of all persons interested in the construction or use of the tail-race as aforesaid; and the holder of a race with the right to divert and use water shall, for the purposes of this regulation, be deemed the holder of a claim; and the occupiers of such tail-race may from time to time make or alter rules for the use, extension, or repair of such main tail-race, and all such rules or alterations of rules shall, when signed by a majority of the persons using the same and approved by the Warden, be binding upon and may be enforced against all persons from whose claims water or tailings flow to such common outlet.

98. *Grant of Main Tail-race to be publicly notified.*—Whenever the Warden shall have declared any tail-race or natural channel to be a main tail-race, he shall, at the cost of the said trustee, publicly notify such declaration by advertisement in some newspaper or newspapers circulating in the district, or in such other manner as he may deem convenient, and shall issue a certificate of registration in the names of three trustees, and enter the same in the Mining Register, with a printed copy of the advertisement as published.

99. *Main Tail-race may be constructed by Private Enterprise.*—In case any person or company shall be desirous of constructing a tail-race, or using a tail-race already constructed, that may be made available as a "main tail-race," it shall be lawful for the Warden to authorize the construction and use of such tail-race as a main tail-race, provided that the terms and conditions on which it shall be proposed to allow the use of such tail-race to persons other than the holders of such tail-race shall be first submitted to and approved by the Warden. A written statement of such terms and conditions shall be signed by the Warden, and shall be kept for reference in his office; and the grant of a certificate for such tail-race shall be held to be made and issued subject always to such terms and conditions.

MISCELLANEOUS.

100. *Flood-races.*—Any person may cut a flood-race through or by his claim, subject to such restrictions as the Warden may consider necessary for the public good.

101. *Repairs of Races and Tunnels, Bridging, &c.*—The holder or occupier of any race, drain, or

tunnel shall keep the same in repair, and shall make an efficient bridge or crossing, or in the case of tunnels shall maintain proper supports, where any road which has been in ordinary use prior to the construction of such race, drain, or tunnel crosses such race, drain, or tunnel, upon being required to do so by the Warden.

102. *Occupation of Land at Sides of Head- and Tail-races.*—The Warden shall have power to authorize the holder of any head-race, tail-race, or ground-sludge to occupy such additional area on either or both sides of such race, either throughout the entire length of such race or over any and such portions as he may deem necessary, for the preservation thereof in a proper state of efficiency.

103. *Alteration of Races.*—The alteration or extension of a race at any time shall not in any way affect any right or privilege attached to such race, and the owner thereof shall, during such alteration or extension, be deemed to be in occupation of all the rights and privileges attached to such race: Provided that such alteration or extension shall first be approved of by the Warden, who may require the said owner to give such notice as to the Warden may appear necessary.

104. *Construction of Crossings, &c.*—Any licensee of a water-race cutting the same across roads or thoroughfares shall construct and keep in repair good substantial and suitable crossings over the said race not less than 12ft. in width; and shall also construct suitable approaches not less than 10ft. in length to and on each side of said crossings. And any person or persons opening up new roads or thoroughfares across any race shall construct and keep in repair suitable approaches as aforesaid thereto: Provided that such last-mentioned roads, thoroughfares, and crossings shall not interfere with the security of the race.

105. *Original Line of Race may be altered.*—If by reason of any natural impediment it shall be impracticable, or attended with unforeseen difficulty or expense, to cut or construct a race according to the line originally designed therefor, it shall be lawful for the licensee of such race, having first obtained the permission in writing of the Warden; to deviate in the cutting of such race so far from such originally-designed line as shall be necessary to avoid the effects of such impediment, provided that no prior right be affected thereby.

DAMS AND RESERVOIRS.

106. *Warden may grant Dams or Reservoirs.*—It shall be lawful for the Warden, on application, to grant permission for the construction of dams and the formation of reservoirs for the storage of water for mining purposes; and any person desiring to construct any such dam or form any such

reservoir shall mark out the proposed line of the same, the ground required on the outside of the said dam or reservoir, and the area intended to be occupied as dam or reservoir, by pegs, or cairns of stones, and trenches, as provided for the marking of claims, and shall state the length and width of such area in the application in the form prescribed in Schedule 22 hereto, and copies of such application shall be posted and maintained by the applicant at each end of the proposed site of the dam.

107. *Construction of Dams.*—In the case of any dam or reservoir hereafter to be constructed, the Warden may, at his own discretion, or at the request of any claim-holder or person residing in the neighbourhood of the proposed site of such dam or reservoir, or on or near to the proposed course of the overflow of water therefrom, cause a surveyor or engineer to prepare a specification, setting forth the proper mode of construction and the necessary strength and thickness of the embankment of such dam, and the width of the by-wash thereof; and the Warden may thereupon make such orders therein from time to time as shall be necessary, and may direct by whom the expense of such specification shall be borne.

108. The Warden may on the application of the owner of any dam or reservoir grant protection for an area surrounding such dam or reservoir, and fix the distance from such dam or reservoir within which mining may be carried on.

109. *Inspection of Dams or Reservoirs.*—The Warden may at any time direct a surveyor or engineer to inspect any dam or reservoir that heretofore has been or hereafter may be constructed, and to report upon the strength, security, and fitness thereof, and of any works connected therewith; and such Warden may thereupon make any such order therein as may be necessary for the security of such dam or reservoir, and may direct by whom the expenses of such survey shall be borne.

110. *Certificate may be cancelled.*—If the owner of any dam or reservoir shall refuse or neglect to comply with any such order as aforesaid, the right to such dam or reservoir may be forfeited, and the certificate cancelled, and the embankment thereof be removed, or such other order made therein as may be requisite.

PART VII.—DIVERSION OF PERMANENT STREAMS.

111. *Notice of Diversion to be given.*—Any person desirous of diverting the course of a permanent stream for the purpose of working the bed thereof shall apply to the Warden in the form prescribed by Schedule 23 hereto.

112. *Wall to be allowed.*—Any person diverting

the course of a permanent stream shall be allowed a sufficient wall between the channel of diversion and the bed of the stream; and the width of such wall may be defined by the Warden; and no person shall mine upon or otherwise interfere with any such wall without the express permission of the Warden, or the consent of the person holding the right to divert such stream.

PART VIII.—DREDGING-CLAIMS.

113. *Condition of Occupation.*—Any dredging-claim that may under these regulations be taken or granted in any river shall be taken and held subject to the condition that any person who may at the time of the granting of such dredging-claim hold any claim on the banks of or in the vicinity of such river, or who may thereafter lawfully take or acquire any such claim, shall not, in consequence of the taking, granting, or holding and working of such dredging-claim, be restrained from discharging the tailings, waste water, or *débris* from his claim into such river; and the holder of such dredging-claim shall have no right of action against any such person for so discharging tailings, water, or *débris* into such river.

114. *Ordinary Dredging-Claims.*—In dredging-claims each holder of a miner's right shall be entitled to 3 chains, or 198ft., along the course of any river or stream, by a width bounded by ordinary high-water mark; but not more than 40 chains, or 2,640ft., along the course of any river or stream shall be held as one claim, except as hereinafter provided for prospecting-claims.

115. *Prospecting Areas for Dredging.*—The Warden may, upon the application of any person or persons, grant a prospecting area for dredging on any river or stream, not exceeding 160 chains or two miles along the course of any such river or stream, by a breadth bounded by ordinary high-water mark; provided that no prospecting area shall be granted within ten miles of any ordinary or prospecting dredging-claim.

116. *Time allowed to erect Machinery.*—Three months shall be allowed from the date of granting a prospecting area as provided in the foregoing clause to place dredging machinery on the claim, and three months additional shall be allowed to prospect the river or stream within the said prospecting area.

117. *Prospecting Claim to be taken up.*—Before the expiration of six months from the date of granting a prospecting area the holder or holders of said prospecting area shall mark out a prospecting claim in the manner provided in clause 128 of these regulations, and such prospecting claim shall not exceed 80 chains in length along the course of any river or stream, by a width

bounded by ordinary high-water mark; and such holder or holders shall make application to the Warden of the district to have such prospecting claim granted, and, after hearing the said application and objections, if any, the Warden may grant or refuse the said application.

118. *Prospectors to report Discovery of Payable Gold.*—The holder or holders of any prospecting area shall, within three days from the date of the discovery of payable wash-dirt, report the same to the Warden of the district, or, failing to do so, the Warden may, upon sufficient evidence, declare the right of the said holder or holders to a prospecting claim forfeited, and may refuse the same.

PART IX.—CREEK AND RIVER CLAIMS.

119. *Use of Water in Creek or River Beds.*—Any holder of a creek or river claim may use the water in any watercourse on any portion of his claim, provided he does not interfere with the water before it reaches his claim, and turns the water into its natural course immediately on its leaving his claim; and the holder of such claim shall have an equal right to use the water on any part of his claim, subject to the restrictions aforesaid, as though he used the water in the bed of the watercourse.

PART X.—DRAINAGE OF CLAIMS.

WET CLAIMS.

120. *Drainage.*—The owners of any wet claim shall, whenever practicable, cut a sufficient drain to convey the water to a main channel, which channel shall be cut or kept clear by or at the proportionate expense of all parties interested.

121. *Baling.*—If the owners of any wet claim refuse or neglect to bale their fair proportion of water their claim shall thereupon be liable to forfeiture.

122. *Continual Baling.*—When the quantity of water renders continual baling necessary, it shall be compulsory on all parties holding claims below a given point on the lead or reef (such point to be determined by the Warden or other officer appointed by him) to work in sinking and baling both day and night, until the claims are worked out or abandoned, or until baling is suspended by general consent.

123. *Contribution towards Drainage.*—When any person shall drain any ground within a drainage area by any means whatever, such person shall be entitled to receive contribution from the holders of all claims benefited thereby.

124. *Warden to fix Amount of Contribution.*—If any person shall apply for contribution under the preceding clause, if there be no Drainage

Board, the matter shall be dealt with by the Warden, who shall fix the amount of contribution to be paid by the person so benefited, and may order such contribution to be paid in one sum, or by instalments weekly, or otherwise by way of rental, during such time as the benefit lasts; and the said amount may in like manner be readjusted from time to time as the Warden may deem necessary: Provided that, should either party demand to have the case tried by arbitration, it may be determined in that manner.

PART XI.—PREVENTION OF NUISANCES, AND SETTING APART SPRINGS FOR DOMESTIC PURPOSES.

125. *Nuisance Clause.*—Every holder of a business or residence area, or tent ground, shall keep it and the ground around the same in such a state of cleanliness as not to become a nuisance to his neighbours or the public. And any person depositing any filth or offensive substance in a place where the same becomes a nuisance must remove the same at his own expense when ordered to do so by the Warden. And the Warden may order the removal of any slaughter-yard or piggeries at the expense of the owners, and may prohibit the exercise of any noisome or unwholesome trade.

126. *Water for Domestic Purposes.*—It shall be lawful for the Warden, at the request of any person, to declare that any waterhole or natural spring, stream, or source of water, shall be exclusively reserved and set apart for domestic purposes; and such reservation shall be publicly notified in such manner as the Warden may direct, and no person shall defile any water so reserved and set apart.

PART XII.—MARKING OF CLAIMS.

127. *Claims to be Marked.*—All claims shall be marked in the manner provided in "The Mining Act, 1886," that is to say:—

"Any person desiring the exclusive occupation of land for mining purposes within any district shall mark out the same by causing to be erected at every angle thereof a post not less than three inches square or three inches in diameter, standing not less than one foot above the surface of the ground and having thereupon some distinguishing mark, or where this is not possible then in such manner as shall be prescribed by regulations, and any piece of land so marked out shall be called a claim.

"When an angle cannot be so marked on account of the nature of the ground, the post may be placed at the nearest practicable point.

"Where wood is not available for the making of posts, a cairn of stones and a trench or such other permanent distinguishing mark may be used instead of a post, as the Warden shall think sufficient for the purpose intended.

"Every claim which is marked out in accordance with this section shall be sufficiently marked for the purposes of this Act, notwithstanding that any road may traverse such claim either at the time the claim is marked, or at any other time; and no such road shall be deemed to disserve the claim, nor shall it be necessary to demark the line of any such road."

128. *Marking Dredging Claims and River Claims.*—Claims on rivers shall be marked as provided in "The Mining Act, 1886," or, when such marking is not practicable, then by \uparrow marks not less than 1ft. in length, to be cut upon the rocks above high-flood mark.

129. *Marking Frontage Claims.*—Frontage claims shall be marked as provided in "The Mining Act, 1886," or, when such marking is not practicable, then by similar pegs, stacks, or cairns placed at intervals of not less than 50ft. along the side lines.

130. *Marking Sea-beach Claims.*—Every sea-beach claim shall be marked by pegs, stacks, or cairns as provided in "The Mining Act, 1886," at each corner of such claim above high-water mark.

PART XIII.—SIZE OF CLAIMS.

131. *Ordinary Claims.*—An ordinary claim in alluvial ground shall not exceed an area of 10,000 square feet (equal to 100ft. by 100ft.) for each holder of a miner's right, but not more than 100,000 square feet shall be held together as one claim.

100FT. BY 100FT.		
For 1 man, 100ft. by 100ft. =		10,000ft.
" 2 men, 100ft. by 200ft. =		20,000ft.
" 3 " 122ft. by 244ft. about		30,000ft.
" 4 " 141ft. by 282ft. "		40,000ft.
" 5 " 158ft. by 316ft. "		50,000ft.
" 6 " 173ft. by 346ft. "		60,000ft.
" 7 " 187ft. by 374ft. "		70,000ft.
" 8 " 200ft. by 400ft. =		80,000ft.
" 9 " 212ft. by 424ft. about		90,000ft.
" 10 " 223ft. by 446ft. "		100,000ft.

132. *Double Ground.*—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.

133. *Extended Claims.*—When any extraordinary expenditure of capital or labour is requisite, or if the Warden is satisfied 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.

134. *Frontage Claims.*—A frontage claim shall be an area having 100ft. frontage to the terrace, river-bank, lake-bank, or hill-side for each holder of a miner's right, by a depth not exceeding 1,000yd., but not more than 1,000ft. 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 or be included within the parallels of the frontage claim, and shall thereupon cease to have any right to the remainder of such frontage claim.

135. *Quartz Claims.*—A quartz claim shall not exceed 100ft. in length, to be measured along the supposed course of the lode or vein, by a width not exceeding 300ft. 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 1,000ft. along the course, or supposed course, of any reef.

136. *River or Creek Claims.*—A river or creek claim shall not exceed 100ft. 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 30ft.; but when the stream exceeds 30ft. 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 1,000ft. in length along the course of any stream shall be held as one claim.

137. *Sea-beach Claims.*—A sea-beach claim shall not exceed 100ft. frontage to the sea at high-water mark for each holder of a miner's right, with a depth not exceeding 100ft. above high-water mark, and with no limit to the seaward side; but not more than 1,000ft. frontage shall be held as one claim.

138. *Prospecting Claims.*—A prospecting claim in alluvial or quartz ground shall be a double ordinary claim, but not more than six such prospecting claims or 120,000ft. shall be held together as one claim.

139. *Prospecting Areas.*—A prospecting area shall be an area of alluvial ground of 600yd. by 400yd., and on a quartz reef 300yd. by 300yd., or any less area that the Warden may think fit to grant.

PART XIV.—FORM OF CLAIMS.

140. *Form of Ordinary Claims.*—Any ordinary claim may be of any form, provided that no such claim shall exceed in length twice the breadth

thereof, unless the necessary area cannot otherwise be obtained by reason of the occupation of the surrounding ground under some other right.

141. *Form of Double, Extended, and Prospecting Claims in Alluvial Ground.*—Double, extended, and prospecting claims in alluvial ground may be of any form, provided that no such claim shall exceed in length twice the breadth thereof, unless otherwise specially sanctioned by the Warden.

142. *Spare Ground.*—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.

143. *Amalgamated Claims.*—On application being made in writing to the Warden in the form of Schedule 26 hereto, it shall be lawful for him to allow any number of adjoining claims, not being licensed holdings, to be amalgamated: Provided the amalgamated claims shall not exceed thirty acres, and that it is proved to the satisfaction of the Warden that such amalgamation is expedient or necessary for the efficient working of the ground.

144. *Number of Persons to be employed.*—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.

PART XV.—PROSPECTING.

145. *Discovery to be reported.*—Any person discovering new gold workings, and being desirous of obtaining an increased area thereon, shall mark off and make application to the Warden for a prospecting claim, and shall immediately report such discovery, with full particulars, to such Warden, and the ground so marked off shall be protected until the Warden shall have finally refused or granted the application; but the Warden may, if he think fit, refrain from granting or refusing such application until the ground shall have been visited by himself or by some person appointed by him.

146. *Notices to be posted by the Warden.*—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.

147. *Where Prospecting Claims to be obtained.*—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 for any new discovery of a quartz reef at a less distance

than half a mile from any previously-existing quartz workings.

148. *Occupation of Prospecting Claim.*—The boundary marks of every prospecting claim shall be maintained, and a notice with the words "prospecting claim" shall be kept posted on the ground 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 the grant.

149. *Assisted Prospecting.*—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.

150. *Prospecting Area.*—The Warden may, upon the application of any person, grant the right to occupy 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 right to occupy 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 foregoing regulations, and protection shall thereupon cease as to the remainder of such prospecting area.

151. *Protection for Prospecting Areas may be renewed.*—It shall be lawful for the Warden to renew from time to time the right to occupy a prospecting area: Provided that such renewed right to occupy shall not be granted for more than three months at any one time.

152. *Prospecting Areas to be continuously worked.*—Every prospecting area shall be continuously worked by at least two men during the entire period of occupancy.

PART XVI.—REGULATIONS FOR AID TOWARDS PROSPECTING.

153. Upon the Council of any county, or, where the Counties Act is not in force, upon any Road Board, adopting the following regulations for prospecting for diamonds, gold, silver, or tin, the Government shall, subject to the following conditions,

subsidize by pound for pound the amounts expended by each County Council or Road Board, as the case may be:—

- (a.) Such local body shall submit its proposals to the Minister of Mines for approval before any agreement is made by the Government for subsidizing and prospecting as aforesaid.
- (b.) On the application and proposals having been approved of, each payment on account of subsidy shall be made on the certificate of the County Chairman in the case of a County Council, and in the case of a Road Board on the certificate of the Chairman of the said Board, or such other person as may be appointed by the Minister.
- (c.) The amounts payable by way of subsidy to any County Council in any one year shall not exceed £500.
- (d.) The amounts payable to any Road Board in any one year shall not exceed £200.
- (e.) The Government shall subsidize by pound for pound any amounts expended by County Councils or Road Boards in the purchase of boring appliances to be used for prospecting purposes.

Class I.—One party of two or three men in each riding of any county will be subsidized at the rate of 15s. per week per man for prospecting new and unprospected country three miles from any main or district road and from any known workings.

Class II.—One party of two or three men in each riding of any county will be subsidized as under while prospecting partially-worked and prospected country within tolerably easy access of road communication:—

Sinking.—Dry ground: 1s. per foot from surface to 15ft., 2s. per foot from 15ft. to 60ft., 3s. per foot from 60ft. to any greater depth. Wet ground, requiring slabbing: Double the above rates.

Tunnelling and Driving.—Through drift or blue reef: 1s. 6d. per foot for the first 500ft., 3s. 6d. per foot for next 500ft., 4s. 6d. per foot for next 500ft., or any portion of 500ft. Through hard rock or cement requiring blasting, or through pug: 5s. per foot. All tunnels and drives to be at least 4ft. by 3ft. 6in.

Prospectors under both Class I. and Class II. are required before commencing operations to send in their names to the County Council or Road Board, who must approve of same.

The locality of prospecting operations must also be stated, for the approval of the Council or Road Board.

Each prospecting party must send in a report, once in every month, to the Council or Road Board to whom a subsidy is payable, setting forth

the nature, extent, and result of operations during the previous month.

All measurement of work done under Class II. shall be made by the County Engineer, Road Overseer of the district, or other person appointed by the local body, who will be required to certify to the voucher for payment.

The subsidy under Class I. and Class II. may be discontinued, if the Council or Road Board think necessary, on one month's notice of discontinuance being given to the party or parties.

Payments will be made monthly.

Applications (giving the full names and residences of each man of the proposed party or parties, and specifying the locality in which it is proposed to prospect) must be sent to the Council chambers or Road Board offices, and the application must be indorsed on the envelope, "Application for Prospecting, Class I." (or "Class II.," as the case may be).

PART XVII.—REGULATIONS AS TO REWARDS FOR THE DISCOVERY OF NEW GOLDFIELDS.

154. Upon the Council of any county, or, where the Counties Act is not in force, upon any Road Board, adopting the following regulations, the Government shall subsidize by pound for pound the amounts paid by way of reward under the same:—

(a.) For the discovery of a new goldfield, three miles from any workings, there shall be paid, at the expiration of six months from date of discovery, a reward of £100 per hundred miners, up to £500 for five hundred or more miners so employed.

(b.) For the recovery of a lead in proximity to the place where a lead has been lost, and has not been worked for a period of six months, a reward equal to one-half of the above rates;

And for the discovery of a new lead one mile from any lost lead a reward equal to two-thirds of the above rates.

(c.) "Workings" shall be construed to mean an area of ground upon which alluvial or quartz mining operations are being carried on.

(d.) Distance shall be computed from any given point, measured in a direct line, from where gold-mining is being carried on to the site of the discovery.

(e.) Every application made by a County Council or Road Board within a mining district or gold-mining district shall be accompanied by a certificate from the Warden of the district in which the discovery has been made; or, if the discovery be outside any mining district or gold-mining district, then the certificate shall be signed by the Chairman of the Land Board of the land district in which the discovery has been made. Such

certificate shall state the amounts paid by the local body, and that such payment has been made in accordance with these regulations.

(f.) In the event of any person discovering a payable goldfield beyond the jurisdiction of any County Council or Road Board, the Government shall recognize the application, and deal therewith in the same manner as if it had been made by a County Council or Road Board.

(g.) For the discovery of a payable diamond-field, lode of silver, or lode of tin, for every one hundred miners profitably employed thereon at the expiration of six months from date of discovery there shall be paid a reward of £100, up to £500 for five hundred or more miners so employed.

PART XVIII.—PUDDLING-MACHINES.

155. *Main Sludge-channel to be first constructed.*—No person shall be permitted to erect a puddling-machine in any locality wherein puddling operations have not heretofore been carried on until a main sludge-channel shall have first been constructed. (Schedule 25.)

156. *Main Sludge-channels to be approved by the Warden.*—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.

157. *Expense of Construction.*—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 persons 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.

158. *Sludge Drains and Channels to be kept clear.*—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.

PART XIX.—TUNNELLING.

159. *Mode of taking up a Tunnel.*—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 28.)

160. *Wall to be left.*—No person shall drive any tunnel within 10ft. 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.

161. *Ventilation.*—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.

PART XX.—BLASTING.

162. *Notice to be given.*—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.

163. *Small Blasts.*—Ten minutes previous to the discharge of any small blast of gunpowder or other explosive substance within 50ft. 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 100 yards from the place of such discharge.

PART XXI.—RESIDENCE SITES.

164. *Area that may be occupied.*—Subject to the conditions of these regulations the holder of a miner's right or business license may, on application, be granted for residence an area of Crown land not exceeding one acre, or 4,840 square yards. No individual shall under this regulation be allowed to occupy more than one acre of land.

165. *Marking-out and Application.*—Any person desirous of occupying land as a residence site shall mark out the same as an ordinary claim, and shall apply to the Warden in the form prescribed by Schedule 27 to these regulations, and if there be no objection, or the objection be not upheld, the Warden may grant him a license in the form of the Schedule to "The Mining Act, 1886."

166. *Conditions of License.*—Every license for a residence site shall be subject to the condition, among others, 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 this condition such license may be cancelled, and the land declared to be forfeited.

167. *Roadway to be left.*—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 sites.

168. *Hut- or Tent-ground.*—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 24ft. frontage by 48ft. 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.

169. *Amalgamation of Residence Sites.*—In cases where two or more adjoining residence sites are held by members of one family, they may amalgamate their allotments if such amalgamation be approved by the Warden, but for so long only as they may continue to hold such allotments as members of one family.

PART XXII.—BUSINESS SITES.

170. *Size of Business Sites.*—Every holder of a business license shall be entitled to occupy for business purposes an area not exceeding 40 perches of land, the frontage of such land not to exceed 66ft., and the depth not to exceed 165ft.: Provided that any person who shall under any regulation previously in force have been in lawful occupation for business purposes of any greater area of land than 40 perches shall be entitled to continue to hold such greater area under any business license that may be issued to him subsequent to the enactment of this regulation, anything in this regulation to the contrary notwithstanding.

171. *Site to be marked by Pegs.*—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 3in. in diameter standing at least 1ft. above the surface.

172. *Registration of Sites.*—Any business site may be registered with the 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 registration or renewal shall be indorsed on the certificate of registration of such business site, and recorded in the Registration Book.

173. *Information to the Public.*—When any business site has been registered the holder thereof shall post and maintain thereon a board not less than 9in. square, with the word "Registered," the name of the holder, and the date and number of registration certificate legibly painted or written thereon.

174. *Setting apart Land for Business Purposes.*—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, and such sections may be of less area and frontage than hereinafter provided. If after such survey as aforesaid it shall be found that any holder of a business license 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.

175. *Occupation to be subject to Survey.*—Any business site 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 site may be taken for streets or public reserves if required for the public convenience: Provided that such survey shall not affect the right of any holder of a business site to so much of a surveyed section as lies within the limits of his original area.

176. *Public Notification by Warden.*—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.

177. *Application for Surveyed Sections.*—Every person intending to take up as a business site any section of land set apart and surveyed for business purposes shall make application in writing at the Warden's office, stating the number and description of such section, in accordance with the form set forth in Schedule 32., 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 right of occupation shall be decided by lot in the presence of the Warden.

178. *Space between Buildings.*—An open space of not less than 6ft. 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 site shall only be entitled to build upon so much as shall leave 6ft. of the frontage line unoccupied; that is to say, 3ft. on each side of the building wherever the business section has a surveyed section on each side of it.

179. *Absence from Business Site.*—Any person in lawful possession of a business site, 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 33 in the schedule hereto, and at the same time deposit the business license under which he holds such site, and thereupon a certificate of registration shall be issued to him, and the said business site 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 site has been so registered and protected its owner do not resume possession thereof, the same shall be deemed to be abandoned.

180. *Building on Abandoned Sites.*—Any person taking possession of a forfeited or abandoned business site 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.

181. *Information to the Public.*—When any business site has been registered, the holder thereof shall post and maintain thereon a board not less than 9in. square, with the word "Registered," the name of the holder, and the date, number, and period of such registration legibly painted or written thereon.

182. *Withdrawal of Business Sites.*—It shall be at all times lawful for the Warden, by public notification, to withdraw such surveyed business

sites from the operation of the above regulations as he may deem are not absolutely required for business purposes.

183. *Streets.*—A space of 99ft. shall at all times be left for a road or street between the frontages of business sites, and no person shall on any pretence whatever encroach upon any such road or street.

184. *Occupancy of Sites.*—To constitute sufficient occupation to hold a business site it shall be necessary either that the 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 *bona fide* beneficial occupation; and any site unoccupied for more than forty-eight hours, if it be not registered and protected, shall be deemed to be forfeited unless sufficient reason, such as sickness or other good cause, be proved to the satisfaction of the Warden.

PART XXIII.—MACHINE SITES AND SPECIAL SITES.

185. *Machine Sites and Special Sites may be granted.*—It shall be lawful for the Warden, on application, to grant to holders of miners' rights or licensed holdings machine sites and 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.

186. *Marking and Application.*—Any person desiring to obtain a machine or special site shall mark out the same as a claim and apply to the Warden in the form of Schedule 30 to these regulations, or to the like effect.

187. *Restriction of Site.*—Machine sites and special sites shall not, except under extraordinary circumstances, be granted for any land which is known to be auriferous or argentiferous, 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.

188. *Special Sites may be resumed by Warden.*—Every special site shall be held on the express condition that it may at any time be resumed, and the grant cancelled by the Warden.

PART XXIV.—ROADS AND TRAMWAYS.

189. *Right of Roadway.*—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. Every such person who shall construct a road or track over Crown lands to his claim or land shall be entitled to the free use of same until the ground is absolutely required for mining or public purposes; and any person may use the said road or track on paying a fair share of the expense of maintenance.

190. *Sludge and Water to be kept off Roads.*—No person shall allow any sludge or water to run or spread over any road, roadway, track, tramway, or crossing-place.

191. *Roadway along Banks of Rivers, &c.*—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.

192. *Protection to Roadways, &c.*—No person shall dig within a distance of 20ft. from any street or main road, or 5ft. 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.

193. *Notice to be given to Local Bodies for taking Water-race, &c., across a Road or Street.*—Before any license to construct a water-race, tail-race, sludge-channel, tunnel, or tramway over any street or road is granted, notice in writing shall be given to the local body having the care and management of such street or roadway, and the consent of such local body obtained, as provided for in "The Mining Act, 1886," before such license or certificate is granted.

194. *Mining on Streets and Roads.*—If any holder of a miner's right shall be desirous of mining, or of cutting, constructing, and using a water-race, tail-race, sludge-channel, tunnel, or tramway for mining purposes, upon or under any street, road, highway, or track in common use, and there be no corporation or body having the care and management of such street, road, highway, or track to whom application can be made as provided for in "The Mining Act, 1886," such application shall be made to the Warden, and the Warden shall make such order as shall in his opinion be necessary or desirable.

195. *Holes near Roads to be fenced.*—If any person shall sink a shaft or make any excavation within the distance of 20ft. 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 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 6in. in diameter, or otherwise secure the same to the satisfaction of the Warden.

196. *Road along Sea-beaches.*—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.

197. *Formation of Private Roads, Tramways, &c.*—When any person is desirous of forming a road, tramway, bridge, or crossing-place, over or across any gully, creek, claim, or land occupied under these regulations, a notice to that effect, in the form contained in Schedule 24 hereto, shall be posted on the ground (in the case of a road or tramway, at the commencement and termination of such road or tramway), and outside the Warden's office, for seven days, after which period the Warden shall determine whether such road, tramway, bridge, or crossing-place is necessary, and, if he shall agree to its formation, he may prescribe such conditions as he may think fit, and he shall then fix, or cause to be fixed, the exact line or position thereof: Provided that no such road, tramway, or crossing-place shall be made over or through any claim or licensed holding unless compensation for damage or loss shall be immediately paid or tendered to the owner thereof. In the event of the parties concerned not agreeing as to the amount of such compensation, the same shall be ascertained and determined in the manner prescribed for fixing the value of improvements by "The Mining Act, 1886." A sketch-plan, showing the position of such road, tramway, bridge, or crossing-place, shall be lodged with the application, but the Warden may require a proper survey and plan to be furnished before granting such application.

PROTECTION.

198. *Protection for Fourteen Days.*—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.

I HEREBY give notice that I have granted protection for [District and date.]
 days to the claim [right or privilege] occupied by
 and situate at , and held under [Particulars of miner's
 right, &c.]
 Warden.

199. *Protection for Extended Period.*—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 29 hereto.

200. *Period for which Protection may be granted.*—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 four months at any one time.

201. *Stacking Auriferous or Argentiferous Ores or Washdirt.*—The Warden may grant permission to any person wishing to retain possession of quartz, or other auriferous substances, to have the same protected for a period not exceeding four months, provided that such substance is properly stacked, and that a board, with the owner's name, address, and date of stacking legibly written or painted thereon, be posted close to such stack.

202. *Notice of Protection to be posted.*—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 9in. square, standing at least 4ft. above the ground 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.

203. *Protection of Huts.*—The holder of a miner's right may, without 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 as shall be named in the registration, not exceeding four months. If a hut which is unregistered, or the registration of which has expired, remain unoccupied for fourteen days any holder of a miner's right or licensed holding may take possession of and use the same, without being liable to any action for trespass; and the person so taking possession of such hut shall pay compensation, to be decided by arbitration, for same to the original owner, if a demand is made in writing for same, within one month from the date of occupation.

204. *Protection during Notice.*—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 application for protection.

205. *Renewal of Protection.*—Application for renewal of protection shall be made in the same manner as for the original protection.

206. *Protection while testing Quartz Lodes.*—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 29 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: Provided that if such operations are not within view of the claim, a notice shall be conspicuously posted thereon where and upon what work the owners of the claim are employed.

207. *Protection during Operations.*—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.

208. *Protection during Holidays, &c.*—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—namely, from Good Friday to Easter Tuesday inclusive, on Her Majesty's birthday, from the 22nd December to the 5th January inclusive, and on any day proclaimed a public holiday.

209. *Lunacy, &c.*—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 bankruptcy of any person, but every such claim, right, privilege, or share shall be protected for the benefit of his heirs, executors, trustees, creditors, or 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.

PART XXV.—FORFEITURE AND ABANDONMENT.

210. *Surplus Ground to be forfeited.*—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 claimant 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.

211. *Non-compliance with Conditions.*—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).

212. *Abandonment of Unregistered Rights.*—Any unregistered claim, site, right, or privilege held under "The Mining Act, 1883," and 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 forty-eight hours, unless protected within the meaning of these regulations.

213. Any registered claim, site, right, or privilege held under "The Mining Act, 1886," and these regulations, and for the forfeiture of which no provision shall have been made, shall be deemed to be abandoned, and shall be liable to forfeiture if entirely unused, unoccupied, or neglected for a space of one calendar month, unless protected within the meaning of these regulations, and the certificate and license for the same (if any) may be cancelled.

214. *Sickness, Unavoidable Absence, and Failure of Water, &c.*—No claim, site, 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.

215. *Certificate or License may be cancelled.*—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.

216. *Certificate or License, how cancelled.*—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 *prima facie* evidence that such certificate or license has been legally cancelled.

217. *Removal of Plant in case of Forfeiture.*—All provisions of these regulations relating to for-

feiture 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 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.

PART XXVI.—SURVEY.

218. *Survey may be required.*—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.

219. *Cost of Survey.*—In any case wherein survey may be demanded by either the applicant or objector, there shall be first deposited, with the Receiver of Gold Revenue, the cost of such survey, and thereupon the Warden shall direct the District Surveyor, or where there is no such officer, the Chief Surveyor of the provincial district, who shall make or cause to be made a survey and plan of, and report on, the claim, site, area, or right; and the Warden on hearing the case shall order at whose expense such survey shall have been made, and such order shall have the same effect as a judgment of the Warden's Court, and be enforced in like manner.

The fees chargeable for surveys of any land within a mining district shall be in accordance with scale of fees set forth in Schedule 41 hereto.

PART XXVII.—GENERAL REGULATIONS.

220. *Interference prohibited.*—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.

221. *Depositing Earth or Tailings on Claims.*—No person shall deposit, or cause to be deposited, upon any claim or site other than his own any earth, stones, gravel, *débris*, tailings, or any other substance: And any person taking up a claim

or area where tailings, earth, stones, gravel, and *débris* 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.

222. *Disposal of Tailings.*—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.

223. *Causing Claims to be Flooded.*—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.

224. *Obstructions to Watercourses.*—No person shall deposit any earth, stones, tailings, or other substance in the bed of any watercourse so as to obstruct the flow of water therein to the injury of any person.

225. *Interference with Pegs and Notices.*—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.

226. *Discovery of Auriferous Deposits.*—When any auriferous deposits are traced to the boundaries of any land occupied for residence sites, business sites, machine sites, or special sites, 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.

227. *Auriferous Sites may be worked.*—If any residence site, business site, machine site, or special site 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.

228. *Compensation to be paid.*—In all cases compensation for actual damage or loss shall, if the parties cannot agree, be settled by arbitration, as prescribed by these regulations, and paid to the occupier of any site by the person desirous of

mining thereon, prior to his taking possession thereof.

229. *Conditions of Working.*—Whenever any residence site, business site, machine site, or special site 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.

230. *Resumption of Mining Privileges.*—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, on payment of compensation, where not otherwise provided, to the holders thereof, to be fixed by arbitration as provided for in "The Mining Act, 1886."

231. *Permission to enter Claims.*—The Warden shall have power to authorize in writing the entry of any surveyor, Assessor, Inspector, or any other person into and upon any claim, licensed holding, or site 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.

232. *Warden to be Judge of Objections.*—The Warden shall in all cases be the sole judge (subject to any right of appeal given by "The Mining Act, 1886") 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.

233. *Ownership of Trees upon Claims.*—All trees situated upon any claim or area taken up for mining purposes shall be the property of the owners of such claim or area during the time they are in legal possession of the ground on which such trees are situated.

234. *Felling Trees across Roads or Claims.*—Any person who may fell or cause to be felled any tree across or upon any road, footpath, crossing-place, claim, site, 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.

235. *Holder of Claims entitled to all Discoveries within the Boundaries.*—The holder of any mining claim shall be entitled to the benefit of all gold discoveries and workings within the boundaries of such claim.

236. *Removal of Props or Timber.*—No person shall remove any props or timber, the removal of which may endanger the working of other claims, or any existing rights.

237. *Ground to be secured.*—The Inspector 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.

238. *Warden's Order to be in Writing.*—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.

239. *Neglect of Warden's Orders.*—No person shall neglect or refuse to comply with any written notice or order of the Warden duly served and in conformity with these regulations.

240. *Existing Rights preserved.*—Nothing herein contained shall be taken to affect any existing rights or privileges.

241. *Working Ground occupied for Races, &c.—Compensation.*—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, machine site, special site, residence site, business site, 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, by arbitration.

242. *Machinery, Plant, or Necessary Works to represent Labour.*—In all claims, licensed holdings, and special claims where machinery, plant, or necessary works are erected or constructed, such machinery, plant, or necessary works shall, for the purpose of occupying the said claim, represent one man for the first £300, two men for the first £600, and for every £150 additional, up to £3,000, one additional man, for the capital expended in procuring, erecting, or constructing the said machinery, plant, or necessary works; provided that for licensed holdings there shall not be less than one man actually employed on every two acres or fractional part of that area so held as a claim;

but, should any dispute arise in reference to the amount so expended, the onus of proof of such expenditure shall lie with the holder or holders of such claim on which the said machinery, plant, or necessary works are erected or constructed.

PART XXVIII.—REGISTRATION.

243. *Application for Registration.*—Any person desirous of registering any claim, right, or privilege shall, after conforming to the provisions of "The Mining Act, 1886," as to notices and otherwise, present to the Mining Registrar a memorial of registration in duplicate in the form contained in Schedule 37 hereto, or to like effect, and a certificate of the contents of the mining registers, purporting to be signed by the Mining Registrar, shall be *prima facie* evidence of such contents, without production of the registers or proof of the Registrar's signature.

244. If on the presentation of any document purporting to be a transfer or assignment of any claim, license, or interest, it shall be found on reference to the register that such claim, license, or interest has been already transferred, it shall nevertheless be the duty of the Mining Registrar to receive the document so presented, and to register the same, provided that a notification of the prior registration be indorsed on the memorandum given to the person presenting the document.

245. Every assignment which is hereby authorized to be registered shall be registered in form of Schedule 38 hereto or to the like effect within fourteen days after execution, and if not registered within such period shall, so far as regards any claim or authorized holding to be effected thereby, be void as against any person claiming under any subsequent assignment duly registered.

246. Every license of a water-right, machine, business, special, or residence site, and every certificate for any authorized holding, claim, right, or privilege under these rules and regulations, shall, before delivery to the person entitled thereto, be entered in a book or books to be kept by the Mining Registrar for that purpose. And every such certificate shall be renewed annually.

247. *Abandonment.*—The owner of any claim, right, title, interest, or privilege, not being a licensed holding, which shall have been previously registered, shall, within seven days after abandonment or relinquishment of the same, give notice in writing thereof to the Mining Registrar, who shall thereupon cancel such certificate, and any ground held under such certificate shall thereafter be open to occupation without any suit or proceeding in the Warden's Court.

248. *Forfeiture and Surrender.*—It shall be lawful for the Mining Registrar, upon any claim, or machine-, residence-, or business-site, or other

authorized holding being declared forfeited by the Warden, or upon the written surrender by the registered owner of any claim or other authorized holding, or of any interest therein, of his claim, holding, or interest, to make an entry in such register of such forfeiture or surrender, which shall be signed by the Warden, and the Mining Registrar shall then close the register against all future entries in respect of such claim, holding, or interest.

249. *Encumbrances.*—A memorial of any encumbrance or lien upon any claim, right, title, or interest, or any share or interest therein, in the form in Schedule 39 hereto annexed, may be registered against such claim, right, title, or interest, an attested copy of the instrument creating such encumbrance being at the same time deposited with the Registrar; and any transfer or assignment of such claim, right, title, or interest, or share or interest therein, shall be subject to such incumbrance or lien until a discharge thereof, in the form in Schedule 40 hereto annexed, shall have been duly registered.

250. *Notices.*—Every notice required to be given to the owner of any claim, share, or interest therein shall be deemed to be duly given, by being either served personally, or if it be shown to the Warden that personal service cannot be conveniently effected, then by posting such notice on the claim or ground, or otherwise as the Warden directs.

PART XXIX.—LICENSE TO CUT TIMBER.

251. *Permission to cut Timber.*—Any person desiring to cut timber for sale shall make application to the Warden for permission in the form in Schedule 42 hereto, and a copy of such application shall be posted for seven days outside the Warden's Office. If no valid objection be made, the Warden may grant a certificate, in the form in Schedule 43 hereto, on payment of a fee of not less than £3 sterling, which shall be in force for twelve months from the date thereof, and shall entitle the holder, subject to such conditions as the Warden may think fit to impose, to cut any timber (except kauri or reserved trees) on any Crown land within a mining district: Provided that every person holding any such certificate, and every person employed by him to cut timber, shall be the holder of a miner's right.

252. *Rights of Owner of Claim.*—The owner of any claim shall be entitled to cut and use for mining purposes all timber (other than kauri) growing upon the said claim, and shall be entitled to cut for his own mining purposes any timber (other than kauri) growing on unoccupied ground.

253. *Kauri Timber to be paid for.*—Any person requiring kauri timber must apply to the Warden, who may give permission to cut the same on payment to the Receiver of Revenue of the sum of £1 5s. sterling for each tree required.

PART XXX.—INSPECTION OF MACHINERY.

254. The Inspector shall from time to time, or when he may deem it necessary, inspect any mine or mining-machinery; and may issue orders for the safe working of such mine or machinery as he may deem advisable, and the owner of such mine or machinery shall see that such orders are strictly complied with.

PART XXXI.—GRANTING CERTIFICATES OF UNDERGROUND MANAGERS.

UNDERGROUND MANAGER.

255. The Governor shall appoint a Board of Examiners, consisting of not less than three nor more than five persons, three to form a quorum, to examine, or cause to be examined applicants for certificates of competency as underground managers on the subjects hereinafter specified.

The said Board may appoint supervisors from time to time to conduct such examinations, and shall grant certificates in the form set forth in Schedule 44 hereto annexed to such persons as shall have passed the prescribed examination, and shall have produced certificates of character which shall be satisfactory to the Board.

Every application for a certificate of an underground manager shall be made in writing under the hand of the applicant to the Secretary of the Board of Examiners, Mines Department, Wellington, accompanied with a fee of £1 sterling, together with a certificate that the applicant is not less than twenty-one years of age, and that he has been employed for a period of not less than three years in underground workings connected with mining.

The subjects for examination shall be as follows:—

- (1.) The laying-out and construction of shafts, chambers, main drives or levels, uprisers, and stopes.
- (2.) The various methods adopted in timbering shafts and mines, and in filling up old workings.
- (3.) The drainage of mines and pumping-appliances.
- (4.) The haulage in shafts and on underground planes; also on the strength of hauling-ropes and chains.

- (5.) On the ventilation of mines.
- (6.) Tapping water in mines, and the mode of constructing dams in underground workings to keep the water back.
- (7.) On blasting and the use of explosives.
- (8.) The effect that faults, slides, and mullock-bars have on lodes, and how to ascertain the direction of slides and heavals.
- (9.) A knowledge of underground surveying, and of making plans of the underground workings, showing the dip or inclination and strike of the reefs or lodes.
- (10.) A knowledge of the different rocks where gold, silver, tin, copper, zinc, lead, and antimony are found, and on the formation of lodes and leads.
- (11.) A knowledge of arithmetic and the method of keeping accounts.
- (12.) A knowledge of Part III. of "The Mining Act, 1886."

Every applicant must be able to make sketch-drawings to illustrate details connected with any work to be done in or about a mine.

256. Every person who has been engaged in the capacity of an underground manager in a quartz or alluvial mine where not less than twelve men were employed for a period of twelve months immediately previous to the passing of "The Mining Act, 1886," may make an application in writing to the Minister of Mines, in the form set forth in Schedule 45 annexed hereto, for a certificate of competency under the said Act in such capacity, and with such application shall transmit a fee of 10s., and also forward therewith a certificate as to his character and attainments; and thereupon the Minister, if satisfied as to his character and attainments, may issue to him a certificate of competency of underground manager in the form set forth in Schedule 46 hereto annexed.

257. Every Inspector of Mines shall, on the issue to the owner or manager of a mine of a certificate of exemption from the operation of section 203 of "The Mining Act, 1886," forward a duplicate of such certificate to the Minister, which shall be in the form set forth in Schedule 47 annexed hereto, and the Minister shall cause the same to be recorded in a book kept for that purpose.

SCHEDULES.

SCHEDULE 1 (REG. NO. 4).

APPLICATION FOR LICENSED HOLDING OR SPECIAL CLAIM.
To the Warden at .

hereby apply for a [licensed holding or special claim] for gold-mining purposes under the provisions of "The Mining Act, 1886," of the lands hereinafter described.

[Signature of applicant.]

Name and Address in full of Applicant.	Style under which it is intended to conduct the Business.	Locality where the Land applied for is situated.	Extent of Land applied for.	Amount of Capital proposed to be invested.	Proposed Mode of working the Land.	Term for which License is required.	General Remarks.

Dated at , the day of , 18 .

The above application and any objections will be heard at the Warden's Office at , on , 18 .

Any person desiring to object to [the issue of a license for the land or to the grant of the special claim applied for] must, within clear days from the date of such application, enter his objections at the Warden's Office at .

[Signature of Warden or Clerk.]

SCHEDULE 2 (REG. 11.)

SURVEYOR'S NOTICE OF MARKING-OUT OF LICENSED HOLDING OR SPECIAL CLAIM.

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 licensed holding or special claim] for gold-mining purposes 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 license or to the granting of such special claim] must, on or before the day of , 18 , 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.

Dated at , the day of , 18 .

[Signature of Surveyor.]

SCHEDULE 3 (REG. 24, SUB-SEC. E).

DECLARATION AS TO LABOUR AND CAPITAL EMPLOYED.

To the Warden at .

In the matter of [the license or special claim grant] for the occupation of lands situated at , being [license or special claim grant No.] and of the employment of labour and capital thereon, I [Name in full, occupation, and address], being one of the [licensees or special claim grantees] in the above-mentioned [license or special claim grant], do hereby solemnly and sincerely declare,—

1. That the average number of men employed on the ground held under [license or special claim grant] and in connection therewith, from the day of to the of , has been .

2. That the amount of capital expended to date in and upon and in connection with the said ground is £ .

Signature: _____

Declared before me at the day of , 18 . }
Warden [or J.P.]

SCHEDULE 4 (REG. 22).

APPLICATION FOR CANCELLATION OF LICENSE OF GRANT FOR SPECIAL CLAIM.

To the Warden at .

I [or We] hereby make application for the cancellation of [the license or special claim grant] for gold-mining purposes No. , originally granted to , and now occupied by , upon the following grounds:—

[Here state grounds specifically.]

Dated at , the day of , 18 .

[Signature.]

No. and date of Miner's Right.

SCHEDULE 5 (REG. 22).

NOTICE TO LICENSEE OR SPECIAL CLAIM GRANTEE.

The above application will be heard at on the day of , 18 , at the hour of , and you are hereby required then and there to appear in answer thereto, and to produce the [license or grant for the special claim] above referred to.

Dated at , the day of , 18 .

Warden.

SCHEDULE 6 (REG. 27).

NOTICE OF APPLICATION FOR A MINERAL LICENSE.

I [or We], the undersigned, hereby give notice that, after the lapse of days from the date hereof, I [or we] will leave with the Warden at an application for a mineral license, the particulars whereof are hereunder set forth:—

Name in full of applicant or applicants, and style under which it is intended that the business shall be carried on:

Full address of each applicant:

Extent of ground applied for:

Minimum number of men to be employed when commencing operations, also subsequently, when in full work:

For the first months, men.

Subsequently when in full work, men.

Amount of money proposed to be invested, £ s. d., and in what manner the land is to be worked:

Precise locality:

Term for which license is required:

Time of commencing operations:

Whether the boundaries of the land applied for will include any river, creek, or permanent water-spring, or artificial reservoir:

General remarks:

Signature of applicants:

Nos. of miners' rights:

Date and place of application:

SCHEDULE 7 (REG. 30).

APPLICATION FOR A MINERAL LICENSE.

To the Warden at .

I, , hereby apply for a license of that part of the Crown lands hereunder mentioned, for the purpose of mining for the mineral [or metal] hereunder specified, and I declare that I have duly deposited the sum of pounds, as required by the Regulations relating to mineral licenses under "The Mining Act, 1886," as appears by the receipt left with you herewith; and I agree, if my application be investigated,

that such sum shall in all respects be held by you subject to such Regulations.

Dated at _____, the _____ day of _____, 18 ____.

No. of miner's right :

Name of each Applicant and Address and Style under which it is intended that the Business shall be carried on.	Extent of Ground applied for.	Whether Ground applied for on or below, or both on and below, the surface, and how much in each Case.	(1) Name of Mineral or Metal proposed to be worked, and (2) Minimum Number of Men to be employed.	Amount of Money proposed to be invested, and in what manner the Land is to be worked.	(1) Precise Locality. (2) Term for which License is required. And (3) Time of commencing Operations.	General Remarks.
	Acres.		(1)	£ s. d.	(1)	
			(2) For the first months,		(2)	
			(3) Subsequently when in full work, men.		(3)	

SCHEDULE 8 (REG. 30).

CERTIFICATE OF RECEIPT OF APPLICATION FOR MINERAL LICENSE.

(No. _____, as entered in book.)

I HEREBY certify that _____ ha _____, this _____ day of _____ 18 _____, at the hour of _____ o'clock, delivered to me an application for a mineral license of the land described in such application, and ha _____ left with me a receipt for the sum of _____ pounds, as required by the Regulations relating to mineral licenses; and that the above number expresses the order of priority of application in respect of such land.

(Signed) _____ Warden.

Place : _____, 18 ____.

SCHEDULE 9 (REG. 32 AND 34).

NOTICE TO BE POSTED ON THE LAND BY THE SURVEYOR.

To all Persons whom it may concern.

NOTICE OF APPLICATION FOR A MINERAL LICENSE.

I HEREBY give notice that _____ did, on the _____ day of _____, apply to the Warden at _____ for a mineral license of _____ acres of the land upon which this notice is posted, which I have marked out with posts painted white; and the extent of the surface in respect of which, in my opinion, the license ought to be effectual, both on and below the surface, I have marked out with posts painted red; and that any person desiring to object to the issue of said license must enter his objection within _____ days from this date, at the office of the Warden. And I further give notice that the said land is protected from occupation for any purpose whatsoever, and that any person occupying the same without having first obtained special authority for that purpose will be dealt with according to law.

District : _____
Date : _____
Surveyor.

NOTE.—For the notice to be posted on the outside of the Surveyor's office, and of the post-office, or Warden's Court, as required by Regulation 34, omit the words in italics in the above form, and instead thereof insert "land situated at," describing the situation.

SCHEDULE 10 (REG. 36).

RECEIPT FOR DEPOSIT OF OBJECTOR WITH WARDEN OR RECEIVER OF GOLD REVENUE.

In the matter of the applications of _____ for a mineral license under "The Mining Act, 1886," and of objections thereto lodged by _____
RECEIVED from the under-mentioned parties the sum of five pounds, pursuant to the Regulations respecting mineral license under the above-mentioned Act.

Names and addresses of applicants :
Dated _____ (Signed) _____ Warden or Receiver of Gold Revenue.

SCHEDULE 11 (REG. 49).

AWARD OF COMPENSATION.

In the matter of the application of _____ for a license under "The Mining Act, 1886," and of the compensation to be paid to A.B., of [description and residence].
I, C.D., Warden of the Mining District of _____, do award and determine that the amount of compensation to be paid by _____, of _____, to the said A.B. for the building [or buildings or improvements] erected [or made] by him on the land occupied by him for the purpose of residence, included in the land a license of which had been applied for under the above-mentioned Act by the under-named parties, is _____ pounds.
Dated at _____, the _____ day of _____, 18 ____.
Warden.

SCHEDULE 12 (REG. 51).

APPLICATION FOR AGRICULTURAL LEASE.

No. _____
To the Warden at _____
I hereby apply for a lease of land for agricultural purposes situate at [Here state the locality], and comprising _____ acres or thereabouts, in accordance with the Agricultural Leases Regulations made under "The Mining Act, 1886."
[Address, occupation, and name in full.]
Dated at _____, the _____ day of _____, 18 ____.
The above application will be heard at _____, on the _____ day of _____, 18 ____.
Warden.

SCHEDULE 13 (REG. 61).

CERTIFICATE OF INTENTION TO GRANT LEASE.

District of _____, 18 ____.
WHEREAS the application of _____ for an agricultural lease of Crown lands, situated at _____, was heard before me on _____, 18 ____; and whereas I have decided that a lease of _____ acres _____ roods _____ perches should be granted to the said applicant: This is to certify that the said _____ is hereby authorized to take possession of the said land, and the same to hold, use, and enjoy, subject to the terms and conditions specified in the Agricultural Leases Regulations in force at the date of the issue hereof.
Warden.
N.B.—This certificate is to be exchanged for a lease when the said _____ is notified that such lease is ready for his acceptance, and will become void if the said _____ is notified that a lease will not be granted to him.

Not Transferable.

SCHEDULE 14 (REG. 63).

NOTICE TO EXECUTE AGRICULTURAL LEASE.

To _____
Take notice that, unless you attend personally or by attorney at my office at _____, within thirty days from the service of this notice, and execute Lease No. _____, issued in your favour under the Agricultural Leases Regulations, the said lease will be returned to the Government for cancellation.
Warden's Office, _____, 18 ____.

SCHEDULE 15.

POWER OF ATTORNEY.

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 land for agricultural 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 the 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 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.

SCHEDULE 16 (REG. 72).

APPLICATION TO ENTER UPON PRIVATE LANDS.

No.
To the Warden at , and to .
I hereby apply for permission to enter upon the land held by [Here insert the name, residence, and address of the holder of the land here referred to], situate at , for the purpose of searching for gold.

[Signature of the applicant.]
[Name in full.]
[Address.]
[Occupation.]

This application will be heard before me at , on the day of , 18 . All parties interested in the matter of the above application are requested to give their attendance on the day and date and at the place last above-mentioned.

Dated at , the day of , 18 .

SCHEDULE 17 (REG. 80).

MINERAL PROSPECTING LICENSE.

No.
Know all men, that I, , of , being in that behalf duly authorized by His Excellency the Governor, do hereby, in pursuance of "The Mining Act, 1866," give to of [Address and occupation], in consideration of the sum of one pound, by him duly paid, full license and authority to enter upon the Crown lands shown on the map or plan hereon indorsed and therein coloured , for the following purpose, that is to say: For .

And this license shall be in force for calendar months from the date thereof, unless the same be forfeited and rendered void, and shall be subject to the restrictions, limitations, and conditions expressed in the memorandum indorsed hereon.

Witness my hand this day of , in the year of our Lord one thousand eight hundred and

Memorandum.

1. The within license only gives to the licensee the right to use the land within described for the purpose for which the license has been granted, and for no other purpose whatsoever.
2. The licensee will not be permitted to assign or sublet the land, or part with the possession thereof or his interest therein, without the consent of the Governor.
3. The license will be forfeited if the licensee commits any breach or neglect of the above conditions.
4. Miners or other persons requiring to occupy for mining purposes any part of the surface of the land, or to enter

thereupon for such purposes, or for the purpose of cutting, constructing, repairing, or cleaning any race, shall, with the consent of the Governor, be permitted to do so.

SCHEDULE 18.

LICENSE FOR PROSPECTING OUTSIDE MINING DISTRICTS.

No.
Know all men that I, , being in that behalf duly authorized by His Excellency the Governor, in pursuance of "The Mining Act, 1886," give to , of [Address and occupation], in consideration of the sum of one pound by him duly paid, full license and authority to enter upon Crown lands herein described, viz: for purpose of searching for gold; and this license shall be in force for twelve calendar months from the date hereof, but shall in no case be deemed to prevent the sale of any Crown lands over which the license may extend.

Dated at , the day of , 18 .
Commissioner of Crown Lands.

SCHEDULE 19 (REG. 86).

NOTICE OF INTENTION TO CONSTRUCT WATER-RACE, BRANCH RACE, FLOOD-RACE, OR SLUDGE-CHANNEL.

No.
To the Warden at .
hereby give notice that intend to construct a to convey water for mining purposes from [*] to [*] .
The length of such race is or thereabouts, and its intended course is [*] .
The mean depth and breadth of such race is [*] .
[Name in full of applicant, with number and date of miner's right.]

Dated at , the day of , 18 .

Any person objecting to the granting of this application must lodge his objection in writing at the Warden's office at within fourteen clear days from the date hereof.
Hearing at , on . Warden.

* Here describe precise localities.

SCHEDULE 20 (REG. 95).

NOTICE OF INTENTION TO CONSTRUCT TAIL-RACE.

No.
To the Warden at .
hereby give notice that intend to construct a tail-race for mining purposes, commencing at a point [*] and terminating [*] , and estimate that days will be required for its construction.

The length of such tail-race will be or thereabouts, and its intended course is [*] .
The greatest depth of such tail-race will be .
The greatest width of such tail-race will be .
[Name and number and date of miner's right of applicant to be given.]

Dated at , the day of , 18 .

Any person desiring to object to the granting of this application must lodge his objection at the Warden's office at within fourteen clear days from the date hereof.

Hearing at , on . Warden.

* Here describe precise localities, &c.

SCHEDULE 21 (REG. 97).

APPLICATION TO CONSTRUCT A MAIN TAIL-RACE.

No.
To the Warden at .
We, the undersigned, being a majority in number of persons from whose claims water or tailings flow to a common outlet at , hereby make application for a main tail-race, commencing at and terminating at .
And we declare the following particulars to be true in every respect:—

The length of such race is .

The average depth is .

The average width is .

[Signatures, and numbers, and dates of miners' rights.]

Dated at , the day of , 18 .

N.B.—Objections to the above application must be lodged at the Warden's Office at _____ within fourteen clear days from the date hereof.
Hearing at _____, on _____, Warden.

SCHEDULE 22 (REG. 106).

NOTICE TO CONSTRUCT DAMS OR RESERVOIRS.

No. _____
To the Warden at _____ hereby give notice that _____ intend to construct a dam-bank and form a reservoir for the storage of water at _____, and that the following are the particulars respecting such dam and reservoir:—

1. Locality:
2. Length of dam wall:
3. Greatest height:
4. Greatest breadth of base:
5. Length and width of area:
6. Time estimated for construction:

[Names, numbers of miners' rights, &c.]
Dated at _____, the _____ day of _____, 18 ____.

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

SCHEDULE 23 (REG. 111).

NOTICE OF INTENDED DIVERSION OF CREEK OR RIVER.

No. _____
To the Warden at _____ hereby give notice that _____ intend to divert the course of [name of stream] and to form a new channel therefor, commencing at a point situate [* _____] and terminating at a point [* _____].
[Name of applicant, and number and date of miner's right.]

Dated at _____, the _____ day of _____, 18 ____.

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

* Here state precise localities.

SCHEDULE 24 (REG. 197).

NOTICE OF INTENTION TO CONSTRUCT A TRAMWAY OR SHOOT.

No. _____
To the Warden at _____ hereby give notice that _____ intend to construct a _____, commencing [* _____] and terminating [* _____]. The length of such _____ is _____ or thereabouts, and the cost of its construction will be _____
[Name of applicant, and number and date of miner's right.]

Dated at _____, the _____ day of _____, 18 ____.

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

* Here state precise localities.

SCHEDULE 25 (REG. 155).

NOTICE OF INTENTION TO ERECT A PUDDLING-MACHINE.

No. _____
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.]

Dated at _____, the _____ day of _____, 18 ____.

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 _____, Warden.

SCHEDULE 26 (REG. 143).
APPLICATION FOR AMALGAMATION.

No. _____
To the Warden at _____
We hereby apply to amalgamate our claims situate _____, for the following reasons:—

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

Dated at _____, the _____ day of _____, 18 ____.

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

Hearing at _____, on _____, Warden.

SCHEDULE 27 (REG. 165).

NOTICE OF OCCUPATION OF RESIDENCE SITE.

No. _____
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 with the regulations herein made and provided.
[Name of applicant, and number and date of miner's right or business license.]

Dated at _____, the _____ day of _____, 18 ____.

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 _____, Warden.

SCHEDULE 28 (REG. 159).

NOTICE OF INTENTION TO DRIVE A TUNNEL.

No. _____
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:
4. Cost of construction:

or thereabouts; and its intended course is _____
[Name of applicant, and number and date of miner's right.]

Dated at _____, the _____ day of _____, 18 ____.

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 _____, Warden.

SCHEDULE 29 (REG. 199 and 206).

APPLICATION FOR PROTECTION.

No. _____
To the Warden at _____
I [Name in full] hereby give notice that I desire to obtain a Protection Certificate for [State the time] for my claim situate at [State precise locality], and that the following particulars are true in all respects:—

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.]

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

Dated at the day of , 18 .
 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 .
 Warden.

SCHEDULE 30 (REG. 186).

NOTICE OF OCCUPATION OF SPECIAL SITE.

No.
 To the Warden at .
 I [*Name in full*] 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.*]

Dated at , the day of , 18 .
 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 .
 Warden.

SCHEDULE 31 (REG. 127).

NOTICE OF MARKING-OUT CLAIM AND AREA.

No.
 To the Warden at .
 I [*Name in full*] hereby give notice that I have this day marked out [*Here state area, exact locality, and nature of claim.*]

[*Name of applicant in full, and number and date of miner's right.*]

Dated at , the day of , 18 .
 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 .
 Warden.

SCHEDULE 32 (REG. 177).

APPLICATION FOR SURVEYED BUSINESS SITES.

No.
 To the Warden at .
 I [*Name in full*] 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.*]

Dated at , the day of , 18 .
 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 .
 Warden.

SCHEDULE 33 (REG. 179).

REGISTRATION OF BUSINESS SITES WHEN ABSENT.

No.
 To the Warden at .
 I [*Name, address, and occupation in full*] hereby make application to register for [*State period*] the business site occupied by me at , under Business License No. , dated .

[*Signature of applicant.*]
 Dated at , the day of , 18 .
 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 .
 Warden.

SCHEDULE 34 (REG. 76A).

APPLICATION FOR OCCUPATION LICENSE UNDER SECTION 60 OF "THE MINING ACT, 1886."

No.
 To the Warden at .
 I hereby apply for a license to occupy for [*agricultural, horticultural, or dairy*] purposes acres or thereabouts of Crown land situate at [*Here state locality, and, if surveyed, give section and block; if not surveyed, or if for a portion or portions of a section or sections, then add*], which I have this day marked out and bounded approximately as follows—viz., [*Here insert verbal description, giving measurements of boundaries as near as may be in chains and links*].

Name in full:

Occupation:

Address:

Dated at the day of , 188 .
 Any objection to the above application must be lodged at the Warden's Office at within fourteen days from the date hereof.
 Hearing at on , 188 .
 Warden.

SCHEDULE 34A (REG. 76H).

OCCUPATION LICENSE UNDER SECTION 60 OF "THE MINING ACT, 1886."

Know all men that I [*name of Warden*], Warden of the Warden's Court constituted for the [*name of district*] Mining District, sitting at , do hereby grant unto [*name of licensee*], his executors, administrators, and assigns [*or name of Corporation, their successors and assigns*], hereinafter called the licensee, sole and exclusive license and authority to enter upon and occupy for years the piece or parcel of land described in the Schedule hereto for [*agricultural, horticultural, or dairy*] purposes, under and subject to the provisions of "The Mining Act, 1886," and the regulations made thereunder, paying therefor yearly in advance the sum of pounds shillings and pence.

Provided always, and it is hereby made an express condition, that this license shall be surrendered, and any land occupied by virtue of it given up, by the licensee, upon demand of the Warden, or other person duly authorized by the Minister in that behalf, at any time after notice of not less than three months, without any right or compensation accruing to the said licensee, and that the said licensee shall not by virtue of this license have the right to acquire the freehold of any part of the said land.

Provided further [*Here insert any other condition*].

In witness whereof I have hereunto subscribed my name and affixed the seal of the Warden's Court of the Mining District, this day of , 188 .

(L.S.)

A.B.,
 Warden.

Signed by the said Warden, and the seal of the Warden's Court affixed in the presence of

C.D.

SCHEDULE.

[*Verbal Description of Land.*]

SCHEDULE 35 (SEC. 127 ACT).

APPLICATION FOR AUTHORITY TO DISCHARGE DÉBRIS ON, OR TO CONVEY THE SAME OVER, OCCUPIED OR UNOCCUPIED GROUND.

No.
 To the Warden at .
 I HEREBY give notice that I desire to obtain authority to discharge *débris* upon [*or to convey débris over*] an adjacent claim [*or unoccupied ground adjoining my claim as hereunder specified*], at , and I desire to obtain permission to occupy thereon sufficient space for the discharge of such *débris*.

Dated at , the day of , 18

Name of adjacent claim:

Signature of applicant:

Number of miner's right:

Any person having any objection to this application must lodge the same in writing at the Warden's office at within seven days from the date hereof.

[Date.] Warden.

SCHEDULE 36 (SEC. 127 ACT).

CERTIFICATE OF AUTHORITY TO CONVEY OR DISCHARGE DÉBRIS ON, TO, OR OVER GROUND.

No.

I HEREBY certify that has received authority to discharge *débris* upon [or to convey *débris* over] and

to occupy thereon sufficient space for the discharge of such *débris*. [State conditions, if any.]

Dated at , this day of , 18 . Warden.

SCHEDULE 37 (REG. 243).

No.

MEMORIAL FOR REGISTRATION OF CLAIM OR RIGHT TO BE PRESENTED IN DUPLICATE TO THE REGISTRAR, WHO SHALL SIGN AND RETURN ONE COPY THEREOF.

Locality.	Names of Owners, and interests held by them respectively.	Nature of Claim or Right.	State Day and Hour of marking out.	Distinguishing Mark on Posts.	Give Name, Situation, and Area of Claim or Right, and, as near as possible, its proximity to fixed Points and existing Claims.	Remarks.

[Signature of person applying for registration.]

Registered Dated at , the day of , 18 .

[No. and date of miner's right].

Registrar.

SCHEDULE 38 (REG. 245).

MEMORANDUM OF ASSIGNMENT.

No. , Part I.	No. , Part II.
Assignment or Transfer—	Memo. of Assignment.
Date of Registration:	Mining Registrar's Office, 18 .
Particulars—	I have this day registered a document exhibited to me by , purporting to be an assignment of , of which the particulars are as follows:
Name in full, address, and occupation of Assignor:	Name of assignor:
Name in full, address, and occupation of Assignee:	Name of assignee:
Date of assignment:	Date of assignment:
Nature of property assigned:	Amount of consideration:
Interest therein assigned:	Nature of property assigned:
Reference to folio of register:	Interest assigned therein:
Fees received:	Reference to folio of register:
[Signature of Assignee, or Agent presenting Assignment.]	Fees received:
	Mining Registrar.

Original documents to be retained and filed on record.

SCHEDULE 39 (REG. 249).

MEMORIAL OF ENCUMBRANCE.

To be presented in duplicate, and one copy signed and returned by Registrar. No. .

Name of Claim, or Registrd. No. of Certificate.	Interest intended to be affected by such Encumbrance.	Name of Owner of Interest.	Nature of Encumbrance.	Date of Instrument.	Amount of Encumbrance.	Remarks.

[Date of memorial.]

[Signature of grantor of encumbrance.]
[Signature of grantee of encumbrance.]

Registered

[Signature of Registrar.]

[Date.]

SCHEDULE 40 (REG. 249).

DISCHARGE OF ENCUMBRANCE.

No.

To the Mining Registrar, TAKE notice that Encumbrance No. , upon the interest of in the claim, has been satisfied and discharged this day of , 18 .

[Signature of grantee of encumbrance.]

[Date of registration.]

Registrar.

SCHEDULE 41 (REG. 219).

SCALE OF FEES FOR SURVEY.

THERE shall be paid for the survey of any area as follows:—

Not exceeding 30 acres, 4s. per acre, but not less than £5.
Exceeding 30 and up to 50 acres, 3s. 6d. per acre, but not less than £6.

Exceeding 50 and up to 100 acres, 3s. per acre, but not less than £8 15s.

Exceeding 100 and up to 200 acres, 2s. 6d. per acre, but not less than £15.

Extended claims £2 10s. each.

Travelling expenses 3s. per mile one way.

Bush-cutting 2s. 6d. per chain.

Underground surveys, encroachments, water-races, or other surveys to which the foregoing rates do not apply, shall be paid for as follows:—

Surveyor's fee, £1 10s. per day or part of a day.

Labour extra.

Mileage 3s. per mile one way.

SCHEDULE 42 (REG. 251).

APPLICATION FOR PERMISSION TO CUT TIMBER.

To the Warden at hereby make application for permission to cut timber on Crown lands within the district of

Dated at , the day of , 18 . [Signature.]

[Number and Date of Miner's Right.]

Any person having any objection to this application must lodge the same in writing at the Warden's office at within seven days from the date hereof.

[Date.]

Warden.

SCHEDULE 43 (REG. 251).

TIMBER CERTIFICATE.

No.

I HEREBY certify that has received permission to cut timber (except kauri or reserved trees), within the District of , for the period of twelve months from the date hereof [subject to all Native rights during the currency of this certificate.]

Dated at , the day of , 18 . Warden

SCHEDULE 44 (REG. 255).

UNDERGROUND MANAGER'S CERTIFICATE.

No. _____
 THIS is to certify that [State the name, address, and occupation of person examined] has passed a satisfactory examination for an underground manager, as required by section 203 of "The Mining Act, 1886," and the regulations made thereunder.

Given under my hand the _____ day of _____, 18 ____
 A. B.,

Chairman of the Board of Examiners.

Entered, Vol. _____, folio _____ C.D., Secretary.

SCHEDULE 45 (REG. 256).

To the Hon. the MINISTER of MINES.

No. _____
 I [Name in full, address, and occupation] hereby make application for a certificate of competency as an underground manager of a quartz or alluvial mine [as the case may be], and herewith enclose a fee of 10s., as required by section 203 of "The Mining Act, 1886." I also forward a certificate as to character and attainments, showing that I have been engaged in the capacity of an underground manager in a [quartz or alluvial mine as the case may be] at _____, in the District of _____, for a period of twelve months immediately previous to the date of the passing of "The Mining Act, 1886."

Dated at _____, the _____ day of _____, 18 ____
 C. D., Applicant.

SCHEDULE 46 (REG. 256).

MINING MANAGER—CERTIFICATE OF COMPETENCY.

No. _____
 Mines Department,
 Wellington, 18 ____

IN pursuance of the authorities vested in me in terms of section 203 of "The Mining Act, 1886," I hereby certify that [State the name in full and address and occupation] has proved to my satisfaction that he has been engaged and acted continuously in the capacity of an underground manager in a quartz or alluvial mine in the District of [State the district] for a period of twelve months previous to the date of the passing of "The Mining Act, 1886."

Entered, Vol. _____, folio _____ E. F.,
 Minister of Mines.
 G. H., Under-Secretary.

SCHEDULE 47 (REG. 257).

CERTIFICATE OF EXEMPTION.

No. _____

I HEREBY certify that [State the name in full], underground manager in [State the name of the mine or company's mine], situated at [State the name of place and district], is exempt from the provisions of section 203 of "The Mining Act, 1886," with respect to holding a certificate of underground manager, as it is my opinion that the workings of the said mine do not require a certificated manager at the present time.

Dated at _____, the _____ day of _____, 18 ____
 I. J.,

Inspector of Mines.

As witness the hand of His Excellency the Governor,
 this twelfth day of May, one thousand eight hundred and eighty-seven.

W. J. M. LARNACH,
 Minister of Mines.