



SUPPLEMENT
TO THE
NEW ZEALAND GAZETTE

OF
THURSDAY, JANUARY 26, 1899.

Published by Authority.

WELLINGTON, MONDAY, JANUARY 30, 1899.

Regulations under "The Mining Act, 1898."

RANFURLY, Governor.

ORDER IN COUNCIL.

At the Government Buildings, at Wellington, this twenty-seventh day of January, 1899.

Present:

THE HONOURABLE A. J. CADMAN PRESIDING IN COUNCIL.

IN exercise of the powers conferred upon him by "The Mining Act, 1898," His Excellency the Governor of the Colony of New Zealand, acting by and with the advice and consent of the Executive Council of the said colony, doth hereby, for the purposes of that Act, make the regulations hereinafter set forth, and doth declare that they shall take effect on the first day of February, one thousand eight hundred and ninety-nine, being the date of the coming into operation of that Act. And in further exercise of the aforesaid powers, as also of the powers in this behalf conferred upon him by "The Mining Act, 1891," and other the Acts expressed to be repealed by "The Mining Act, 1898," His Excellency the Governor, acting with the advice and consent of the Executive Council aforesaid, doth hereby declare that, simultaneously with the taking effect of the regulations hereinafter set forth, all regulations made by the Governor or the Governor in Council under "The Mining Act, 1891," and the other Acts expressed to be repealed by "The Mining Act, 1898," shall be and be deemed to be revoked.

REGULATIONS.

INTERPRETATION.

1. In these regulations, if not inconsistent with the context, words and expressions shall have the same meaning as in "The Mining Act, 1898" (hereinafter called "the Mining Act").

MINERS' RIGHTS.

2. A miner's right, where it does not extend to Native ceded lands, shall be in the form numbered 1 or (in the case of a consolidated miner's right) 2 in the First Schedule

hereto; and a miner's right that does so extend shall be in the form numbered 3 or (in the case of a consolidated miner's right) 4 in that Schedule, and shall specify the block of Native ceded land to which it extends.

3. Subject to the provisions of the Mining Act relating to Native ceded land, the qualification of a miner's right shall not be necessary in the cases and for the purposes following, that is to say, —

In the Case of	For the Purposes of
(1.) Any officer under the Mining Act	The exercise of his official functions and powers under the Mining Act.
(2.) Any person deriving title to a mining privilege by transmission, or by operation of law	His title, and the exercise of his rights thereunder.
(3.) The mortgagee of a mining privilege	His title as mortgagee, and the exercise of his rights under the mortgage.
(4.) The holder of a license for a mining privilege	The exercise of his rights as such holder, and all applications to the Warden or the Court relating to such mining privilege.
(5.) A workman, contractor, or tributer in respect of a mining privilege	The exercise of his rights, liens, and remedies in respect of money owing to him as such workman, contractor, or tributer.

4. With respect to every person who is by law required to have the qualification of a miner's right, the following provisions shall apply:—

- (1.) It shall be his duty to produce the miner's right for inspection whenever requested so to do by the Warden, or any Inspector, or Receiver, or Registrar, or member of the Police Force.
- (2.) It shall at all times lie on him to prove that he has the necessary qualification by producing the miner's right, or satisfactorily accounting for its non-production.

5. In every case where the qualification of a miner's right is necessary in order to authorise the doing of any of the

things referred to in section 64 of the Mining Act or in these regulations, and any person does any of those things without having the necessary qualification, he shall acquire no right by virtue or in respect of the thing so done; and, if in any civil proceedings before the Warden or the Warden's Court he fails by reason of not having the necessary qualification, costs shall be given against him:

Provided nevertheless that at any time either before any such proceedings are actually commenced, or during the progress thereof, but before the decision of the Warden or the Court has been actually given therein, he may acquire the necessary qualification in the manner and subject to the conditions following, that is to say,—

- (a.) He may apply for such and so many antedated miners' rights as would have conferred the necessary qualification if they had been taken out and issued on the ante-dates specified therein.
- (b.) There shall be payable in respect of each such antedated miner's right the ordinary fee where the date of actual issue is not more than one month later than the ante-date, and in any other case a special fee equal to twice the ordinary fee.
- (c.) On payment of the requisite ordinary or special fee, the antedated miners' rights shall be issued to him, bearing in each case the date of its actual issue, and also the ante-date; and each such miner's right shall operate as if it had been actually issued on the ante-date.
- (d.) If the application for the antedated miner's right is made in the course of civil proceedings, it shall not be issued unless the applicant not only pays the requisite special fee, but also either pays or gives satisfactory security for the payment of such of the costs and expenses incurred by all other parties to the proceedings up to the time of the actual issue of the miner's right as will be rendered fruitless by reason of such issue; the amount of such costs to be fixed, if necessary, by the Warden.

PROSPECTING.

Prospecting Warrants and Licenses.

6. The application for a prospecting warrant or prospecting license may be in such one of the forms numbered 5 to 7 in the First Schedule hereto as is applicable; and the warrant or license may be in such one of the forms numbered 8 to 13 in that Schedule as is applicable.

7. In the case of a prospecting license, the applicant, before making his application, shall mark out the ground in the same manner as in the case of a claim.

8. In the case of prospecting warrants or licenses relating to Native land, the following provisions shall apply:—

- (1.) The applicant shall transmit the application to the Minister at Wellington, and at the same time shall forward to him £9 in the case of a warrant, and £5 in the case of a license, to abide the disposal of the application, and to be applied in or towards payment of license-fee, survey-fees, advertising, and other expenses connected with the application, and shall for the same purpose forward to the Minister such further sums as and when the Minister requests.
- (2.) The Minister shall, on behalf of the Governor, cause the application to be notified, inquired into, and dealt with as he thinks fit, and for that purpose he may authorise any Warden or other fit person to hear the same and all or any objections thereto.
- (3.) For the purposes of the last-preceding sub-clause hereof the person authorised as aforesaid shall have all the powers and jurisdiction of a Warden, save that in lieu of deciding the application himself he shall report thereon to the Minister.

9. In the case of prospecting warrants or licenses relating to other than Native land, the application shall be dealt with by the Warden under such of the provisions of section 136 of the Mining Act and the regulations relating thereto as are applicable.

10. With respect to the renewal of tunnel prospecting licenses the following provisions shall apply:—

- (1.) The licensee desiring the renewal shall, not more than two months nor less than one month before the expiry of the current term, make application for the renewal in the same manner, *mutatis mutandis*, as in the case of the original license.
- (2.) The renewal shall not be granted unless the Governor in the case of Native land, or the Warden in the case of other than Native land, is satisfied that all the conditions of the license have been faithfully fulfilled by the licensee during the term next preceding the term of the renewal.
- (3.) If the renewal is granted it shall be effected by indorsing on the license the words "Renewed for

one year from the day of 1," under the hand of the Minister on behalf of the Governor in the case of Native land, or under that of the Warden in the case of other than Native land.

11. Every prospecting license, or renewal of a tunnel prospecting license, shall, before the issue thereof, be transmitted to the Registrar, who shall register the same, and then issue the same to the person entitled thereto, upon being satisfied that the license- or renewal-fee, and all survey-fees and advertising and other expenses, have been duly paid.

12. A prospecting warrant shall, whilst it continues in force, confer upon the holder thereof the same non-exclusive right of prospecting on the land to which it relates as by section 67 of the Mining Act the holder of a miner's right is entitled to in respect of Crown land; but, as in the case of a miner's right, so also in the case of a prospecting warrant, the mere fact of his being the holder thereof shall not confer upon him any rights as against any person who takes up a claim on the land, or acquires any other mining privilege in respect thereof.

13. The priority of right which by subsection (11) of section 71 of the Mining Act is conferred upon the holder of a prospecting license shall be exercisable in the manner and subject to the conditions following, that is to say,—

- (1.) The holder or any other person may at any time apply for a license for any mining privilege in respect of the whole or any portion of the land comprised in the prospecting license, and the Warden, if and when he grants the application, shall cancel the prospecting license:

Provided that, if the mining privilege is in respect of less than the whole of the land comprised in the prospecting license, the Warden, in lieu of cancelling the prospecting license altogether, may in his discretion cancel it merely as to so much of the land as is comprised in such mining privilege.

- (2.) If the application for the mining privilege is made by any other person than the holder of the prospecting license, the application shall not be granted unless the Warden is satisfied that the holder has been notified thereof and does not object thereto, or, if objecting thereto, has not, within ten days after receipt of such notification, himself made application.
- (3.) If such last-mentioned application is made it shall have priority.

CLAIMS.

Classes and Subdivisions of Claims.

14. Claims are divided into the following classes, according to size:—

- (1.) Ordinary claims.
- (2.) Extended claims.
- (3.) Special claims.

15. Each class of claims is subdivided as follows, according to the nature of the ground and of the operations:—

- (1.) Alluvial claims: meaning thereby claims worked in alluvial ground, not being dredging or river claims as hereinafter defined.
- (2.) Dredging claims: meaning thereby claims worked by means of dredges.
- (3.) River claims: meaning thereby claims worked in the beds or on the banks of watercourses, not being alluvial or dredging claims as hereinbefore defined.
- (4.) Quartz claims: meaning thereby claims worked on quartz or other reefs, or cement or other deposits, by means of crushing, roasting, or chemical process.
- (5.) Sea-beach claims: meaning thereby claims on the sea-beach and extending seawards, howsoever the same are worked.

Form, Area, and Dimensions of Claims.

16. Subject to the specific provisions hereinafter contained relating to specific claims, the form of every claim shall as far as practicable be four-sided, each side being as far as practicable measured in a straight line, and no one side exceeding twice the length of any other side:

Provided that, within the limits prescribed by section 76 of the Mining Act, the form and dimensions as specified by this clause may be varied to such extent as, having regard to the circumstances of the case, the Warden thinks reasonable.

17. The area of alluvial claims shall not exceed—

- (1.) For an ordinary claim, 1 acre if held under license, and 10,000 square feet if held otherwise than under license.

(2.) For an extended claim, 5 acres.

(3.) For a special claim, 100 acres.

18. The form of dredging or river claims may have relation to the course of the watercourse in which or on the banks of which they are worked, and with respect to such claims the following provisions shall apply:—

(1.) For an ordinary claim the area shall not exceed 1 acre, and not more than 3 chains of the course of the watercourse shall be comprised therein.

(2.) For an extended claim the area shall not exceed 5 acres, and not more than 15 chains of the course of the watercourse shall be comprised therein.

(3.) For a special claim the area shall not exceed 100 acres, and not more than one mile of the course of the watercourse shall be comprised therein.

19. With respect to the area and dimensions of quartz claims the following provisions shall apply:—

(1.) For an ordinary claim the area shall not exceed 1 acre, and not more than 200 ft. of the length of any supposed reef shall be comprised therein.

(2.) For an extended claim the area shall not exceed 5 acres, and not more than 500 ft. of the length of any supposed reef shall be comprised therein.

(3.) For a special claim the area shall not exceed 100 acres.

20. With respect to the area, form, and dimensions of sea-beach claims, the following provisions shall apply:—

(1.) The claim shall be bounded on the shoreward side by a straight line parallel, as near as may be, to the mean frontage-line of the shore at high-water mark; and on the seaward side by straight lines at right angles to the shoreward line, and extending seawards indefinitely.

(2.) In the computation of the area the portion below high-water mark shall not be included.

(3.) For an ordinary claim the area shall not exceed 1 acre, and the length of frontage to the shore at high-water mark shall not exceed 200 ft.

(4.) For an extended claim the area shall not exceed 5 acres, and the length of frontage to the shore at high-water mark shall not exceed 500 ft.

(5.) For a special claim the area shall not exceed 100 acres, and the length of frontage to the shore at high-water mark shall not exceed one mile.

21. Subject to the provisions of the last-preceding regulation as to form, area, and dimensions of sea-beach claims, every sea-beach claim which is worked by a dredge shall be deemed to be a dredging claim.

MARKING-OUT OF CLAIMS AND OTHER MINING PRIVILEGES.

22. The marking-out of a claim or other mining privilege by the person who desires and is qualified to take up the same shall be done by marking the boundaries of the land in manner following:—

(1.) At every angle or corner of each boundary-line, or as near thereto as is practicable, and along the boundary-line at points distant from each other not more than 300 ft., there shall be erected pegs of substantial material, standing not less than 3 ft. above the surface of the ground, and being not less than 3 in. square, or, in the case of a round peg, being not less than 3 in. in diameter.

(2.) Starting from each peg and extending for not less than 5 ft. along the boundary-line on each side of the peg there shall be cut a trench having a depth and breadth of not less than 6 in.

(3.) If pegs are not available there may be used in lieu thereof cairns of stones or mounds of earth, having in each case a height of not less than 2 ft., and a diameter at the base of not less than 18 in.

(4.) Except at the angle-points, the boundary-lines may be indicated by tree-blazing instead of by pegs, cairns, or mounds.

(5.) In the case of each mining privilege the pegs, cairns, or mounds erected at the angles or corners of the boundary-lines shall bear or have affixed thereto some one distinguishing mark, together with, in the cases following, the initial letters of the mining privilege—that is to say, O C for an ordinary claim, E C for an extended claim, S C for a special claim, W R for a water-race, T R for a tail-race, M L for a mineral license, B S for a business site, R S for a residence site, S S for a special site.

(6.) In the case of a sea-beach claim, it shall not be necessary to mark it out below high-water mark.

(7.) In the case of a dredging or river claim which comprises any portion of the bed of a stream, the boundaries of the claim shall extend to both banks of the stream unless the Warden otherwise authorises.

(8.) Where the boundary of the mining privilege is on the bank or in the bed of a watercourse, then, in so

far as it is not practicable to mark such boundary by means of pegs, cairns, mounds, tree-blazing, or trenches, it shall be sufficient if in lieu thereof arrow-headed marks (thus, \blacktriangle) are cut or clearly indicated upon trees, rocks, or other fixed natural objects above high-flood mark at the end of each boundary-line, and also at intervals of not more than 300 ft. along the boundary-lines, or as near thereto as is practicable, each such arrow-headed mark being not less than 1 ft. in length, and each of the lines composing it being not less than 2 in. broad.

(9.) In addition to such arrow-headed marks, there shall also be cut or clearly indicated at the end of each boundary-line the distinguishing mark and (if applicable) the initial letters referred to in sub-clause (5) hereof.

(10.) In the case of a race it shall be sufficient if the course thereof is marked out with approximate accuracy in lieu of the boundary-lines of the land.

(11.) In the case of a tunnel it shall be sufficient if the line of the proposed tunnel is marked out with approximate accuracy in lieu of the boundary-lines of the land.

(12.) In every case where it is not practicable to mark out the boundary on the actual boundary-lines, the marks actually used shall also bear or have affixed thereto a notification indicating with approximate correctness the situation of the actual boundary-lines, and their distance from such marks.

APPLICATIONS IN RESPECT OF MINING PRIVILEGES.

23. For the purposes of section 136 of the Mining Act, but subject to the specific provisions elsewhere contained in that Act or these regulations with respect to specific applications, the following general rules shall apply with respect to every application to the Warden under that section:—

(1.) The application may be made in such one of the forms numbered 14 to 19 in the First Schedule hereto as is applicable, or, if none of those forms is applicable, then in such form as the Warden prescribes or authorises, and shall be filed in the office of the Registrar during office-hours by the applicant, either personally or through a solicitor of the Supreme Court or a registered mining agent.

(2.) The application shall in every case contain an address for service, and all notices to be served on the applicant shall be deemed to be validly served if served at such address.

(3.) When filing the application the applicant shall also lodge with the Registrar such number of duplicate originals thereof, being in no case less than three nor more than five, as the Registrar requests or the Warden prescribes.

(4.) The applicant shall at the same time also lodge with the Registrar, who shall file the same with the application, a sketch-plan showing approximately (but not necessarily by scale), in the case of a race its point of intake, course, terminal point, and length; in the case of a tunnel, its starting-point course, and length; and in the case of any other mining privilege its situation, shape, and measurements; and if the license is granted in respect of unsurveyed land a copy of such plan, modified, where necessary, so as to accord with the grant, shall be drawn by the Registrar on the license.

(5.) The sums to be lodged with the Receiver under subsection (2) of the aforesaid section 136, to abide the disposal of the application, shall, according to the nature of the application, be the sums set forth in the Second Schedule hereto, or, in so far as that Schedule does not apply, then such sums as the Warden or the Receiver directs:

Provided that, in every case where it appears to the Warden or Receiver that the sums so lodged are insufficient, the applicant shall forthwith, after demand in writing by the Receiver, lodge such further sum as is specified in the demand; and if such demand is not complied with the Warden may either postpone or dismiss the application, upon such terms as to costs and otherwise as he thinks fit.

(6.) The Warden before granting the application shall satisfy himself that the sums lodged as aforesaid are sufficient to pay all fees and other charges in respect whereof the lodgment has been made, and they shall be applied in payment thereof accordingly, and the surplus (if any) shall be returned to the person entitled thereto.

- (7.) As soon as practicable after the filing of the application and the lodging of the duplicate originals, the Registrar shall minute thereon the time and place of hearing appointed by the Warden (such time being not less than sixteen days after the filing of the application).
- (8.) In every case where the application is for the grant of a special claim comprising more than 20 acres, or of a water-race authorising the diversion of more than ten heads of water, or of a main tail-race, the Warden shall, and in any other case he may in his discretion, but in every case at the applicant's expense, publicly notify the minuted application by advertising a copy thereof (omitting, however, therefrom so much thereof as consists of the applicant's declaration and the Registrar's minute as to time of filing) not less than twice in one or more newspapers circulating in the district.
- (9.) Not less than ten days before the day appointed for the hearing, the applicant shall notify every person who to his knowledge is in occupation of the land, or any part of the land, comprised in the application, or has any estate or interest therein, or any interest which will be obviously affected by the grant of the application, by posting to him at his last-known place of business or abode a registered letter containing a copy of the minuted application or of the advertisement thereof, or by delivering such copy to him personally.
- (10.) The applicant shall, at least ten days before the day appointed for the hearing, conspicuously post on the ground a duplicate original of the minuted application, and shall there maintain the same until the application is finally disposed of.
- (11.) Such duplicate original shall be posted and maintained as aforesaid—
- (a.) In the case of a water-race, at each source whence it is proposed to obtain water, and also at the terminal point;
- (b.) In the case of a tail-race, a road, or a tramway, at the starting and terminal points;
- (c.) In the case of a tunnel, at the starting-point.
- (12.) If any person desires to object to the application he shall, not later than the second day before the day appointed for the hearing, give notice thereof, by filing in the Warden's office a notice in the form numbered 20 in the First Schedule hereto, and by serving on the applicant a duplicate original of such notice.
- (13.) In any case where, in respect of any application or objection, the foregoing provisions relating to the time or mode of giving, posting, or maintaining any notice are not duly complied with, the Warden, if satisfied that such non-compliance is not wilful, may in his discretion waive the same, or extend the time, upon such terms as to costs, postponement, and otherwise as he thinks fit.
- (14.) If in an application to surrender a mining privilege any of the instruments of title have been lost, a declaration of loss, in the form numbered 21 in the First Schedule hereto, shall be made.
- (15.) The declaration referred to in subsection 17 of section 136 of the Mining Act shall be in the form numbered 22 in the First Schedule hereto.
- (16.) All applications shall be numbered consecutively by the Registrar according to the order of time in which they are filed, and he shall record them in the same order and with the same numbers in a book to be called the "Application Record-book."

SURVEYS.

24. Regulations for the time being in force relating to block and section surveys, made under "The Land Act, 1892," shall be deemed to be incorporated herewith, and shall be read and construed, *mutatis mutandis*, as though they formed part of these regulations, but shall be construed subject to these regulations.

25. Before disposing of any application the Warden in his discretion may order the land to which the application relates to be surveyed, notwithstanding that the area does not exceed 20 acres, and in every case where the land to which the application relates is to be surveyed the surveyor appointed to make the survey shall with all practicable despatch proceed as follows:—

- (1.) He shall duly and carefully survey the ground, and, after making all necessary inquiries, shall furnish to the Chief Surveyor for approval, and transmission to the Warden, a plan of the ground, together with a report as to—
- (a.) Its area, boundaries, description, and character;

(b.) The likelihood of any watercourse or artificial reservoir within the boundaries being required for, or the feasibility of the same being applied to, public purposes, or the use of miners generally for gold-mining purposes;

(c.) The cases in which and the extent to which any mining privilege lawfully held by any other person than the applicant is likely to be affected by the grant of the application; and

(d.) Any other circumstances which, in the opinion of the surveyor, should be reported to the Warden to enable him properly to deal with the application.

- (2.) With the aforesaid plan and report, the surveyor shall also furnish to the Warden a tracing of so much of the general map of the district as will connect the land with at least one trigonometrical station, or, in the absence of such station, then with some fixed point.

26. The following general rules shall apply with respect to surveys:—

- (1.) If the mining privilege applied for affects or includes any mining privilege, private holding, building, race, or other area, whether held or occupied under the Mining Act or otherwise, the same must be shown on the plan, and full particulars relating thereto must be given in the surveyor's report to the Warden. It is the surveyor's duty to make careful inquiries respecting all claims to prior occupancy, and, if possible, furnish the names of such occupants or claimants.
- (2.) Every survey must be connected with a fixed and clearly indicated survey mark already established, such as the corner of a section, the angle of a road, a trigonometrical station, or the corner of a mining claim already surveyed. But whenever, in forest lands, a trigonometrical station is within a quarter of a mile of the mining area under survey, connection with it must be made in preference.
- (3.) If a former survey is taken as a common boundary, it shall be the surveyor's duty to ascertain that the lines on the ground conform to the recorded bearings and dimensions of that survey. If correct it may be adopted as data for the survey in hand; and, if not, the discrepancy disclosed must be reported to the Chief Surveyor when forwarding plan of survey for his approval.
- (4.) In the survey of claims every boundary shall be cut throughout, and every corner shall be marked on the ground by trenches, as described in the regulations of the Survey Department incorporated herewith; but in forest lands the trenches may be cut for a length of 3 ft. only.
- (5.) All previously surveyed mining areas or allotments that may adjoin or be within 5 chains of the land under survey must be shown on the plan, together with the tie-lines used to determine their position.
- (6.) In all cases the actual boundary-lines of the land surveyed must be measured by the surveyor, unless there be insuperable obstacles in the way. In such cases the course adopted in ascertaining the distance across or through the obstacle, and in prolonging the boundary-line, must be clearly shown on the plan.
- (7.) When the boundaries are found to interfere with any existing mining privilege, or other survey, the intersections must be carefully fixed and shown on the plan; and such other distances must be given as will admit of the relative positions of the different surveys being shown accurately on the district mining plans, and also allow of the exact area being calculated, should it be considered necessary to excise any part from the land applied for.
- (8.) The traverses in forest lands, required to ascertain the position of the corner-posts put into the ground by the applicants before the actual boundary-lines can be cut, should be altogether avoided, but, if absolutely necessary, must be as few as possible. Tabulations of these, as well as of the block boundaries, observed and measured, showing closures and connections, are to be furnished to the Chief Surveyor, together with the plan.
- (9.) In surveying water-race areas the surveyor is expected to furnish a plan showing the levels and size of the race, and an estimate of the quantity of water which would be derived from the area to be dealt with, having regard to the rainfall and the nature of the country; contributory streams proposed to be utilised, and the data on which the calculations are based, must also be given.

- (10.) Care should be taken to show on the plan and note in the report those parts of the race which pass through sold lands, cultivations, areas held under the Land and Mining Acts; and the points where the race intersects other races, roads, tracks, tramways, or any other mining area, or any public or private land, however held, should be clearly defined.
- (11.) The boundaries and areas to be covered by the water-surface and embankment of a dam should be shown on plan, as well as all leased or sold lands, cultivations, or any other mining area or other land, however held, which the dam, if filled, would interfere with.
- (12.) In the case of surveys of underground workings, which have to be carried out under the supervision of the Survey Department, special instructions will be issued in each case.
- (13.) The surveyor's plan shall be drawn to the following scale:—

	Chains to an Inch.
Claims or blocks containing 5 acres and under	2
Claims or blocks from 5 up to 30 acres	5
Claims or blocks from 30 acres upwards	10
Races under two miles in length	5
Races from two miles to five miles in length	10
Races over five miles in length	20
Reservoirs under 2 acres in extent	2
Reservoirs from 2 acres to 20 acres in extent	5
Reservoirs from 20 acres upwards in extent	10

- (14.) If the scale of 10 chains to an inch for plans of claims or blocks exceeding 30 acres in area be found too small to properly indicate any buildings or other improvements that are on the ground, the 5-chain scale must be used, or enlargements made to show them plainly.
- (15.) Topographical features, such as mountains, spurs, gorges, rivers, creeks, lagoons, waterfalls, roads, tracks, or other physical features of or affecting the land surveyed, must be shown in full on all mining survey-plans.
- (16.) The surveys of mining claims or blocks must be plotted on sheets prepared by the department, to which the requisite surveyor's certificate is attached. These forms will be sold to any surveyor on application to the Chief Surveyor or to the Mining Registrar of the district. Other mining surveys may be plotted on antiquarian or double-elephant paper, of a size of not less than 18 in. square.
- (17.) The surveyor will be held responsible for the accuracy of the certificate attached to his plan; and if, on receipt of an official plan from a surveyor, it shall be found deficient in any necessary information, and if the omission be considered to be the result of a want of proper care on the part of the surveyor, he will be called upon to supply the deficiency at his own cost.
- (18.) No surveyor shall employ more than two field-parties in the field, unless authorised surveyors are placed in charge of such field-parties.
- (19.) The survey-fees shall, in the case of each survey, be payable according to the following scale:—
 - (a.) Not exceeding 30 acres, 4s. per acre, but not less than £5.
 - (b.) Exceeding 30 acres and up to 50 acres, 3s. 6d. per acre, but not less than £6.
 - (c.) Exceeding 50 acres and up to 100 acres, 3s. per acre, but not less than £8 15s.
 - (d.) Exceeding 100 acres and up to 200 acres, 2s. 6d. per acre, but not less than £15.
 - (e.) Extended claims, £2 10s. each.
 - (f.) Travelling-expenses from surveyor's residence, 3s. per mile extra by the cheapest practicable route, one way, provided that such of the travelling-expenses as are incurred for the purposes of two or more surveys shall be equitably apportioned amongst them, and the full scale of travelling-expenses shall, in the case of each such survey, be proportionally reduced.
 - (g.) Bush-cutting, 2s. 6d. per chain extra.
 - (h.) 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, £2 per day or part of a day; labour extra; mileage as above.
 - (i.) The cost of putting plans on certificate forms—viz., 3s. 6d.—is included in above fees, and when this is done by the Government that amount will be deducted from final payment.

(j.) Where necessary to reduce size of claims, &c., after survey, the cost on above scale must be deposited before survey is made or certificate issued.

- (20.) When plans are received and have been approved, the Chief Surveyor shall, in cases where the survey has been made by an officer of the staff, forward to the Receiver an abstract or voucher, duly certified, in favour of the Public Account. Where the survey has been made by an authorised private surveyor, an abstract or voucher for the sum or sums due, in favour of the person entitled, shall be sent in like manner.
- (21.) The Receiver may, after approval of the voucher by the Chief Surveyor, pay to the person entitled any sum up to 50 per cent. of the amount of deposit, and on final approval of the survey shall pay out of his deposit account the balance or full amount, as the case may be, into the Public Account or to the person entitled to receive, as the case may be; and should there be a balance, he shall pay it to the depositor or to the Public Account as he may be specially instructed.

MINING PRIVILEGES IN RESPECT OF WATER.

Tail-races.

27. It shall be lawful for the Warden, by order in writing, to authorise any person lawfully engaged in mining operations to use or enlarge for the purpose of such operations any tail-race the property of any other person (excepting such portion thereof as may lawfully be used as a ground-sluice for saving gold) subject to the conditions following:—

- (1.) That the applicant for the order first pays to the holder of the tail-race a proportionate share of the original cost of the construction of such tail-race, or a periodical payment in advance as a rent for the use thereof; and also,
- (2.) That if it is proposed to enlarge such tail-race such enlargement shall be at the sole expense of the person applying for the order, and shall be so carried out as not to unduly interfere with the mining operations of the holder of the tail-race; and also,
- (3.) Such other conditions as the Warden thinks equitable.

28. Where an order pursuant to the foregoing regulation has been made, the person, other than the holder of the tail-race, so using the same shall at all times, on receiving notice in writing from such holder, forthwith assist in clearing the same whenever it shall be reasonably necessary so to do, and if such person makes default it shall be competent for the holder of the race to clear the same and to recover from the person in default his proportionate share of the cost thereof.

29. The proportionate share of the cost of construction, and the amount of the rent, and any dispute between the parties in respect of the premises, shall be settled by arbitration.

30. All gold discharged into such tail-race shall be the exclusive property of the holder of the tail-race.

Main Tail-races.

31. The application for a main tail-race shall specify the person by whom and the terms upon which the race is to be used, and at any time during the currency of the license the Warden, on application in that behalf, may by order authorise any other person to use the race, upon such terms as to payment for user, contribution for maintenance, and otherwise, as the Warden thinks equitable.

Dams.

32. Before granting any application for a dam the Warden may order the site thereof to be inspected and reported on by any duly qualified surveyor or engineer, who may draw up plans and specifications therefor, which may be submitted to the Inspecting Engineer of the Mines Department; and it will be incumbent on the licensee to construct such dam subject to such plans and specifications as altered by such Inspecting Engineer.

33. The cost of such inspection and report, and of preparing such plans and specifications, shall be borne by such persons as the Warden may order.

34. The Warden may, either before or subsequently to granting any application for a dam, specify a distance therefrom within which mining operations may not be carried on, and such specification may, on application either of the holder or any other person *bona fide* carrying or proposing to carry on mining operations in close proximity to the said dam, be from time to time amended.

35. The Warden may, on the application of any person likely to be damaged by the unfitness for use of any dam, order the same to be inspected by any duly qualified engineer or surveyor, and, after hearing the holder of the dam

and all parties interested, may make such order for the repair or strengthening of the dam, or otherwise, and upon such terms as to costs and otherwise (including the expenses of the inspector), as he thinks fit.

General.

36. Where any race is so constructed as to cross any stream from which the holder of the race has no license to divert water, and such construction might prejudicially affect the rights of any person, the race shall be well and efficiently constructed either under or over such stream so as not to interfere with the free flow of all the waters naturally pertaining thereto, and flowing past the point of intersection.

37. In respect of water-race licenses, the priority of right to water shall, as between licensees diverting water out of the same watercourse, be counted from the precise time of filing the application therefor, which time shall in all cases be recorded in the register: Provided that this clause shall not apply in the case of a water-race license granted under the Mining Act in substitution of title under any former Mining Act.

38. (1.) Every water-race license shall have specified therein every point of intake, and no licensee of a water-race shall, without the written order of the Warden (to be applied for as provided in clause 23 hereof), alter any point of intake, or use for diverting the water any other race than the race specified in the license.

(2.) Before granting the application the Warden may require all the water which, if it were not diverted, would naturally flow in the watercourse between the said races or points of intake to be gauged for the purpose of determining as nearly as may be the extent to which the volume is increased from natural causes between such races or points of intake, and may require the applicant to surrender as many heads of water as are equal to such increase of volume.

39. The licensee of any mining privilege in respect of water shall not allow any water which he is entitled to divert to run to waste, but, on the contrary, such water shall be *bonâ fide* taken, diverted, and used in terms of the license.

40. Every licensee entitled to divert water from a watercourse shall place a gauge-box in his race within seven days after receiving a written notice so to do from any other licensee entitled to divert water from such watercourse. Where there is only one point of intake the gauge-box shall be placed immediately below such point, but where there are several points of intake the gauge-box shall be placed immediately below the last of such points.

41. Water may be gauged in manner described in the Third Schedule hereto.

MINING PRIVILEGES IN RESPECT OF TIMBER.

As to Holder of Miner's Right and Mining Privilege.

42. The holder of a miner's right shall as such holder, and without application to the Warden, be entitled to cut and use for his own domestic purposes, or for the purpose of erecting any building or fence on any mining privilege held by him (but for no other purpose), any timber growing or standing on unalienated Crown land in a mining district:

Provided that the rights conferred by this section shall not be exercisable in respect of—

- (a.) Land comprised in any mining privilege held by any other person (not being a license or warrant in respect of sawmilling or timber-cutting, as hereinafter provided); nor in respect of
- (b.) Kauri-trees or any such trees as are reserved by the Warden or the Commissioner of Crown Lands.

43. The rights by the last-preceding clause of these regulations conferred upon the holder of a miner's right shall, in the case of the holder of a mining privilege, be exercisable by such last-mentioned holder in respect of timber (other than kauri or reserved trees) growing or standing on the land comprised in such mining privilege, nevertheless for the purposes only of his own domestic use, or of the erection of buildings or fences on such land, or the carrying-on of his mining operations thereon.

Sawmill Licenses.

44. On application in that behalf, the Warden may grant any person a sawmill license entitling the licensee during its currency to cut timber (other than kauri-trees or trees reserved by the Warden or the Commissioner of Crown Lands) growing or standing on the land comprised in the license, and sell or otherwise dispose of the same exclusively for mining purposes, and with respect to such application and license the following provisions shall apply:—

- (1.) The applicant shall mark out the land in the same manner as in the case of a claim, but tree-blazing may be used instead of pegs.
- (2.) The application shall be made and disposed of under such of the provisions of section 136 of the Mining Act and clause 23 of these regulations as are applicable

Provided that if the land has to be surveyed the Warden may accept as a sufficient survey a sketch-plan by a surveyor showing approximately the due measurements and locality of the land, the cost of such survey not to exceed £5.

- (3.) The area of the land comprised in the application shall not exceed 200 acres.
- (4.) There shall be payable in respect of the license an annual acreage-rent at the rate of 1s. per acre, and also a royalty at the rate specified in the Fourth Schedule hereto in respect of all timber cut pursuant to the license.
- (5.) The acreage-rent shall be payable as provided by subsection (10) of section 138 of the Mining Act, and the royalty shall be payable on the same days and for the same periods as the rent:

Provided that from the amount payable in respect of royalty for any period there shall be deducted so much thereof as is equal to the rent actually paid for such period.

45. When making his application for the license, or at any time thereafter during the currency of the license, the applicant or licensee may in like manner apply to have reserved for him an adjoining area not exceeding 200 acres, and the Warden may, by certificate under his hand, in the form numbered 23 in the First Schedule hereto, reserve the same accordingly upon being satisfied that the sawmill plant referred to in subclause (1) of the next succeeding clause hereof has or will be duly provided and fitted up as therein required, and that in the case of an existing license all its conditions have been duly complied with to date. With respect to such certificate the following provisions shall apply:—

- (1.) The certificate shall continue in force for one year, but may be renewed from year to year so long as the license continues in force, and shall *ipso facto* cease and determine with the license.
- (2.) There shall be payable in advance in respect thereof, and of each annual renewal thereof, an acreage-rent at the same rate as in the case of the license.
- (3.) The certificate shall not be transferable apart from the license.
- (4.) The certificate shall not confer any right to cut timber or otherwise use the same, but at any time during its currency the licensee may exchange his existing license for a sawmill license in respect of the land comprised in the certificate.

46. The conditions subject to which a sawmill license shall be deemed to be granted, and shall be held, shall in every case include the following conditions:—

- (1.) The licensee shall, within six months after the date of his license, provide and fit up, either upon his sawmill area or on some other site approved by the Warden, a substantial and fully equipped sawmill plant, including all the necessary buildings thereto appertaining, which sawmill plant must be kept in continuous working operation, unless valid and satisfactory reasons can be given to the Warden for any temporary stoppage.
- (2.) If at any time the mill is closed for a longer time than the Warden thinks necessary or reasonable, he may give the licensee one month's notice in writing, and, if the licensee fails or neglects to resume and continue the *bonâ fide* working of the mill in terms of such notice, the Warden shall declare the license forfeited, and may reoffer for license the sawmill area and the attached reserve as if the rights of the previous licensee had never existed. The licensee may within three months from the date of forfeiture, however, remove any building or machinery he may have erected.
- (3.) The Warden may require the licensee to use a brand for marking his timber, and to register the same in the Warden's Court.
- (4.) The Minister, or any local authority, may at any time, without compensation, make roads or tracks through the land comprised in the license, or in any reserved area.
- (5.) The licensee shall at all times keep full and accurate accounts of all timber cut by him under his license, and permit the same to be inspected at any time by any Inspector, and also shall furnish to the Receiver monthly returns showing particulars of all timber cut during the preceding month, together with such other details as the Receiver or the Inspector requires.
- (6.) Whenever a sawmill licensee applies for another sawmill area alongside the area previously held by him, such last-mentioned area will be deemed to be worked out, and the land and remaining timber, if any, will immediately and absolutely revert to the Crown.

Hand-sawing and Splitting Timber Warrants.

47. On application in that behalf, the Warden may grant to any person a warrant entitling him during its currency to cut timber (other than kauri-trees or trees reserved by the Warden or the Commissioner of Crown Lands) growing or standing on the land comprised in the warrant, and sell or otherwise dispose of the same exclusively for mining purposes, and with respect to such application and warrant the provisions of subclauses (1) and (2) of clause 44 and subclause (5) of clause 46 of these regulations, and also the provisions following, shall apply:—

- (1.) The area of the land shall not exceed 20 acres.
- (2.) The term of the warrant shall be either six months or twelve months, and there shall be payable therefor, in advance, in the former case a fee of £3, and in the latter case a fee of £5.

48. The warrant-holder shall be entitled to construct saw-pits and huts on the land, on sites approved by the Warden.

Kauri-trees and Trees reserved.

49. On application in that behalf, the Warden may, by order under his hand, authorise any person to cut for mining purposes any kauri-tree or reserved tree; and with respect to such application and order the following provisions shall apply:—

- (1.) The application shall specify the number, situation, and estimated measurement of the trees applied for, and the name and situation of the claim for whose mining operation the timber is to be cut and used.
- (2.) The Warden shall transmit the application to the Commissioner of Crown Lands of the land district in which the trees are situated for his report thereon, and estimate of the measurement and value of the trees, and shall not grant the application until he has received and considered the report of the Commissioner.
- (3.) There shall be payable in advance in respect of the trees for which the order is granted such sum as is agreed on, being in no case less than £1 5s. for each tree, nor less than 6d. per hundred feet superficial measurement of the trees before cutting.

Limitation as to Timber-cutting Rights.

50. The rights by these regulations hereinbefore conferred in respect of timber shall not be exercisable, nor shall any license, certificate, warrant, or order thereunder be granted in respect of—

- (1.) Lands set apart as forest lands under "The New Zealand State Forests Act, 1885"; nor in respect of—
- (2.) Lands comprised within the authorised area as defined in the contract made by Her Majesty and the Midland Railway Company (Limited), dated the 3rd August, 1888, excepting such portions thereof as have been duly set apart for mining purposes pursuant to that contract.

51. Every license, certificate, warrant, or order in respect of timber granted under the foregoing regulations shall be deemed to be granted and shall be held subject to the exercise by the holder of a miner's right or mining privilege of the rights conferred upon him by clauses 42 and 43 hereof, and subject also to the power of the Warden to grant mining privileges (other than timber-cutting privileges) in respect of the land to which such license, certificate, warrant, or order relates:

Provided that the Warden, when granting such mining privilege, may impose such reasonable conditions as, whilst not unduly hampering the holder of such privilege in the exercise of his rights, will afford reasonable facilities for the carrying on of the timber industry.

52. Subject to the provisions of the last-preceding clause hereof, the power hereinbefore conferred upon the Warden to grant licenses, certificates, warrants, or orders for timber-cutting may be exercised by him in respect of land comprised in any other mining privilege.

TRAMWAYS.

53. In every case where the proposed course of a tramway crosses a road or street, the provisions of section 165 of the Mining Act shall, *mutatis mutandis*, apply.

54. The holder of a license for a tramway shall not be entitled to carry on the tramway passengers or goods for hire except at such scale of fares and freight, and subject to such provisions for the safety of life and property, as have been submitted to and approved by the Minister.

MISCELLANEOUS MINING PRIVILEGES.

55. In addition to the mining privileges specifically mentioned in sections 91 and 126 of the Mining Act, licenses may be granted for mining privileges of any of the following descriptions:—

- (1.) Branch races, for the distribution of water already diverted by means of a race;
- (2.) Flood-races and by-washes, for the carrying off of flood or surplus water;

- (3.) Diversion of streams;
- (4.) Tunnels, roads, and bridges; and
- (5.) Such other descriptions of mining privileges in respect of water or land as the Warden thinks necessary for facilitating mining operations, or effectuating the purposes of the Mining Act.

56. The terms and conditions upon which the aforesaid mining privileges may be granted, and shall be deemed to be held, shall in every case include such terms and conditions not inconsistent with the Mining Act and these regulations as the Warden thinks fit to impose when granting the licenses.

REGISTRATION OF MINING PRIVILEGES AND OF INSTRUMENTS AFFECTING THE SAME.

Register, and Registration Office.

57. The register shall be in the form numbered 24 in the First Schedule hereto.

58. Every register existing at the time of the coming into operation of the Mining Act shall so continue, but no fresh registrations shall be recorded therein; and in every case where, in any new register opened under the Mining Act, any registration relates to any mining privilege, or interest therein, already registered in such existing register, the Registrar shall, by note on the allotted folium of the new register, give such reference to the registration in the said existing register as will afford reasonable facilities for search.

59. Every mining privilege granted under the Mining Act shall be registered in the office of the Registrar to whom the same is transmitted by the Warden for registration and issue as provided by section 141 of the Mining Act.

60. The office of the Registrar shall in every case be the office of the Warden's Court.

61. (1.) In the case of mining privileges granted by the Warden prior to the coming into operation of the Mining Act, but not then registered, the office of registration shall be the office of the Registrar at the Courthouse where the same was granted.

(2.) The office of registration of every ordinary claim held otherwise than under license shall be the office of the Registrar nearest to the claim.

(3.) The office of registration of every transfer or other instrument affecting any mining privilege shall be the office where the mining privilege itself is registered.

(4.) The registration of an instrument shall not be deemed to be invalid by reason merely of being effected in the wrong office, unless the Warden is satisfied that it has resulted in deceiving any person and thereby actually prejudicing his rights.

Mode of Registration of Instruments.

62. In the case of each register all instruments shall be registered in the order in which they are deposited with the Registrar for registration, and shall be numbered consecutively in the register, commencing with the number 1.

63. For the purpose of the last-preceding clause, an application under clause 68 or 69 shall be deemed to be an instrument.

64. In every case the instrument registered, or a duplicate original or certified copy thereof, shall be retained and filed as a record by the Registrar, and for that purpose the instrument deposited for registration shall, where necessary, be accompanied by such duplicate original or certified copy.

65. The registration of an instrument shall be effected by entering in the register on an allotted folium thereof the particulars specified in the aforesaid form No. 24, or such of them as are applicable, and also by indorsing on the instrument (and on the filed duplicate or copy, if any) a memorial under the hand of the Registrar and the seal of the Court setting forth the registered number of the instrument, the office of registration, and the precise time of registration (being the date and hour at which the instrument was deposited with the Registrar for registration).

66. Such memorial shall, without proof of the Registrar's signature, be received in all Courts as evidence that such instrument has been duly registered.

67. If the instrument deposited for registration is a transfer of a mining privilege, or of any interest therein, then in the former case the license (if any), and in the latter case the document of title to such interest, shall (except where its production is dispensed with as hereinafter provided) be produced to the Registrar, who when registering such instrument shall indorse on such license or document a memorial under his hand and the seal of the Court setting forth the registered number of such instrument, its nature (*e.g.*, "Transfer by way of sale," "Mortgage," or as the case may be), the office of registration, the names of the parties, and the precise time of registration:

Provided that such production may be dispensed with by the Registrar in any case where, having regard to the circumstances, he thinks fit so to do; and in such case he shall enter in the register a note of the fact, and that the memorial has not been indorsed on the license or document.

Special as to Mining Privileges held otherwise than under License.

68. With respect to the registration of mining privileges held otherwise than under license, whether acquired under the Mining Act or any former Mining Act, the following special provisions shall apply:—

- (1.) The holder who desires to register such mining privilege shall deposit with the Registrar an application in that behalf in the form numbered 25 in the First Schedule hereto.
- (2.) If after inquiry the Registrar is satisfied as to the facts, he shall register the mining privilege in manner hereinafter provided; but if he is not so satisfied he shall refer the application to the Warden, who shall decide the matter after making such investigation as he thinks necessary.
- (3.) Registration shall be effected in manner prescribed by clause 65 of these regulations:

Provided that the therein-mentioned memorial shall be indorsed on the application, which shall be retained and filed by the Registrar; and also that the precise time of the registration shall be the date and hour at which the application was deposited.
- (4.) Having registered the mining privilege, the Registrar shall issue to the applicant a certificate of registration in the form numbered 26 in the First Schedule hereto.
- (5.) The provisions of clause 67 of these regulations, relating to the production of a license for the purpose of indorsing thereon a memorial of every registered transfer of the mining privilege to which the license relates, or of any interest therein, shall, *mutatis mutandis*, apply to every certificate of registration, whether issued under the Mining Act or any former Mining Act.
- (6.) In the event of the holder of the mining privilege applying for and obtaining the grant of a license therefor, he shall deliver up the certificate of registration to the Registrar, who, before issuing the license, shall file the certificate, and note thereon, as also in the register, the fact that the certificate has been superseded by the license.

Special as to Liens on Mining Privileges.

69. With respect to the registration of liens on mining privileges, the following special provisions shall apply:—

- (1.) The lienee who desires to register his lien in the Warden's Court, as prescribed by section 171 of the Mining Act, shall deposit with the Registrar an application in that behalf in the form numbered 27 in the First Schedule hereto.
- (2.) The registration of the lien shall be effected by entering in the register, on the folium allotted to each registered mining privilege to which the lien relates, or, in the case of an unregistered mining privilege, on an allotted folium, the word "Lien," together with the registered number, the precise time of registration (being the date and hour at which the application was deposited), and the following particulars as appearing in the application—that is to say: The name of the lienee, the capacity in which he claims (*e.g.*, as wages-man, subcontractor, contractor, or partner), the amount of the lien, and, in the case of an unregistered mining privilege, the name and situation of such privilege, and the name of the holder thereof.
- (3.) The Registrar shall also file the application, and indorse thereon, under his hand and the seal of the Court, a memorial of the registration of the lien, the office of registration, and its registration number as appearing in the register.
- (4.) The notice of the registration of the lien to be posted by the Clerk to the holder of the mining privileges affected thereby may be in the form numbered 28 in the First Schedule hereto.

General as to Registration.

70. No instrument shall be deposited with the Registrar for registration, nor shall any application for registration be deposited with him, except at his office, being in every case the office of the Court, and during office-hours.

71. No Registrar shall register any mining privilege or lien, or any instrument purporting to transfer or to in any way deal with or affect any mining privilege, except in manner provided by the Mining Act and these regulations.

72. No Registrar shall register any instrument liable to stamp duty unless the instrument purports to have been duly stamped; but in no case shall any registration be invalidated by reason of any error in this respect.

73. In any case where any mistake is made by the Registrar in any entry in the register, or in any memorial, he shall rectify the same by a new entry or memorial in such

form as may be convenient, specifying the day and hour of the rectification, but not erasing or obliterating the erroneous entry or memorial; and for the purpose of such rectification he may require any person to produce any document in his possession.

74. Upon payment of the fee of one shilling per folio of seventy-two words (being in no case less than five shillings) the Registrar shall furnish to any person applying for the same a certified copy of any registered instrument; and every document purporting to be certified under the hand of the Registrar and the seal of the Court as a certified copy of a registered instrument shall, without proof of his signature, be received in evidence for all purposes for which the original instrument might be put in evidence.

75. There shall be payable in respect of the registration of any instrument a fee of one shilling for each separate registration entry in the register, and in respect of every search of the register a fee of one shilling.

76. The register may be searched as aforesaid at any time during office-hours as hereinbefore defined.

Index-books.

77. In addition to, but separate from, his register, the Registrar shall keep a numerical index-book and a water-rights index-book.

78. The numerical index-book shall be in the form numbered 29 in the First Schedule hereto, and shall contain, in numerical order of registration as appearing in the register, the specified particulars of all registrations effected after the coming into operation of the Mining Act.

79. The water-rights index-book shall be in the form numbered 30 in the First Schedule hereto, and shall contain the specified particulars of all water-rights registered after the coming into operation of the Mining Act in respect of each specified stream in the district.

80. The index-books shall be compiled from the register, and any person entitled to search the register shall, without further fee, be entitled to search the index-books.

LABOUR CONDITIONS.

81. For the purposes of section 85 of the Mining Act the number of workmen to be employed by the holder of a claim in mining operations shall be in the proportion of not less than one workman for every complete six acres of the area of the claim during the first year, computed from the date on which by that section the operations are required to be commenced; one workman for every complete four acres during the second such year; and one workman for every complete three acres thereafter:

Provided that at no time shall the number so employed be less than one in the case of an ordinary or extended claim, and two in the case of a special claim:

Provided further that, in the case of a dredging-claim, the number required to be so employed in any day shall not exceed the proportion of seven workmen for each dredge.

82. In every case where the holder of a claim alleges that, under subsections (1), (3), or (4) of section 86 of the Mining Act, he is entitled to employ less than the prescribed number of workmen, it shall lie on him to establish the facts to the Warden's satisfaction, and for that purpose he shall, in addition to other evidence, furnish such sworn returns as to workmen employed, capital expended, and otherwise as the Warden thinks necessary.

GENERAL PROVISIONS AS TO MINING PRIVILEGES.

83. The terms, conditions, reservations, and provisions subject to which every mining privilege may be granted and shall be deemed to be held shall in every case include the following:—

- (1.) Every officer or person acting in the administration of this Act, or authorised by the Minister, the Warden, or an Inspector, shall at all times have full and free right of ingress, egress, and regress in respect of the land comprised in such mining privilege, and the mines and mining-works thereon.
- (2.) If default for twenty-one days is made in the full and punctual payment of any rent, royalty, license-fee, or other money payable to Her Majesty in respect of any mining privilege, the Receiver or any person authorised by him may at any time thereafter, without any previous or other notice or demand, enter on such land, mines, and works, or any of them, and distrain all or any machinery, tools, goods, chattels, and other effects of the licensee there found (excepting nevertheless tools of trade and other personal effects to the total value of £20), and may sell the same, in such manner, at such prices, and on such conditions in all respects as he thinks fit.
- (3.) Such sale may be effected either on the land or elsewhere, and to that end the effects distrained may be removed.

- (4.) All moneys received in respect of such sale shall be applied in or towards payment—first, of the costs and expenses of the distraint, removal, and sale, such costs to be fixed and assessed by the Warden in case of dispute; secondly, in or towards payment of the rent, royalty, license-fee, or other money in respect whereof the distraint was made; and the surplus, if any, shall be payable to the licensee, or other the person entitled thereto.
- (5.) The foregoing right of distraint, removal, and sale may be exercised irrespective of and without prejudice to any other right, remedy, or power conferred by the Mining Act in respect of the non-payment of rent, royalty, license-fee, or other moneys payable to Her Majesty under the license.
- (6.) Except in so far as is otherwise specially provided by the Mining Act, the holder of a mining privilege shall not as such holder—
 - (a.) Have any riparian rights in respect of any watercourse on or adjoining the land comprised in the mining privilege; nor
 - (b.) Have any right or remedy whatsoever against any person in respect of the discharge of tailings, *débris*, or waste water into such watercourse by such person in the lawfully carrying on of mining operations by him under the provisions of the Mining Act; nor
 - (c.) Have any right or remedy whatsoever which would prevent any person from freely using for the purpose of transit any natural waterway on or adjoining the mining privilege, but so nevertheless that such user does not unduly interfere with any mining operations lawfully carried on in the waterway by the holder of the mining privilege, and also that where such operations are carried on by means of a dredge, and such user cannot conveniently be exercised without removing the dredge or its moorings, the holder of the mining privilege shall not be required to remove the same except at the cost in all things of the person requiring the removal, and pursuant to not less than forty-eight hours' previous notice in writing.
- (7.) The Warden may at any time authorise any Inspector, Assessor, or other person to enter on any mining privilege, or the buildings or works thereon, for any specified purpose.
- (8.) Except in the case of a prospecting license, the term of every license for a mining privilege shall be so fixed as to expire on the 31st day of December.

84. Except where authorised by the Mining Act or these regulations, or the order of the Warden, no person shall—

- (1.) 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 other person; nor
- (2.) Damage or otherwise interfere with any mining privilege held by any other person, or the buildings, works, or machinery thereon; nor
- (3.) Deposit upon any mining privilege other than his own, any earth, stones, tailings, or other substance; nor
- (4.) Back the water of any watercourse upon any mining privilege other than his own, or otherwise cause the same to be flooded or injured; nor
- (5.) Remove from any workings any props, timber, or other structures, so as to endanger the claim or rights of any other person; nor
- (6.) Allow any timber which he has felled to remain for more than twelve hours upon or in any road, street, path, or watercourse, or upon any land other than his own.

85. Where the holder of a mining privilege discharges or deposits tailings therefrom outside the boundaries of his claim or special site, his right thereto shall be deemed to be abandoned.

SPECIAL PROVISIONS AS TO DREDGES.

86. The following special rules shall be observed in the case of every dredge used for mining purposes:—

- (1.) Every dredge used for mining purposes shall be kept provided with safety appliances as follows:—
 - (a.) A life-buoy, a light line, and a boat-hook, near the bow of the dredge.
 - (b.) A life-buoy, a light-line, and a boat-hook, near the stern of the dredge.
 - (c.) A boat containing a light-line and a boat-hook.
- (2.) In every case where the Warden or Inspector notifies the owner or manager of the dredge that the stream at which it is worked is deep or swift-flowing, then, in addition to the foregoing appliances, the dredge shall be kept provided with not

less than two boats, each of which must be furnished with a life-buoy, a light-line, and a boat-hook. Life-belts shall also be provided, and each member of the crew of any boat shall wear a life-belt when engaged in shifting the mooring-lines of the dredge.

- (3.) All safety-appliances shall be kept in conspicuous places within easy reach, and when damaged or lost shall be immediately renewed.
- (4.) The well-hole of every dredge shall be fenced or covered over as far as is reasonably practicable, and where such fencing or covering is not practicable a movable gangway of not less than 2 ft. 6 in. wide, and fitted with a substantial hand-rail at each side, shall be provided and used by persons for crossing the well-hole.
- (5.) No person shall step on the buckets or chain when in motion.
- (6.) All exposed gearing, belting, or machinery shall be kept fenced to the satisfaction of the Inspector.
- (7.) On any dredge which is not entirely covered in, the sides of the uncovered portion of the hull shall be fitted with stanchions not more than 8 ft. apart, and also with two substantial hand-rails or tightly-stretched wires or chains, the lower rail, wire, or chain not being more than 10 in. above the deck, and these may be made movable for the purpose of taking coal and material on board the dredge, but shall be kept in position at all other times.
- (8.) Every dredge working close to a bank shall be provided with a gangway not less than 2 ft. 6 in. wide and of sufficient length to reach from the dredge to the bank. Such gangway shall be provided with a substantial hand-rail at each side and secured to the deck of the dredge in such a manner as to prevent its being upset.
- (9.) A copy of these regulations shall be kept posted in a conspicuous place on every dredge, and shall be renewed as often as torn or defaced.
- (10.) It shall be the duty of the owner and manager of the dredge to faithfully comply with the foregoing rules, and if they fail or neglect so to do they shall be severally guilty of an offence.

REGISTRATION OF APPLIANCES AND PROCESSES FOR TREATING ORES AND METALS.

87. A machine-license issued pursuant to section 226 of the Mining Act may be in the form numbered 31 in the First Schedule hereto; and the machine register-book mentioned in subsection (1) of section 229 of the said Act may be in the form numbered 32 in the same Schedule; and the monthly return mentioned in subsection (11) of the said section 229 may be in the form numbered 33 in the same Schedule.

WARDEN'S COURT.

Office Hours.

88. The office of the Court shall be open to the public every day from 10 a.m. to 1 p.m., and from 2 p.m. to 4 p.m., except on Saturdays, Sundays, and holidays. On Saturdays the office shall be closed to the public at 12 noon, and on Sundays and holidays the Court shall be closed all day.

Provided that when the clerk has to attend more offices than one, he shall keep his office open on such days and hours as the Warden from time to time appoints.

89. A notice of the office hours shall be kept posted in some conspicuous place in and outside the office.

Holidays.

90. The following days shall be holidays in the Warden's Court and the office thereof, that is to say: the days from Good Friday to Easter Tuesday (inclusive); the days from Christmas Eve to 3rd January (inclusive); the birthday of the reigning Sovereign; the birthday of the Prince of Wales; and in each district the anniversary of the foundation of its province.

Minute-book, Complaint-book, and Record-book.

91. The clerk shall keep a book, to be known as the minute-book, in which shall be entered minutes of all interlocutory proceedings and of all temporary appointments, whether of officers pursuant to the Mining Act, or of office-days or hours pursuant to these regulations. He shall also keep a complaint-book in the form numbered 44 and a record-book in the form numbered 45 in the Fifth Schedule hereto, wherein he shall enter the particulars therein specified.

92. The forms numbered 46 to 67 in the Fifth Schedule hereto shall be the forms for use in respect of proceedings in the Warden's Court, or of documents to be filed or lodged therein; and if for any such proceeding there is no form prescribed, the Warden may prescribe the form to be used.

Fees.

93. The fees specified in the Sixth Schedule hereto shall be payable in respect of the matter therein mentioned, and the allowances to witnesses in proceedings in the Warden's Court or before the Warden in his administrative capacity shall be those specified in the same Schedule.

DEVELOPMENT OF THE MINING INDUSTRY.

Aid to prospecting Deep Levels.

94. With respect to the assistance which may be given by the Minister towards prospecting deep levels, the following provisions shall apply:—

- (1.) A "deep level" to prospect quartz lodes shall mean prospecting operations undertaken to prospect auriferous lodes down to a depth of not less than 1,000 ft. below the level of the natural surface of the ground, or such less depth—in no case being less than 750 ft.—as in special circumstances the Minister approves.
- (2.) A "deep level" in alluvial drift shall mean prospecting operations undertaken to prospect alluvial drifts at a depth of not less than 250 ft. below the natural surface of the ground, where it is necessary to erect pumping machinery to lift not less than 250 gallons of water per minute.
- (3.) The number of deep levels for the prospecting whereof assistance may be granted shall be confined to three mining districts—namely, one in the North Island, one in the west of the Middle Island, and one in Otago; and not more than one deep level shall be assisted in any such district at one time.
- (4.) Any person desirous of obtaining assistance for prospecting deep levels shall make application in writing to the Minister, stating the locality and nature of the work proposed to be done.
- (5.) The application shall be accompanied by a plan of the site of the intended prospecting operations, and a statement in detail showing (a) the mode in which it is proposed to carry on such operations; (b) the amount of money proposed to be expended; (c) the character and value of the machinery proposed to be erected; and (d) the total amount of assistance required. Should mining operations have been previously carried on in the ground proposed to be prospected at deep levels, the applicant shall also state (e) the amount of money already expended on such operations; (f) the character and value of the machinery already erected on the ground; and (g) the quantity and value of the gold extracted from the mine up to the date of application.
- (6.) Before any application is granted the applicant must satisfy the Minister that the applicant's proportion of the total amount proposed to be expended is available; and upon being so satisfied the Minister shall, if he deem it advisable, obtain a joint report of two or more qualified officers of the public service as to the probability of the operations proving successful, and that the proposed site is in the best locality for testing the deep levels in the district.
- (7.) The Minister may grant assistance not exceeding one-half the total estimated cost of the proposed operations, or he may decline to grant any assistance.
- (8.) Progress payments on account of assistance will be made from time to time as the work proceeds, on the certificate of an Inspector of Mines.

Use of Diamond Drills.

95. In further aid of prospecting the Minister may lend diamond drills for use for boring operations, and for that purpose the following provisions shall apply:—

- (1.) Every application for the use of a diamond drill and its appliances shall be made in writing to the Minister, showing for what purpose the same are required, and shall contain an undertaking on the part of the applicants, to the satisfaction of the Minister, to make good all damage to the drill and appliances, and all losses of diamonds, to keep the drill and appliances in good order and condition, and to return them to the Mines Department in a perfect state of repair whenever required by the Minister so to do.

If the application is approved by the Minister, the drill and appliances shall be handed over to the applicants, who shall undertake the removal thereof, and also the careful supervision of the boring operations.

- (3.) A diamond drill shall not be worked except under the direct charge and supervision of a competent foreman holding an engine-driver's certificate.
- (4.) Such foreman shall be paid by the applicants, but shall be approved by and be under the control of the Minister, who may remove or dismiss him if in the Minister's opinion he works the drill or appliances in an improper manner, or is guilty of any misconduct in the performance of his duties, or his services are no longer required.
- (5.) The applicants shall defray the cost of all necessary renewals and repairs and of the working and removal of the drill and appliances.
- (6.) The Minister may allow the use of the drill and appliances free of rent, charges, &c., and may subsidise the persons employing the same in connection with prospecting for gold at deep levels to the extent of one-half the necessary expenses of renewals, repairs, and working, so long as the drill is employed in prospecting operations and not used for working a mine at a profit; but the cost of all necessary tubing shall be borne entirely by the persons using the drill.
- (7.) The amount of subsidy shall be based on approved vouchers of expenditure, and any claims for such expenditure may be amended or may be rejected if they appear to the Minister to be excessive or unreasonable.
- (8.) The payment of subsidy up to the amount of £100 shall be deferred and the money be retained by the Minister until the drill and appliances are returned to the Mines Department, and any portion of the amount so retained shall, on the order of the Minister, be applied in making good any damage to or deficiency in the drill and appliances, and in defraying any expense incurred by the department through any breaches of the conditions on the part of the persons using the drill.
- (9.) The drill and appliances shall at all times be subject to the inspection and supervision of an Inspector of Mines, or any other qualified person the Minister may appoint, and boring operations shall be suspended or absolutely discontinued, and the drill and appliances shall be removed from the control of the persons using the same, at any time on the order of the Minister.

Subsidies for Water-races and Storage Reservoirs.

96. Assistance by way of subsidy may be granted by the Minister towards the construction of water-races or storage reservoirs, and for that purpose the following provisions shall apply:—

- (1.) Every application for assistance towards the construction of a water-race or storage reservoir shall be made to the Minister in writing, and shall be accompanied with detailed plans and longitudinal and cross sections of the ground where it is proposed to construct the race or reservoir, together with the dimensions of the channels, the length of tunnels, open ditching, and fluming, and other detailed particulars of the proposed work, and a statement in detail of the cost of the proposed work.
- (2.) The application shall also be accompanied with a statement showing the source of supply from which it is proposed to take the water, the area and estimated depth of proved auriferous ground that the proposed work would command, the number of miners actually engaged in carrying on mining operations within such area, and the extra number of miners that could be profitably employed if the proposed works were constructed.
- (3.) On receipt of such application, plans, and statements the Minister shall cause an examination to be made and a report furnished to him by a qualified officer of the public service as to the extent and character of auriferous ground which the proposed work would be likely to command, the extent to which it would be for the benefit of the majority of the miners in the locality, and generally as to its utility.
- (4.) After receiving such report, and upon being satisfied that the proposed work will be for the benefit of the majority of the miners in the locality, and also that the applicant's proportion of the cost is available, the Minister may grant a subsidy towards the proposed work not exceeding one-third the total cost of construction, or he may refuse to grant any subsidy.
- (5.) No assistance shall be given in the case of a water-race if the carrying-capacity is less than twenty

sluice-heads of water, nor in the case of a storage reservoir if its storage-capacity is less than 20,000,000 cubic feet of water.

- (6.) Before any assistance is granted towards the construction of any water-race or storage reservoir the rates to be charged for water therefrom shall be submitted to and approved by the Minister.

Subsidies to Local Authorities or Miners' Associations in aid of Prospecting.

97. In the cases, to the extent, and subject to the conditions hereinafter set forth, the Minister may grant subsidies not exceeding pound for pound in respect of moneys expended by any local authority (being a County Council or, where "The Counties Act, 1886," is not in operation, a Road Board) or any miners' association in assisting prospecting operations; and with respect to every such subsidy the following provisions shall apply:—

- (1.) The local authority or miners' association desiring the subsidy shall make application to the Minister, setting forth in detail its proposed scheme of assistance.
- (2.) The total amount payable by the Minister in respect of subsidy in any one year shall not exceed, in the case of a County Council or a miners' association, £300, and in the case of a Road Board £200, and in no case shall any subsidy be payable unless the scheme of assistance is approved by the Minister and is in accordance with these regulations.
- (3.) The scheme of assistance may comprise the purchase of boring appliances for use in prospecting operations, or the payment of money to parties of prospectors under the hereinafter-mentioned Classes I. or II.
- (4.) Under Class I. a subsidy at a rate not exceeding 10s. per week per man may be paid by the Minister in respect of not more than one party of two or three men whilst prospecting in new ground: Provided that, except where the prospecting operation consist of trenching for lodes or reefs, no subsidy shall be payable unless such new ground is distant at least three miles from any place where within the preceding six months more than ten men have been prospecting or mining.
- (5.) Under Class II. a subsidy at the rates and in the cases next hereinafter mentioned may be paid by the Minister in respect of not more than one party of two or three men whilst prospecting partially worked and prospected ground within reasonably easy access of road-communication.
- (6.) Such rates and cases are as follow:—

(a.) For sinking in dry ground, the shaft being not less than 5 ft. by 3 ft.,—

	s.	d.
From surface to 15 ft.	0	6
From 15 ft. to 60 ft.	1	6
Over 60 ft.	2	0

(b.) For sinking in wet ground where slabbing is necessary, the shaft being not less than 5 ft. by 3 ft.,—

Double the foregoing rate.

(c.) For prospecting for dredging purposes by sinking shaft in bed of stream—

Double the rate under (b).

(d.) For tunnelling and driving through drift or blue-reef, the tunnel or drive being not less than 5 ft. by 3 ft.,—

	s.	d.
Up to 300 ft.	0	9
From 300 ft. to 700 ft.	1	9
From 700 ft. to 1,000 ft.	2	3
Over 1,000 ft.	3	0

(e.) For tunnelling or driving through hard rock where blasting is necessary, the tunnel or drive being not less than 5 ft. by 3 ft.,—

For the whole distance 3s. per foot.

98. In no case shall any party of prospectors be entitled to assistance from the local authority or association, nor shall any subsidy in respect thereof be payable by the Minister, unless the following conditions are duly complied with:—

- (1.) The party must apply in writing to the local authority or association for assistance.
- (2.) The application must set out the name and address of each member of the party, the class of the prospecting, and the locality in which it is to be done.
- (3.) The application must be approved both by the Minister and the local authority or association.
- (4.) The prospecting party shall send to the local authority or association a monthly report setting forth in detail the value and extent of the work done during the month, and the amount earned by the party.

- (5.) The work shall be inspected from time to time by a person appointed in that behalf by the local authority or association, and no payment shall be made to the party by the authority or association, nor by the Minister to the authority or association, unless and until the person so appointed has examined the work and certified that it has been satisfactorily performed, and that the amount to be paid has been properly earned.

- (6.) The subsidy may be discontinued by the Minister on one month's notice to the authority or association, and in such case the assistance to the party may be discontinued by the authority or association on notice expiring simultaneously with the Minister's notice.

- (7.) Irrespective of the foregoing provision for discontinuance, the authority or association may discontinue its assistance at any time on one month's notice.

99. (1.) Where the subsidy has been paid by the Minister in aid of the purchase of boring appliances, the appliances shall not be lent or sold by the authority or association except with the previous consent of the Minister, and in case of sale a duly proportionate part of the proceeds (having regard to the total cost and the amount of the subsidy) shall be refunded to the Minister on behalf of Her Majesty, and the sum so refunded shall be paid into the Public Account as part of the Consolidated Fund.

(2.) In every case where any subsidy has been paid by the Minister in respect of the construction of any shaft, tunnel, or adit-level, the Warden may, upon such terms and conditions as he thinks equitable, grant to any person being the lawful holder of any claim adjacent thereto the right to use the same for the purpose of working the claim.

MISCELLANEOUS.

As to Compensation.

100. Except in the cases where under the Mining Act or these regulations specific provision is otherwise made as to the mode of assessing compensation, all compensation payable thereunder shall be assessed in such manner as is agreed on by the parties concerned, or, failing agreement, then by arbitration.

101. If within seven days after being requested by the Warden so to do either of the parties referred to in subsection (5) of section 99 of the Mining Act fails to appoint an assessor as provided by that subsection, then the Warden shall appoint an assessor in his stead.

Statistics.

102. Every holder of a claim shall during the months of April and October in each year forward to the Inspector a return in the form numbered 34 in the First Schedule hereto, under the hand of the holder or manager of the claim, setting forth in respect of such claim the particulars therein mentioned for the half-year ending at the last day of the preceding month.

103. Every bank, by some responsible officer thereof, and every gold-buyer other than a bank, shall, during the months of April and October in each year, forward to the Inspector a return in the form numbered 35 in the First Schedule hereto, under the hand of such officer or buyer, setting forth the particulars therein mentioned for the half-year ending on the last day of the preceding month.

As to Statutory Protection of Mining Privileges.

104. The provisions of section 133 of the Mining Act relating to protection without application shall apply only within the Middle Island or Stewart Island, and in cases only where the land is situate at an altitude of not less than 3,000 ft. above the sea-level; and the period of protection shall in every case be the period elapsing between the 1st day of May and the last day of October in the year:

Provided that the Warden may from time to time prescribe such lower altitude (being in no case less than 2,000 ft.) and such shorter period (between the aforesaid dates) as he thinks fit, having regard to the locality of the land and the normal snow-level. Such prescription may be either generally as to any specified locality, or specifically as to any specific mining privileges, and may be made either by person, motion, or on summary application, and shall be deemed to be sufficiently notified by publication in the *Gazette*.

Fees, &c.

105. Subject to the specific provision of the Mining Act or these regulations relating to specific fees, the following fees shall be payable in respect of the matters mentioned, that is to say:—

- Application-fee in respect of every application to the Warden filed in the office of the Registrar: 2s.
- License-fee for ordinary claim: An annual fee of 5s.
- License-fee for mining privilege in respect of water: An annual-fee of 5s., together with an additional

annual fee of 1s. for each head of water authorised to be diverted under the license.
License-fee for special site: An annual fee of 2s. 6d. for every acre or portion of an acre of the land comprised in the license; the fee being, however, in no case less than 5s.

License-fees not elsewhere specified: An annual fee of 5s.

Certificate of protection: Where the period does not exceed fourteen days, 1s.; in any other case, 5s.

106. The license-fees specified in the last preceding clause hereof, as also the license-fees payable in respect of residence-site licenses and business-site licenses, shall be payable in advance by the following instalments, that is to say:—

The first instalment (being for the period elapsing between the date of the license and the last day of June or December next following such date) shall be due and payable on the date of the license, and shall be paid before the issue thereof, out of the moneys deposited with the Receiver, as provided by subclause (5) of clause 23 hereof.

The subsequent instalments shall be due and payable annually in advance, computed from the last day of June [or December] next following the date of the license.

Forms.

107. The forms of licenses set forth in the First Schedule and numbered 36 to 42 hereto, and the form of certificate of protection numbered 43 in the same Schedule, may be used for the purposes of these regulations in as far as the same are applicable.

The forms in the respective Schedules hereto may be modified or adapted as the circumstances of the case require, and in any case where no suitable form appears in the Schedules the Warden may prescribe.

SCHEDULES.

FIRST SCHEDULE.

Form 1 (Reg. 2).

Under "The Mining Act, 1898."

MINER'S RIGHT.

<p>[Block to be retained by the officer.]</p> <p>MINER'S RIGHT, N.Z.</p> <p>Not extending to Native ceded land.</p> <p>No.</p> <p>District and place of issue:</p> <p>To whom issued:</p> <p>of</p> <p>Date of issue:</p> <p>Date of expiry:</p> <p>Fee paid: 10s.</p> <p>Initials and designation of officer by whom issued:</p>	<p>[To be issued to the holder.]</p> <p>MINER'S RIGHT, NEW ZEALAND.</p> <p>Not extending to Native ceded land.</p> <p>No.</p> <p>District:</p> <p>To whom issued: [Full name], of [Address].</p> <p>Date of issue: day of</p> <p>Date of expiry:</p> <p>Fee paid: 10s.</p> <p>Dated and issued at this day of</p> <p>1</p> <p>.....</p> <p>Warden [or other designation of officer].</p>
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Form 2 (Reg. 2).

Under "The Mining Act, 1898."

CONSOLIDATED MINER'S RIGHT.

<p>[Block.]</p> <p>CONSOLIDATED MINER'S RIGHT.</p> <p>Not extending to Native ceded land.</p> <p>No.</p> <p>District and place of issue:</p> <p>To whom issued:</p> <p>of [State whether as beneficial or nominated holder, and in the latter case state full name or style of beneficial holder, and in the case of a mining partnership the full name of every member thereof at the date of issue].</p> <p>Date of issue:</p> <p>Date of expiry:</p> <p>Number of rights comprised:</p> <p>Fee paid:</p> <p>Initials and designation of officer by whom issued:</p>	<p>CONSOLIDATED MINER'S RIGHT, NEW ZEALAND.</p> <p>Not extending to Native ceded land.</p> <p>No.</p> <p>District:</p> <p>To whom issued: of [State, &c., as in block].</p> <p>Date of issue:</p> <p>Date of expiry:</p> <p>Number of miners' rights comprised herein:</p> <p>Fee paid:</p> <p>Dated and issued at this day of</p> <p>1</p> <p>.....</p> <p>Warden [or other designation of officer].</p>
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Form 3 (Reg. 2).

Under "The Mining Act, 1898."

MINER'S RIGHT.

<p>[Block to be retained by the officer.]</p> <p>MINER'S RIGHT, N.Z.</p> <p>Extending to Native ceded land.</p> <p>No.</p> <p>District and place of issue:</p> <p>To whom issued:</p> <p>of</p> <p>Date of issue:</p> <p>Date of expiry:</p> <p>Block of Native ceded land to which the right extends:</p> <p>Fee paid:</p> <p>Initials and designation of officer by whom issued:</p>	<p>[To be issued to the holder.]</p> <p>MINER'S RIGHT, NEW ZEALAND.</p> <p>Extending to block of Native ceded land.</p> <p>No.</p> <p>District:</p> <p>To whom issued: [Full name], of [Address].</p> <p>Date of issue: day of</p> <p>Date of expiry:</p> <p>Block of Native ceded land to which this miner's right extends:</p> <p>Fee paid:</p> <p>Dated and issued at this day of</p> <p>1</p> <p>.....</p> <p>Warden [or other designation of officer].</p>
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Form 4 (Reg. 2).

Under "The Mining Act, 1898."

CONSOLIDATED MINER'S RIGHT.

<p>[Block.]</p> <p>CONSOLIDATED MINER'S RIGHT.</p> <p>Extending to Native ceded land.</p> <p>No.</p> <p>District and place of issue:</p> <p>To whom issued:</p> <p>of [State whether as beneficial or nominated holder, and in the latter case state full name or style of beneficial holder, and in the case of a mining partnership the full name of every member thereof at the date of issue].</p> <p>Date of issue:</p> <p>Date of expiry:</p> <p>Block of Native ceded land to which the right extends:</p> <p>Number of rights comprised:</p> <p>Fee paid:</p> <p>Initials and designation of officer by whom issued:</p>	<p>CONSOLIDATED MINER'S RIGHT, NEW ZEALAND.</p> <p>Extending to block of Native ceded land.</p> <p>No.</p> <p>District:</p> <p>To whom issued: of [State, &c., as in block].</p> <p>Date of issue:</p> <p>Date of expiry:</p> <p>Block of Native ceded land to which this right extends:</p> <p>Number of miners' rights comprised herein:</p> <p>Fee paid:</p> <p>Dated and issued at this day of</p> <p>1</p> <p>.....</p> <p>Warden [or other designation of officer].</p>
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Form 5 (Reg. 6).

Under "The Mining Act, 1898."

APPLICATION FOR PROSPECTING WARRANT IN RESPECT OF NATIVE LAND.

To the Minister of Mines.

PURSUANT to "The Mining Act, 1898," I, [Full name, occupation, and address], hereby make application to His Excellency the Governor for a prospecting warrant in respect of the following block [or blocks] of Native land, a rough sketch-plan whereof is annexed hereto or marked hereon.

[Here specify and identify each block with reasonable particularity by reference to its area, situation, and ownership, and affix plan.]

And I herewith forward the sum of £3 to abide the disposal of this application.

Date and number of miner's right:

Address for service:

Signature of applicant:
A.B.
[Or, as the case may be,
A.B.
(by his Solicitor or Registered Agent,
C.D.).]

Form 6 (Reg. 6).

Under "The Mining Act, 1898."

APPLICATION FOR ORDINARY PROSPECTING LICENSE OR TUNNEL PROSPECTING LICENSE IN RESPECT OF NATIVE LAND.

[As in Form 5, with the requisite modifications, adding a statement that the land has been duly marked out, and speci-

fyng in the case of a tunnel license the estimated length, position, and proposed course of the tunnel.
The sum to be forwarded is £5 in lieu of £3.]

Form 7 (Reg. 6).

Under "The Mining Act, 1898."

APPLICATION FOR PROSPECTING WARRANT OR LICENSE IN RESPECT OF OTHER THAN NATIVE LAND.

To the Warden of the Mining District at
[As in Forms 5 or 6, with all requisite modifications, omitting the reference to money.]

Form 8 (Reg. 6).

PROSPECTING WARRANT IN RESPECT OF NATIVE LAND.

PURSUANT to the provisions of "The Mining Act, 1898," His Excellency the Governor of the Colony of New Zealand hereby grants to [Full name, occupation, and address] this prospecting warrant, by virtue whereof there is hereby conferred upon him, whilst the warrant continues in force, a non-exclusive right to enter upon and prospect for gold and any other metal or mineral in and over all that parcel of Native land [Here describe the land].

The term of this warrant is one year, commencing from the date hereof, and the warrant is granted subject to the provisions of the aforesaid Act and the regulations thereunder.

In witness whereof the Minister of Mines, for and on behalf of His Excellency the Governor, hath hereunto signed his name, this day of 1, Minister of Mines.

Form 9 (Reg. 6).

PROSPECTING WARRANT IN RESPECT OF LAND OTHER THAN NATIVE LAND.

PURSUANT to "The Mining Act, 1898," I, the undersigned, a Warden of the Mining District, do hereby grant to this prospecting warrant, conferring upon him the non-exclusive right to enter and prospect for gold and any other metal or mineral on the land specified in the Schedule hereto, for a term of one year, commencing from the date hereof, subject to the provisions of the aforesaid Act and the regulations thereunder.

In witness whereof I have hereunto signed my name, and affixed the seal of the Warden's Court at this day of 1, Warden.

SCHEDULE.

[Describe and identify the land with reasonable particularity by reference to its area, situation, and ownership.]

Form 10 (Reg. 6).

ORDINARY PROSPECTING LICENSE IN RESPECT OF NATIVE LAND.

PURSUANT to "The Mining Act, 1898," His Excellency the Governor of the Colony of New Zealand hereby grants to [Names in full of licensees] this ordinary prospecting license, conferring upon the licensee the exclusive right to enter and prospect for gold and any other metal or mineral on the Native land specified in the Schedule hereto, for a term of one year commencing from the date hereof, subject to the provisions of the aforesaid Act and the regulations thereunder.

In witness whereof the Minister of Mines, for and on behalf of His Excellency the Governor, hath hereunto signed his name, this day of 1, Minister of Mines.

SCHEDULE.

[Describe and identify the land with reasonable particularity by reference to its area, situation, and ownership.]

Form 11 (Reg. 6).

ORDINARY PROSPECTING LICENSE IN RESPECT OF LAND OTHER THAN NATIVE LAND.

PURSUANT to "The Mining Act, 1898," I, the undersigned, a Warden of the Mining District, do hereby grant to this ordinary prospecting license, conferring upon him the exclusive right to enter and prospect for gold and any other metal or mineral on the land specified in the Schedule hereto [&c., as in Form 9].

Form 12 (Reg. 6).

TUNNEL PROSPECTING LICENSE IN RESPECT OF NATIVE LAND.

PURSUANT to "The Mining Act, 1898," His Excellency the Governor of the Colony of New Zealand hereby grants to this tunnel prospecting license, conferring upon him the exclusive right to enter and prospect for gold or any other metal or mineral on the Native land specified in the Schedule hereto, for a term of two years commencing from the date hereof, subject to the provisions for renewal and other the provisions of the aforesaid Act and the regulations thereunder.

The license-fee of £ is payable annually in advance whilst the license or its renewal continues in force.
In witness whereof the Minister of Mines [&c., as in Form 10].

Form 13 (Reg. 6).

TUNNEL PROSPECTING LICENSE IN RESPECT OF LAND OTHER THAN NATIVE LAND.

PURSUANT to "The Mining Act, 1898," I, the undersigned, a Warden of the Mining District, do hereby grant to this tunnel prospecting license, conferring upon him the exclusive right to enter and prospect for gold and any other metal or mineral on the land specified in the Schedule hereto, for a term of two years from the date hereof, subject [&c., as in Form 12].

In witness whereof [&c., as in Form 9].

Form 14 (Reg. 23).

Under "The Mining Act, 1898."

APPLICATION FOR A MINING PRIVILEGE IN RESPECT OF LAND.

To the Warden of the Mining District, at TAKE notice that, pursuant to "The Mining Act, 1898," and regulations thereunder, I, [Full name, occupation, and address], have duly marked out the piece of land described in the Schedule hereto (rough sketch-plan whereof is lodged herewith), and intend to make application for the issue to me of a license in respect thereof for a [Here state nature of privilege—e.g., special dredging claim, ordinary quartz claim, extended river claim, special site, residence site, sawmill area, or otherwise, as the case may be], particulars whereof are set forth in the said Schedule. And I hereby declare as follows:—

- (a.) That all conditions precedent to the grant of the application have happened or been duly complied with.
- (b.) That the grant of the application will not prejudicially affect the rights of any other person.
- (c.) That I verily believe I am entitled to the grant of the application.
- (d.) That I desire the license to be for a term of years, but so nevertheless as to expire on the 31st day of December.

[In the case only of applications for business, residence, or special sites: (e.) That I am not aware that the site in respect of which application is made is or is likely to be required for mining purposes, or that the grant of the application would interfere prejudicially with mining operations.]

The address for service is,

Dated this day of 1,

Signature of applicant:

A.B.

[Or, as the case may be,

A.B.

(by his Solicitor or Registered Agent, C.D.)]

Date and number of miner's right:

THE SCHEDULE ABOVE REFERRED TO.

All that parcel of land, containing by estimation acres (more or less), situate [Here state approximately, but with sufficient particularity to admit of easy identification, the situation, locality, measurements, and boundaries of the land applied for].

Particulars of mining privilege: [In the case of a tunnel or tramway, set out its approximate starting and terminal points, course, and length; in the case of a claim, the proposed mode of working; and in any other case, such particulars (if any) as are reasonably necessary in order to indicate the nature of the proposed work].

The foregoing application was filed in the office of the Mining Registrar at , on day, the day of 1, at o'clock [Thus: 10.15 o'clock] in the noon.

Dated at , this day of 1,

, Mining Registrar
[or other officer receiving the application].

The foregoing application, and all objections thereto, will be heard by the Warden at the Courthouse, on day, the day of 1, at o'clock in the noon. Any person desirous of objecting must, at least two days before the day so appointed for hearing, enter his objection, and give notice thereof in the prescribed manner.

Dated at , this day of 1,

, Mining Registrar.

Form 15 (Reg. 23).

Under "The Mining Act, 1898."

APPLICATION FOR A MINING PRIVILEGE IN RESPECT OF WATER.

To the Warden of the Mining District, at
 TAKE notice that, pursuant to "The Mining Act, 1898," and regulations thereunder, I, A.B. [Full name, occupation, and address], have this day duly marked out the piece of land described in the Schedule hereto (rough sketch-plan whereof is lodged herewith), and intend to make application for the issue to me of a license in respect thereof for a [Here state nature of privilege applied for—e.g., water-race, dam, tail-race, or otherwise, as the case may be], particulars whereof are set forth in the said Schedule. And I hereby declare as follows:—

[Here insert paragraphs (a), (b), (c), and (d), as in Form 14.]
 Dated this day of 1

[Signature of applicant, &c., as in Form 14.]

THE SCHEDULE ABOVE REFERRED TO.

Land: [Describe land by situation and locality, with sufficient particularity to admit of easy identification, giving, in the case of private or occupied lands, the name of each owner or occupier so far as known].

Particulars of mining privilege [In the case of a race set out the following particulars]:—

- (a.) Its approximate point of intake, terminal point, and intended course;
- (b.) Its approximate length, and average depth and breadth;
- (c.) The estimated time and cost of its construction;
- (d.) If water is applied for, the number of heads it is proposed to divert, and the watercourse the water is proposed to be diverted from;
- (e.) The purpose or purposes for which the race is intended to be used.

[In the case of a dam set out the following particulars:—]

- (a.) Length and greatest height, and breadth of base of dam-wall;
- (b.) Length and width of water area of dam;
- (c.) Estimated time and cost of construction;
- (d.) The purpose or purposes for which the dam will be used.

The address for service is,

The foregoing application, &c. [as in Form 14].

Form 16 (Reg. 23).

Under "The Mining Act, 1898."

APPLICATION TO SURRENDER MINING PRIVILEGE ABSOLUTELY.

To the Warden of the Mining District, at
 I, A.B. [Full name of applicant], of [Residence and occupation], being the holder of the mining privileges specified in the Schedule hereto, do hereby apply to surrender the same absolutely, and not for the purpose of exchange. And I hereby declare as follows:—

[As in paragraphs (a), (b), and (c) in Form 14.]
 Dated this day of 1

THE SCHEDULE ABOVE REFERRED TO.

Name of Privilege.	Its Situation or Locality.	Existing Instruments of Title, with Dates and Numbers.	Whether Instruments are produced or not.

The address for service is,

Signature of applicant:
 A.B.
 [Or, as the case may be,
 A.B.
 (by his Solicitor or Registered Agent,
 C.D.)]

The foregoing application, &c. [as in Form 14].

Form 17 (Reg. 23).

APPLICATION TO SURRENDER MINING PRIVILEGES FOR PURPOSES OF EXCHANGE FOR TITLE UNDER "THE MINING ACT, 1898."

To the Warden of the Mining District, at
 I, A.B. [Full name of applicant], of [Residence and occupation], being the holder of the mining privileges specified in the Schedule hereto, do hereby apply to surrender the same,

and to obtain in substitution therefor licenses for corresponding mining privileges under "The Mining Act, 1898"; and I declare as follows:—

[Here set out paragraphs (a), (b), (c), and (d) in Form 14.]

The address for service is,

Dated this day of 1

THE SCHEDULE ABOVE REFERRED TO.

Name of Mining Privilege proposed to be surrendered.	Situation of Same.	Existing Instruments of Title, with Dates and Numbers.	Whether Instruments are produced or not.	Time from which Priority is claimed.

Signature of applicant:

A.B.
 [Or, as the case may be,
 A.B.
 (by his Solicitor or Registered Agent,
 C.D.)]

The foregoing application, &c. [as in Form 14].

Form 18 (Reg.

Under "The Mining Act, 1898,"

APPLICATION FOR AMALGAMATION OF CLAIMS.

To the Warden of the Mining District, at
 TAKE notice that I, A.B. [Name of applicant], of [Residence and occupation], being the holder of the claims described in the Schedule hereto, and being desirous facilitating the working thereof, and simplifying the titles thereto, do hereby make application for the amalgamation thereof into one claim. And I hereby declare as follows:—

[Here set out paragraphs (a), (b), (c), and (d) in Form 14.]

The address for service is,

Dated this day of 1

Signature of applicant:

A.B.
 [Or, as the case may be,
 A.B.
 (by his Solicitor or Registered Agent,
 C.D.)]

Claims proposed to be amalgamated.	Number and Dates of Licenses or Certificates therefor.	Area of each Claim.	Amount expended on each Claim.	Remarks.

The foregoing application, &c. [as in Form 14].

Form 19 (Reg. 23).

Under "The Mining Act, 1898."

APPLICATION FOR CERTIFICATE OF PROTECTION OF A MINING PRIVILEGE.

To the Warden of the Mining District, at
 TAKE notice that, pursuant to "The Mining Act, 1898," I, [Name in full], of [Residence and occupation], desire to obtain a protection certificate for the period of in respect of the mining privileges particulars whereof are set out in the Schedule hereto. And I hereby declare as follows:—

[Here set out paragraphs (a), (b), and (c), as in Form 14.]

The address for service is,

Dated at this day of 1

Signature of applicant:

A.B.
 [Or, as the case may be,
 A.B.
 (by his Solicitor or Registered Agent,
 C.D.)]

THE SCHEDULE ABOVE REFERRED TO.

Registered Number and Date of License for Privilege in respect of which Protection is asked.	Nature of Privilege.	Date at which Occupation commenced.	Whether Privilege has or has not been used; and if so, during what time.	Whether the Privilege has or has not been protected before.	Cause for which Protection is required.

The above application, &c. [as in Form 14].

Form 20 (Reg. 23).

Under "The Mining Act, 1898."

OBJECTION BY AN OBJECTOR.

In the matter of an application numbered _____ in the Application Record-book, at _____, for a [Here state nature of application to which objection is made].

I, A.B. [Name in full], of [Residence and occupation], do hereby give notice that I intend to object to the granting of the above-described application, and the following are the grounds of my objection, namely,—

[Here set out grounds of objection clearly, concisely, and in consecutive paragraphs.]

The address for service is _____

Dated at _____, this _____ day of _____, 1 _____

Signature of applicant: _____

A.B.

[Or, as the case may be,

A.B.

(by his Solicitor or Registered Agent, C.D.)]

Form 21 (Reg. 23).

Under "The Mining Act, 1898."

DECLARATION TO ACCOMPANY APPLICATION TO SURRENDER, WHETHER ABSOLUTELY OR FOR PURPOSES OF EXCHANGE, WHERE ALL OR ANY OF THE INSTRUMENTS OF TITLE ARE LOST.

In the matter of an application by _____ to surrender certain mining privileges, which application is numbered _____ in the Application Record-book at _____, in the _____ Mining District.

I, A.B. [Full name], of [Occupation and address], do hereby solemnly and sincerely declare as follows:—

- (1.) That I am the applicant [or one of the applicants] named in the above-described application.
- (2.) That I have made diligent search for such of the instruments of title referred to in the said application as are described in the Schedule hereto, but cannot find the same, and believe the same to be irrecoverably lost.
- (3.) That the said instruments have not been lodged or deposited with any person for purpose of security for money or otherwise.

And I make this solemn declaration, conscientiously believing the same, under and by virtue of "The Justices of the Peace Act, 1882."

THE SCHEDULE ABOVE REFERRED TO.

[Set out date and nature of each instrument of title.]

Declared at _____, this _____ day of _____, 1 _____, before me— _____, a Justice of the Peace for the Colony of New Zealand [or as the case may be].

Form 22 (Reg. 23).

Under "The Mining Act, 1898."

DECLARATION WHERE APPLICANT DOES NOT DESIRE TO APPEAR.

In the matter of an application numbered _____ in the Application Record-book at _____, for [State subject-matter of application].

I, _____, of _____, do hereby solemnly and sincerely declare as follows:—

1. That I am the applicant [or one of the applicants] named in the above-described application.
2. That all the statements contained in the said application are true.
3. That all prescribed provisions as to marking out the ground referred to in the said application, serving notices on all persons affected, and otherwise, have been duly observed, in so far as is required by law.

4. That the ground applied for, and referred to in the said application, does not cross any road or street.

5. That the applicant named in the said application believes himself [or believe themselves] to be entitled to the grant of the said application, and knows [or know] of no valid objection thereto.

6. That, so far as I am [or the said applicants are] aware, no public or private rights will be prejudicially affected by the grant of the said application.

7. [Here set out such other facts as may be necessary.]

And I make this solemn declaration conscientiously believing the same to be true, under and by virtue of the provisions of an Act of the General Assembly of New Zealand intituled "The Justices of the Peace Act, 1882."

Declared at _____, this _____ day of _____, 1 _____, before me— _____, a Justice of the Peace for the Colony of New Zealand [or as the case may be].

Form 23 (Reg. 45).

Under "The Mining Act, 1898."

CERTIFICATE OF RESERVATION OF TIMBER AREA.

THIS is to certify that, pursuant to application in this behalf, and the provisions of "The Mining Act, 1898," I have this day reserved the area of land described in the Schedule hereto as a timber area for _____, as the holder of sawmill license registered at _____ as No. _____, subject to the provisions of the aforesaid Act and the regulations thereunder.

This certificate continues in force for one year from the date hereof, but may be renewed from year to year whilst the aforesaid license continues in force, but no longer. There is payable in advance in respect of this certificate, and of each annual renewal thereof, an acreage rental of £ _____, being at the rate of 1s. per acre.

As witness my hand, and the seal of the Warden's Court at _____, this _____ day of _____, 1 _____.

SCHEDULE.

[Describe land.] _____

_____, Warden.

Form 24 (Reg. 57).

Under "The Mining Act, 1898."

REGISTER OF MINING PRIVILEGES.

At _____, in the _____ Mining District. NATURE, locality, and description of mining privilege:

[E.g., Water-race: Source of supply, the Fraser River, about two miles north of the Old Man Rock; course, north-west and south-east; length, about twelve miles; average depth, 10 ft.; average breadth, 20 ft.]

Water authorised to be diverted: [Fifteen heads].

Precise time of filing application for the race: [1 p.m., 14th December, 1899].

Regd. No. of Instrument.	Instrument.	Date of Instrument.	Precise Time of presenting Instrument for Registration.	Names of Parties.	
				Grantor or Transferor.	Grantee or Transferee.

Form 25 (Reg. 63).

Under "The Mining Act, 1898."

APPLICATION TO REGISTER A MINING PRIVILEGE HELD OTHERWISE THAN UNDER LICENSE.

To the Mining Registrar of the _____ Mining District, at _____.

PURSUANT to the provisions of "The Mining Act, 1898," I, A.B. [Name in full], of [Residence and occupation], being the lawful holder of an unregistered mining privilege described in the Schedule hereto, do hereby make application to register the same, and I hereby declare as follows:—

- (a.) That I have duly observed all the provisions of the said Act relating to the said privilege, and that the title to the same is occupation under miner's right;
- (b.) That I verily believe I am entitled to a grant of this application.

The address for service is, _____

Dated this _____ day of _____, 1 _____.

Signature of applicant: _____

A.B.

[Or, as the case may be,

A.B.

(by his Solicitor or Registered Agent, C.D.)]

THE SCHEDULE ABOVE REFERRED TO.

All that piece of land held as a [Here state nature of privilege, e.g., ordinary alluvial claim, or as the case may be], containing by admeasurement [Here state area], situate [Here state approximately situation, locality, boundaries, and measurements, but with sufficient particularity to admit of easy identification], as the same is approximately delineated in the rough sketch-plan drawn hereon.

Form 26 (Reg. 68).

Under "The Mining Act, 1898."

CERTIFICATE OF REGISTRATION OF MINING PRIVILEGE HELD OTHERWISE THAN UNDER LICENSE.

PURSUANT to application in that behalf made by A.B. [Name in full] of [Residence and Occupation], the lawful holder of the mining privilege described in the Schedule hereto, I, Mining Registrar of the Mining District, at , do hereby certify that I have this day registered such mining privilege as No.

In witness whereof I have hereunto signed my name and affixed the seal of the Warden's Court of the Mining District, this day of , 1 .

THE SCHEDULE ABOVE REFERRED TO.

All that piece of land held as a [Here state nature of privilege, e.g., ordinary claim], containing by admeasurement [Here state area], situate [Here state approximately situation, locality, boundaries, and measurements, but with sufficient particularity to admit of easy identification]: as the same is approximately delineated in the rough-sketoh plan drawn hereon.

, Mining Registrar.

Form 27 (Reg. 69).

Under "The Mining Act, 1898."

APPLICATION TO REGISTER LIEN.

I, A.B. [Full name, occupation, and address], hereby make application to register a lien against the mining privileges specified in the First Schedule hereto, for £ , in respect of moneys due to me as wages-man, [or sub-contractor, or contractor, or partner, as the case may be], particulars whereof are specified in the Second Schedule hereto.

The address for service is,

ated this day of , 1 .

FIRST SCHEDULE.

[Describe the name, situation, and registered number of each mining privilege, and the name of the holder.]

SECOND SCHEDULE.

[Set out briefly but clearly the particulars of the debt, giving in the case of wages the name of the employer, the period, place, and nature of the employment, and the rate and amount of the wages, and in any other case the corresponding particulars as to names, dates, amounts, &c.]

Form 28 (Reg. 69).

Under "The Mining Act, 1898."

NOTICE BY CLERK TO OWNER OF MINING PRIVILEGE AGAINST WHICH A LIEN HAS BEEN REGISTERED.

To A.B. [Name in full], of [Residence and occupation], the holder of the mining privileges set out in the Schedule hereto.

TAKE notice that C.D. [Name in full], of [Residence and occupation], has this day registered a lien against the before-mentioned mining privileges for the sum of £ due to him as wages-man [sub-contractor, contractor, or partner, as the case may be].

THE SCHEDULE ABOVE REFERRED TO.

Reg. No. of Instrument.	Name and Locality of Privilege.
-------------------------	---------------------------------

Dated at , this day of , 1 .

, Clerk of Warden's Court.

Form 29 (Reg. 78).

NUMERICAL INDEX OF REGISTRATIONS AT THE MINING DISTRICT, IN

Registration No. on Register.	Instrument.	Mining Privilege.	Transferor.	Transferee.
1	License ..	Special claim	..	W. Green
2	Certificate of registration	Ordinary alluvial claim	..	J. Watson
&c.	Mortgage ..	Water-race ..	A. White	T. Black.
321				

Form 30 (Reg. 79).

MINING DISTRICT.

IN THE

WATER-RIGHTS INDEX-BOOK OF WATER GRANTS REGISTERED AT

Name of Stream :

Registered Number on Register.	Instrument.	Number of Heads.	Precise Time from which Priority begins.	Grantee.	Expiration.	
					How expired.	Date of Expiry.
431	License	15	2.30 p.m., 21 Jan., 1899	W. Smith	Forfeited ..	20 Dec., 1899.
2142	Certificate of registration	4	2 p.m., 22 Jan., 1900	C. White	Abandoned ..	2 Sept., 1901.
2143	License	9	2 p.m., 22 Jan., 1900	C. White		

Form 31 (Reg. 87).

Under "The Mining Act, 1898."

MACHINE LICENSE.

No. , is hereby licensed as the owner of a registered [Here describe machine or machines, 12-stamp crushing machine, a berdan, amalgamator, retort, melting-furnace, refining process, or otherwise] at [Place where machine situate] until the 31st day of December next.

Fee, 1s., paid.

Dated , 1

, Mining Registrar.

Form 32 (Reg. 87).
Under "The Mining Act, 1898,"
MACHINE REGISTER-BOOK.

Date of Receipt of Ore or Mineral Substance.	Name and Address.	Name of Mine, Claim, or Locality whence derived.	Quantity.	How operated upon.	Product.	How disposed of, and any Further Remarks.
	Of Person delivering.			By Crushing.	By Amalgamating.	
				By Retorting.		
				By Melting.		
				By Smelting.		
				By Refining.		
				By Concentrating.		
				By Retorting.	Of Retorted Gold or Silver.	
				By Melting.	Of Melted Gold or Silver.	
				By Amalgamating.	Of Other Metals (specify).	

Form 33 (Reg. 87).

Under "The Mining Act, 1898."

MONTHLY RETURN BY LICENSEE, MACHINE REGISTERED NO. _____, OF WORK DONE BY HIS MACHINES DURING THE MONTH OF _____.

	Quantity treated.					
	Tons lb. oz.	Oz.	Oz.	Oz.	Oz.	Oz.
1. Quartz or ore treated						
2. Tailings treated ..						
3. Specimens treated ..						
4. Amalgam retorted, &c.						
5. Retorted gold or silver Melted or refined ..						
6. Other metals ..						

A true return.

Dated _____, 1 _____, A.B., Licensee.

NOTE.—On lines 4 and 5 are to be entered only such amalgam or gold and silver as is not the produce of what is included under lines 1, 2, and 3 in the above return.

Form 34 (Reg. 102).

Under "The Mining Act, 1898."

HALF-YEARLY RETURN AS TO GOLD, TO BE MADE BY CLAIM-HOLDER.

To the Inspector of Mines for the _____ Mining District.
NATURE of claim [State whether alluvial, sluicing, elevating, dredging, or quartz]:

Name of claim:
Area of claim:
Name of holder:
Name of mine-manager or dredge-master:
Name and address of legal manager or secretary:
Locality of mining operations:
Number of men employed:
Description and depth of wash or cement:
Quantity of material operated on during the half-year:
Mode of treatment:
Yield of gold for the half-year: oz. dwt. gr.
Total value of gold: £
Value of gold per ounce: £
Amount paid in dividends for the half-year: £
Total amount paid in dividends since commencing work: £

C

A true return for the half-year ending the last day of March [or September].

Signature of owner or manager:

Date:

Form 35 (Reg. 103).

Under "The Mining Act, 1898."

BANK'S OR OTHER GOLD-BUYER'S HALF-YEARLY RETURN OF GOLD PURCHASED.

HALF-YEARLY return of gold purchased by [Naming the bank or other gold-buyer] at _____ for the half-year ending on the last day of March [or September], 1 _____:—

Quantity of Gold purchased.	Total Value of Gold purchased.	Average Value of Gold purchased, per Ounce.	Remarks.

A true return.

Dated at _____, this _____ day of _____, 1 _____.
[Signature of bank officer or gold-buyer.]

Form 36 (Reg. 107).

Under "The Mining Act, 1898."

LICENSE FOR [Set out class and subdivision of claim, e.g., SPECIAL DREDGING CLAIM, EXTENDED QUARTZ CLAIM, or otherwise, as the case may be].

PURSUANT to the provisions of "The Mining Act, 1898," I, the undersigned, _____, Warden of the _____ Mining District, do hereby grant to [Name in full], of [Residence and occupation], this license for [Set out class and subdivision of claim as above], in respect of the land described in the First Schedule hereto, for a term commencing on the date hereof, and expiring on the 31st day of December, 1 _____, subject to the payments specified in the Second Schedule hereto, and also to the reservations, terms, conditions, and provisions set out in the said Act or the regulations thereunder, and to such additional reservations, terms, conditions, and provisions as are specified by the Warden in the Third Schedule hereto.

In witness whereof I have hereunto subscribed my name, and affixed the seal of the Warden's Court at _____, this day of _____, 1 _____.

THE FIRST SCHEDULE ABOVE REFERRED TO.

All that area of land in the _____ Mining District, containing by admeasurement _____ acres _____ roods and _____ perches, situate [Here set out section, block, and survey district if land is surveyed; or, if unsurveyed, its situation, boundaries, and measurements], as the same is delineated in the plan drawn hereon.

THE SECOND SCHEDULE ABOVE REFERRED TO.

[In the case of an ordinary claim:]

(1.) A yearly license-fee of 5s.
(2.) All payments in respect of the aforesaid license-fee have been duly made up to the last day of June [or December] next following the date of this license, and the subsequent payments are to be made annually in advance, computed from the last day of June [or December] aforesaid.

[In the case of any other claim:]

(a.) A rental in respect of each acre or portion thereof at the rate of 2s. 6d. for the first, 5s. for the second, and 7s. 6d. for each subsequent year of the term, the amount of the rental being, for the first year _____, for the second year _____, and for each subsequent year _____.

(b.) All payments in respect of the aforesaid rent have been duly made up to the last day of June [or December] next following the date of this license, and the subsequent payments are to be made by half-yearly instalments in advance, the first half-yearly instalment being due and payable in advance on the last day of June [or December] aforesaid.

THE THIRD SCHEDULE ABOVE REFERRED TO.

[Set out additional reservations, &c., if any.]

_____, Warden.

Form 37 (Reg. 107).

Under "The Mining Act, 1898."

LICENSE FOR MINING PRIVILEGE IN RESPECT OF WATER.

1. Mining privilege for which this license is granted: e.g., Water-race, with right to divert _____ sluice-heads out of a

watercourse commonly known as _____ for purposes of [Set out purposes], [or Tail-race, Main tail-race, Dam, Drainage area, or otherwise, as the case may be].

2. Description of the mining privilege and of the land on which it is to be constructed, maintained, or used: As set forth in the First Schedule hereto.

3. Term of the license: A term commencing on the date hereof, and expiring on the 31st day of December, 1 _____.

4. Yearly license-fee payable and due dates thereof: As set forth in the Second Schedule hereto.

5. Terms, conditions, reservations, and provisions subject to which the license is granted: Those of "The Mining Act, 1898," and the regulations thereunder, and also those set forth in the Third Schedule hereto.

Pursuant to the provisions of "The Mining Act, 1898," and the regulations thereunder, I, the undersigned, _____, Warden of the _____ Mining District, do hereby grant to the above-named licensee this license for the [water-race or otherwise] as specified herein, subject as herein mentioned.

In witness whereof I have hereto subscribed my name, and affixed the seal of the Warden's Court at _____, this day of _____, 1 _____.

THE FIRST SCHEDULE ABOVE REFERRED TO.

Description of the mining privilege and of the land: [Describe land and nature of the proposed work as set forth in application, modified, however, so as to accord with the grant, adding such other particulars as are necessary, including plan.]

THE SECOND SCHEDULE ABOVE REFERRED TO.

[In the case of a water-race with right to divert water:] (1.) A yearly license-fee of _____ (being 5s. plus 1s. for each head of water authorised to be diverted).

[In any other case:] (1.) A yearly license-fee of 5s.

[In every case: Set out paragraph (2) of Second Schedule to Form 36.]

THE THIRD SCHEDULE ABOVE REFERRED TO.

[Set out additional reservation, &c., if any.]

_____, Warden.

Form 38 (Reg. 107).

Under "The Mining Act, 1898."

BUSINESS-SITE LICENSE GRANTED WITH REFERENCE TO A SPECIFIED SITE.

PURSUANT to the provisions of "The Mining Act, 1898," I, the undersigned, _____, Warden of the _____ Mining District, being of the opinion that the land described in the First Schedule hereto is not required for mining purposes, and that the grant of this license will not interfere prejudicially with mining operations, do hereby grant to A.B. [Name in full], of [Residence and occupation], this business-site license authorising him to carry on in any mining district any business other than that of mining, and for that purpose entitling him to the exclusive occupation of the surface of the land specified in the First Schedule hereto.

This license is granted for a term commencing on the date hereof, and expiring on the 31st day of December, 1 _____, subject, nevertheless, to the payment in advance of an annual license-fee of £3, in manner specified in the Second Schedule hereto, and subject also to the terms, conditions, reservations, and provisions prescribed by the said Act and the regulations thereunder, and to such additional terms, conditions, reservations, and provisions as are specified in the Third Schedule hereto.

In witness whereof I have hereunto subscribed my name, and affixed the seal of the Warden's Court at [Place], this day of _____, 1 _____.

THE FIRST SCHEDULE ABOVE REFERRED TO.

[Describe land with reasonable particularity by reference to area, situation, measurements, and plan.]

THE SECOND SCHEDULE ABOVE REFERRED TO.

[Set out paragraph (2) of Second Schedule to Form 36.]

THE THIRD SCHEDULE ABOVE REFERRED TO.

[Set out additional terms, &c., if any.]

_____, Warden.

Form 39 (Reg. 107).

Under "The Mining Act, 1898."

BUSINESS-SITE LICENSE GRANTED WITHOUT REFERENCE TO ANY SPECIAL SITE.

PURSUANT to the provisions of "The Mining Act, 1898," this business-site license is hereby granted to A.B. [Name in

full], of [Residence and occupation], authorising him to carry on in any mining district any business other than that of mining, and for that purpose entitling him to the exclusive occupation of the surface of an area of such land, not exceeding one acre, as may hereafter be specified hereon by the Warden under his hand and the seal of the Court.

This license is granted for a term commencing on the date hereof and expiring on the last day of December, 1 _____, subject nevertheless to the payment of an annual license-fee of £3, all payments in respect thereof having been duly made up to the last day of June [or December] next following the date of this license, and the subsequent payments to be made annually in advance, computed from the last day of June [or December] aforesaid, and subject also to the terms, conditions, reservations, and provisions prescribed by the said Act and the regulations thereunder.

Issued at _____, this _____ day of _____, 1 _____.

_____, Warden
[Postmaster, or other officer authorised to issue miner's rights].

Form 40 (Reg. 107).

Under "The Mining Act, 1898."

LICENSE FOR A RESIDENCE SITE.

PURSUANT to the provisions of "The Mining Act, 1898," I, the undersigned, _____, Warden of the _____ Mining District, being of the opinion that the land described in the First Schedule hereto is not required for mining purposes, and that the grant of this license will not interfere prejudicially with mining operations, do hereby grant to [Full name of licensee], of [Residence and occupation], this residence-site license in respect of the land specified in the First Schedule hereto, authorising him to reside on the said land and to use and cultivate the same as a home.

This license is granted for a term commencing on the date hereof and expiring on the thirty-first day of December, 1 _____, subject, nevertheless, to the payment in advance of an annual license-fee of [Same as fee for a miner's right], in manner specified in the Second Schedule hereto, but so that he shall not for any period during which he is the holder of a miner's right be liable to pay the said license-fee; and subject, further, to the terms, conditions, reservations, and provisions prescribed by the said Act and the regulations thereunder, and to such additional terms, conditions, reservations, and provisions as are specified in the Third Schedule hereto.

In witness whereof I have hereunto subscribed my name, and affixed the seal of the Warden's Court at _____, this day of _____, 1 _____.

THE FIRST SCHEDULE ABOVE REFERRED TO.

[Describe land as in Form 38.]

THE SECOND SCHEDULE ABOVE REFERRED TO.

[Set out paragraph (2) of Second Schedule to Form 36.]

THE THIRD SCHEDULE ABOVE REFERRED TO.

[Set out additional terms, &c., if any.]

_____, Warden.

Form 41 (Reg. 107).

Under "The Mining Act, 1898."

LICENSE FOR A SPECIAL SITE.

PURSUANT to the provisions of "The Mining Act, 1898," I, the undersigned, _____, Warden of the _____ Mining District, being of the opinion that the land described in the First Schedule hereto is not required for mining purposes, and that the grant of this license will not interfere prejudicially with mining operations, do hereby grant to [Name in full of licensee], of [Residence and occupation], this special-site license in respect of the land specified in the First Schedule hereto as [Here state whether battery-site, machine-site, site for the deposit or treatment of gold or tailings, or otherwise, as the case may be], in order to facilitate mining operations on any claim now or hereafter held by the licensee.

This license is granted for a term commencing on the date hereof, and expiring on the thirty-first day of December, 1 _____, subject, nevertheless, to the payment, in advance, of an annual license-fee of _____, in manner specified in the Second Schedule hereto, and to the terms, conditions, reservations, and provisions prescribed by the said Act and the regulations thereunder, and to such additional terms, conditions, reservations, and provisions as are specified by me, the said Warden, in the Third Schedule hereto.

In witness whereof I have hereunto subscribed my name, and affixed the seal of the Warden's Court at _____, this day of _____, 1 _____.

THE FIRST SCHEDULE ABOVE REFERRED TO.
[Describe land as in Form 38.]

THE SECOND SCHEDULE ABOVE REFERRED TO.
[Set out paragraph (2) of Second Schedule to Form 36.]

THE THIRD SCHEDULE ABOVE REFERRED TO.
[Set out additional terms, &c., if any.]

, Warden.

Form 42 (Reg. 107).

Under "The Mining Act, 1898."

MINERAL LICENSE.

PURSUANT to "The Mining Act, 1898," I, the undersigned, Warden of the Mining District, do hereby, grant to A.B. [Name of applicant], of [Residence and occupation], this mineral license, authorising the licensee to occupy the parcel of Crown land described in the First Schedule hereto for the purpose of mining for [Here specify the metal or mineral, which must be other than gold], subject to the payment of the rental and royalty as specified in the Second Schedule hereto, and subject also to the reservations, terms, conditions, and provisions set out in the said Act and in the regulations thereunder, and to the additional terms, reservations, conditions, and provisions specified in the Third Schedule hereto.

This license is granted for a term commencing on the date hereof and expiring on the last day of December, 1 .

In witness whereof I have hereunto subscribed my name, and affixed the seal of the Warden's Court at [Place], this day of , 1 .

THE FIRST SCHEDULE ABOVE REFERRED TO.

All that area of Crown land, containing by admeasurement [Set out area of land, as also its section and block of survey district, with plan, if surveyed; and its situation and description, together with an approximate sketch-plan, if measured].

THE SECOND SCHEDULE ABOVE REFERRED TO.

1. A yearly rental of (being at the rate of 2s. 6d. for every acre or fraction of an acre of the land) during the term of the license, all payments in respect thereof having been duly made up to the last day of June [or December] next following the date of the license, and the subsequent payments to be made by equal half-yearly instalments of in advance, computed from the last day of June [or December] aforesaid; and also

2. A royalty of [State rate, being not less than one-hundredth nor more than one twenty-fifth] of the value of all the specified metals and minerals raised pursuant to the license, such royalty being payable on the same days and for the same periods as the half-yearly instalments of rent; the first such payment being due on the same day as the first half-yearly instalment of rent, and being in respect of the royalty for the period elapsing between the date of this license and such day.

THE THIRD SCHEDULE ABOVE REFERRED TO.

1. On the last day of June [or December] next following the date of the license, and at half-yearly intervals thereafter during the term thereof, the licensee shall make to the Receiver of Gold Revenue at true and accurate returns of all metals and minerals during the preceding half-year raised pursuant to this license, and of the value thereof.

2. The licensee shall at all times during the currency of the license duly carry out and observe all such provisions contained in "The Mining Act, 1898," as are applicable to mineral licenses or the holders thereof.

3. The licensee, within two months of the date of this license, shall commence, and thereafter continually prosecute, mining operations on the land the subject of this license, and for that purpose shall, except as aforesaid, at all times during the first two years of the said term keep employed upon or in connection with the said land at least one man for every full area of 50 acres thereon contained, and thereafter at least two men for every such area:

Provided that the Warden may from time to time modify the operation of this clause to such extent as he deems equitable; such modification being, however, in every case made within the same limits and subject to the same conditions, *mutatis mutandis*, as in the case of a claim.

4. All the provisions of "The Mining Act, 1898," and the regulations made thereunder, for securing payment of the aforesaid rent and royalty, for insuring the regular, proper, and efficient carrying-on of mining operations on the land the subject of this license, and for the inspection of all mines and workings therein and thereon, and for the forfeiture of this license on breach of any condition to be per-

formed or observed by the licensee, shall be deemed to form part of this license, and to be incorporated herein.

[Here leave space for conditions by Warden.]

, Warden.

Form 43 (Reg. 107).

Under "The Mining Act, 1898."

CERTIFICATE OF PROTECTION.

THIS is to certify that, pursuant to the provisions of "The Mining Act, 1898," I have this day granted protection to [Here set out in full names of holder of mining privileges protected] in respect of the mining privileges particulars whereof are set out in the Schedule hereto, for a period of , calculated from the day of , 1 .

In witness whereof I have hereunto signed my name, and affixed the seal of the Warden's Court at , this day of , 1 .

THE SCHEDULE ABOVE REFERRED TO.

Registered Numbers and Dates of Licenses for Mining Privileges in respect of which Protection is granted.	Nature of Privilege.	Remarks.

, Warden.

SECOND SCHEDULE.

(Reg. 23.)

SUMS TO BE LODGED WITH THE RECEIVER IN CONNECTION WITH THE FILING OF APPLICATIONS IN RESPECT OF MINING PRIVILEGES, TO ABIDE THE DISPOSAL OF THE APPLICATION.

Where rent is payable for the mining privilege applied for	} One half-year's rent computed on area specified in the application.
Where a yearly recurring license-fee or other fee is so payable	
Where a non-recurring license-fee or other fee is so payable	} The amount of the yearly fee.
Where survey is necessary	
Where advertising is or may be required	} Survey-fees as per scale, as approximately estimated by the Receiver.
Where registration will be necessary	
	} The approximate cost thereof as estimated by the Receiver, not exceeding £2.
	} A registration of 1s. for each separate registration entry.

THIRD SCHEDULE.

(Reg. 41.)

PERMISSIVE METHOD OF GAUGING WATER.

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 following, that is to say: The gauge-box shall be 12 ft. long, 20 in. or 40 in. wide inside measurement, as the case may be, in accordance with the under-mentioned table. The box shall be open on the top, and set truly horizontal. Its outlet end shall be closed with a board 1 in. in thickness, or with a plate of iron, with the exception of the aperture, which shall be the whole width of the gauge-box, and of such depths as are specified in the said table for the number of sluice-heads to be discharged; but in all cases the lower side of orifice shall be 2 in. above the bottom of the gauge-box, and the depth of the sides of the 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 aperture and height of board above aperture for the number of sluice-heads to be discharged shall be in accordance with the said table.

The following is a table of the dimensions of apertures in gauge-boxes for measuring water, with head or depth of water above the top of aperture:—

Depth of Pressure-board above Top of Aperture, in Inches.	Dimensions of Aperture, in Inches.		Number of Sluice-heads discharged.	Depth of Pressure-board above Top of Aperture, in Inches.	Dimensions of Aperture, in Inches.		Number of Sluice-heads discharged.
	Width.	Depth.			Width.	Depth.	
5	20	2	1	24	40	15 $\frac{1}{8}$	36
5	20	3 $\frac{1}{8}$	2	24	40	15 $\frac{3}{8}$	37
8	20	4 $\frac{1}{8}$	3	24	40	16	38
8	20	5 $\frac{1}{8}$	4	24	40	16 $\frac{1}{8}$	39
9	20	6 $\frac{1}{8}$	5	24	40	16 $\frac{3}{8}$	40
9	20	8	6	24	40	17 $\frac{1}{8}$	41
12	20	8 $\frac{1}{8}$	7	24	40	17 $\frac{3}{8}$	42
12	20	9 $\frac{1}{8}$	8	24	40	17 $\frac{5}{8}$	43
12	40	5 $\frac{3}{8}$	9	30	40	17	44
12	40	6 $\frac{3}{8}$	10	30	40	17 $\frac{3}{8}$	45
12	40	6 $\frac{5}{8}$	11	30	40	17 $\frac{5}{8}$	46
18	40	6 $\frac{7}{8}$	12	30	40	18	47
18	40	6 $\frac{7}{8}$	13	30	40	18 $\frac{1}{8}$	48
18	40	7 $\frac{1}{8}$	14	30	40	18 $\frac{3}{8}$	49
18	40	7 $\frac{3}{8}$	15	30	40	19	50
18	40	8 $\frac{1}{8}$	16	30	40	19 $\frac{1}{8}$	51
18	40	8 $\frac{3}{8}$	17	30	40	19 $\frac{3}{8}$	52
18	40	9 $\frac{1}{8}$	18	30	40	20	53
18	40	9 $\frac{3}{8}$	19	30	40	20 $\frac{1}{8}$	54
18	40	10	20	30	40	20 $\frac{3}{8}$	55
18	40	10 $\frac{1}{8}$	21	30	40	21	56
18	40	10 $\frac{3}{8}$	22	36	40	20 $\frac{7}{8}$	57
18	40	11 $\frac{1}{8}$	23	36	40	20 $\frac{9}{8}$	58
18	40	11 $\frac{3}{8}$	24	36	40	20 $\frac{11}{8}$	59
24	40	11 $\frac{5}{8}$	25	36	40	21 $\frac{1}{8}$	60
24	40	11 $\frac{7}{8}$	26		Every 5 Heads.		
24	40	11 $\frac{7}{8}$	27				
24	40	12 $\frac{1}{8}$	28	36	40	22 $\frac{1}{8}$	65
24	40	12 $\frac{3}{8}$	29	36	40	24	70
24	40	13	30	36	40	25 $\frac{1}{8}$	75
24	40	13 $\frac{1}{8}$	31	48	40	24 $\frac{3}{8}$	80
24	40	13 $\frac{3}{8}$	32	48	40	25 $\frac{3}{8}$	85
24	40	14 $\frac{1}{8}$	33	48	40	27 $\frac{1}{8}$	90
24	40	14 $\frac{3}{8}$	34	48	40	28 $\frac{1}{8}$	95
24	40	14 $\frac{5}{8}$	35	48	40	30	100

FOURTH SCHEDULE.

(Reg. 44.)

RATE OF ROYALTY ON TIMBER CUT UNDER LICENSE OR WARRANT.

	At per 100 sup. ft.	s.	d.
Class I.— Totara and matai not less than 25 ft. in length or 12 in. in diameter, puriri, maire-raunui, silver-pine, and pohutukawa	2	0	0
Class II.— Totara and matai less than 25 ft. in length or 12 in. in diameter, rata, tangeao, tooth- and entire-leaved beeches, manuka (tea-tree), manoao, tanekaha, kawaka, kaikawaka	1	0	0
Class III.— Rewarewa, mapau, toro, hinau, taraira, miro	0	6	0
Class IV.— Mountain- and silver-beech	0	6	0
Class V.— Rimu (red-pine), kahikatea (white-pine), kamal, tawa	0	6	0
Class VI.— Blocks for paving sluices	0	2	Each.
Railway sleepers	0	2	Each.
Class VII.— Puriri, totara, and matai posts and sleepers to be charged under Classes I. and II.	Per 100.	8	0
Other posts, rails, and sleepers	4	0	0
Fencing-stakes	Per Cord.	1	0
Firewood, not less than No standing totara or black-pine, and no timber required or suitable for milling purposes, to be permitted to be cut under this class.			

FIFTH SCHEDULE.

FORMS FOR USE IN WARDEN'S COURT.

Form 44 (Reg. 91).

Under "The Mining Act, 1898."

PLAINT-BOOK.

WARDEN'S Court of the Mining District, holden at

Date of Entry of Plaintiff.	No. of Plaintiff.	Plaintiff.	Residence.	Occupation.	Defendant.	Residence.	Occupation.	Substance of Suit and Nature of Relief.	Amount sued for.	Date of Hearing.	Initials of Bailiff.	Date of Receipt by Bailiff.	Name of Foreign Court to which Summons sent.	Date on which sent.	Date of Return from Foreign Court.

Form 45 (Reg. 91).

Under "The Mining Act, 1898."

RECORD-BOOK.

No. of Plaintiff.	Date of Plaintiff.	Plaintiff.		Defendant.		Nature of Relief sought.	Amount of Demand pecuniary.	Decision, and stating whether heard before Assessors or not.	Date when and Name of Person to whom Certificate of Decision given.	Date of Order in Suit.	Memorandum.	Date of Notice of Appeal, if any received.	General Remarks and Observations by Warden.
		Name.	Address.	Name.	Address.								

Form 46 (Reg. 92).

Under "The Mining Act, 1898."

STATEMENT OF CLAIM.

In the Warden's Court of the Mining District, holden at
Between A.B. [Name in full], of [Residence and occupation], plaintiff, and
C.D. [Name in full], of [Residence and occupation], defendant.

THE plaintiff sues the defendant, and says—
(1.) [Here set out in paragraphs, consecutively numbered, clearly and concisely the basis of the plaintiff's claim.]
Wherefore the plaintiff claims as follows:—
(a.) [Here set out in paragraphs, consecutively numbered, clearly and concisely the relief claimed by the plaintiff, including (if necessary) the amount in money for which judgment is sought.]
The plaintiff's address for service is

Form 47 (Reg. 92).

Under "The Mining Act, 1898."

SUMMONS TO DEFENDANT.

No. of the year 1
In the Warden's Court of the Mining District, holden at
Between _____, plaintiff,
and _____, defendant.
You [If more than one defendant, add and each of you] are hereby summoned to attend at the Warden's Court of the Mining District, to be holden at the Courthouse at _____, on _____ day, the _____ day of _____, 1 _____, at the hour of _____ o'clock in the _____ noon, to answer the plaintiff's statement of claim, copy whereof is annexed hereto.

Herein fail not, or the case will be heard and determined in your absence.
 Debt or claim (if any) £
 Cost of summons ..
 Extra mileage ..
 Subpœnas ..

Given under my hand and the seal of the said Warden's Court, this day of 1, Clerk of Court.
 Hours of attendance at the office of the Clerk at :
 From till, except on, when the office will be closed at

NOTICE.
 [To be indorsed on the summons and the duplicate summons, Form 4.]

To the defendant.
 If you pay to the Clerk of the Court the debt and costs as stated in the summons, and give notice to the plaintiff or his solicitor forty-eight hours at least before the time appointed for the hearing, the action will be stayed; but you may pay the same at any time before the hearing, subject to the payment of further costs.

If you rely on a counter-claim by way of defence, you must file a copy with the Clerk of the Court and serve a copy on the plaintiff or his solicitor twenty-four hours before the time appointed for the hearing of the suit.

This summons was sued out by the plaintiff [or of, solicitor for the plaintiff].

Summonses for witnesses and for the production of documents will be issued on application at the office of the Clerk.

Form 48 (Reg. 92).
 Under "The Mining Act, 1898."

AFFIDAVIT OF SERVICE OF SUMMONS TO BE INDORSED ON COURT COPY.

I, [Name, residence, and occupation], do swear that I served the within-named with a summons, a true copy of which is within written, marked "A," together with a copy of the statement of claim hereunto annexed, marked "B," by delivering the same to him personally [If summons served otherwise than personally, state precisely mode of service] at, on, the day of 1, [Signature of deponent.]

Sworn at, this day of 1, before me—

Warden
 [Solicitor of the Supreme Court,
 Justice of the Peace, Clerk].

Form 49 (Reg. 92).
 Under "The Mining Act, 1898."

SUMMONS TO WITNESS TO PRODUCE.

No. of the year 1
 In the Warden's Court of the Mining District, holden at
 Between, plaintiff,
 and, defendant.

To [Name in full, description, and residence of witness]. You are hereby commanded to attend at the Warden's Court of the Mining District, holden at, on, the day of 1, at the hour of o'clock in the, to give evidence on behalf of the plaintiff [or defendant], and then and there to have and produce [State any particular documents required], and all other books, papers, writings, and other documents relating to the said action which may be in your custody, possession, or power. Herein fail not at your peril.

Given under my hand and the seal of the Court, at this day of 1, Clerk.

Form 50 (Reg. 92).
 Under "The Mining Act, 1898."
 SUMMONS TO WITNESS TO APPEAR.

No. of the year 1
 In the Warden's Court of the Mining District, holden at
 Between, plaintiff,
 and, defendant.

To [Name in full, description, and residence of witness]. You are hereby commanded to attend at the Warden's Court of the Otago Mining District, holden at, on, the day of, at the hour of o'clock in the, to give evidence on behalf of the plaintiff [or defendant]. Herein fail not at your peril.

Given under my hand and the seal of the Court, at this day of 1, Clerk.

Form 51 (Reg. 92).
 Under "The Mining Act, 1898."
 DEMAND FOR ASSESSORS.

No. of the year 1
 In the Warden's Court of the Mining District, holden at
 Between, plaintiff,
 and, defendant.

TAKE notice that I, A.B., the above-named plaintiff [or C.D., defendant, as the case may be], hereby demand that this suit be tried by Assessors pursuant to the provisions of "The Mining Act, 1898."

Dated at, this day of 1, A.B. [or C.D.] [or A.B., or C.D., by his solicitor E.F.].

To the Clerk,

Form 52 (Reg. 92).
 Under "The Mining Act, 1898."
 CLERK'S NOTICE TO PARTIES OF TRIAL BY ASSESSORS.

No. of the year 1
 In the Warden's Court of the Mining District, holden at
 Between, plaintiff,
 and, defendant.

TAKE notice that this case will be tried by Assessors, the plaintiff [or defendant, as the case may be] having demanded a trial by Assessors.

Dated this day of 1, C.D., Clerk of the Court.

To the plaintiff [or defendant, as the case may be] [Address, description, &c.].

Form 53 (Reg. 92).
 Under "The Mining Act, 1898."
 SUMMONS TO ASSESSOR.

No. of the year 1
 In the Warden's Court of the Mining District, holden at
 You are hereby summoned to appear and serve as an Assessor in this Court at the [Courthouse] on the day of 1, at the hour of in the noon, upon the trial of the cause or causes to be taken and tried by Assessors.

In default of attendance you will be liable to a penalty not exceeding five pounds.

Dated this day of 1, C.D., Clerk of the Court.

Form 54 (Reg. 92).
 Under "The Mining Act, 1898."
 ORDER FINING AN ASSESSOR FOR NON-ATTENDANCE.

In the Warden's Court of the Mining District, holden at

WHEREAS was duly summoned to appear and serve this day as an Assessor in this Court upon the trial of the cause or causes to be tried by Assessors at this Court: And whereas he has neglected, without sufficient cause shown, to appear and serve as an Assessor at this Court: It is hereby ordered that he shall forthwith [or on the day of 1] pay to the Clerk of this Court at a fine of £ for such neglect.

Dated this day of 1, Warden.

Hours of attendance at the office of the Clerk [Place of office]: From until, except on [Here insert the days of the week on which the office will be closed], when the office will be closed.

Form 55 (Reg. 92).
 Under "The Mining Act, 1898."
 OATH OF ASSESSORS.

I, A.B., do swear well and truly to try and determine the matters which shall be brought before me, and a true decision to give, according to the evidence. So help me God.

Form 56 (Reg. 92).
 Under "The Mining Act, 1898."
 DECLARATION OF ASSESSOR IN LIEU OF OATH.

I, A.B., do solemnly, sincerely, and truly affirm and declare that I will well and truly try and determine the matters which shall be brought before me, and a true decision give according to the evidence.

Form 57 (Reg. 92).

Under "The Mining Act, 1898."

NOTICE OF COUNTER-CLAIM.

In the Warden's Court of the Mining District, holden at
 Between , plaintiff,
 and , defendant.
 TAKE notice that the defendant intends, at the hearing of this suit, to set up a counter-claim, particulars whereof are attached hereto. [Here insert particulars of basis of counter-claim, as in a statement of claim.]
 Dated at , this day of , 1
 Defendant [or Solicitor for the defendant].
 To the plaintiff, and the Clerk of the Court.

Form 58 (Reg. 92).

Under "The Mining Act, 1898."

NOTICE OF PAYMENT INTO COURT OF WHOLE CLAIM.

In the Warden's Court of the Mining District, holden at
 Between , plaintiff,
 and , defendant.
 TAKE notice that the defendant has paid into Court the sum of pounds shillings and pence, being the full amount of your demand in this action, together with your costs herein, amounting to pounds shillings and pence.
 Dated at , this day of , 1
 Defendant [or Solicitor for the defendant].
 To the plaintiff,

Form 59 (Reg. 92).

Under "The Mining Act, 1898."

NOTICE OF PAYMENT INTO COURT OF PART OF CLAIM.

In the Warden's Court of the Mining District, holden at
 Between , plaintiff,
 and , defendant.
 TAKE notice that the above-named defendant [or one of the defendants] has paid into Court the sum of £ in satisfaction of so much of the plaintiff's claim as relates to [Insert particulars].
 Dated at , this day of , 1
 Defendant [or Solicitor for the defendant].
 To the plaintiff,

Form 60 (Reg. 92).

Under "The Mining Act, 1898."

APPLICATION FOR A REHEARING.

In the Warden's Court of the Mining District, holden at
 Between , plaintiff,
 and , defendant.
 Judgment for amount of , plaintiff [or defendant], for the amount of [or as the case may be] given on the day of , 1
 I, , being the plaintiff [or defendant] in this action, hereby apply to have a rehearing of the said action, on the following grounds: [Here state grounds for application].
 Dated at , this day of , 1
 [Signed.]
 To the Clerk

Form 61 (Reg. 92).

Under "The Mining Act, 1898."

NOTICE OF APPLICATION FOR A REHEARING.

In the Warden's Court of the Mining District, holden at
 Between , plaintiff,
 and , defendant.
 TAKE notice that the has applied for a rehearing of this suit on the following grounds [Stating them], and his application will be heard before the Warden at , on the day of , 1, at the hour of in the noon.
 Dated at , this day of , 1
 Clerk.
 To the plaintiff [or defendant].

Form 62 (Reg. 92).

Under "The Mining Act, 1898."

ORDER FOR A REHEARING.

In the Warden's Court of the Mining District, holden at
 Between , plaintiff,
 and , defendant.
 It is ordered that the judgment in this suit and all subsequent proceedings be set aside, and a rehearing had between the parties on [Set out the terms and conditions, if any].
 Given under my hand and the seal of the said Court, this day of , 1
 Warden.

Form 63 (Reg. 92).

Under "The Mining Act, 1898."

MEMORANDUM OF AGREEMENT BY PARTIES TO A SUIT, OR THAT THE DECISION OF THE WARDEN OR WARDEN'S COURT SHALL BE FINAL.

No. of year 1
 In the Warden's Court of the Mining District, holden at
 A.B., plaintiff, and C.D., defendant.
 WE, the above-named plaintiff and defendant, do hereby agree that the decision of the above Court in the above suit shall be final.
 Dated at , this day of , 1
 A.B. [or A.B., by his Solicitor, E.F.], Plaintiff.
 C.D. [or C.D., by his Solicitor, G.H.], Defendant.

Form 64 (Reg. 92).

Under "The Mining Act, 1898."

ORDER OR INJUNCTION.

No. of the year 1
 In the Warden's Court of the Mining District, holden at
 Between , plaintiff,
 and , defendant.
 UPON reading the affidavit of A.B., sworn the day of , 1 [Recite any other affidavits used on the application, and if evidence vivâ voce shall be given either with or without affidavits, add or say upon hearing the evidence of C.D.], and upon hearing E.F., of , in person [or Mr. , of counsel or solicitor for E.F., of], [and if the application be on notice and the other party appear, then add and upon hearing G.H. (the other party), of in person (or Mr. , of counsel or solicitor for the said G.H.); or if the other party do not appear, say and upon service of notice of this application upon G.H. being proved to my satisfaction], I do hereby order that [State the matter in the words of the Act as near as may be].
 Given under my hand and the seal of the above Court, this day of , 1
 J.K.,
 Warden.

Form 65 (Reg. 92).

Under "The Mining Act, 1898."

FORM OF FINAL DECISION AND ORDER.

No. of the year 1
 In the Warden's Court of the Mining District, holden at
 Between , plaintiff,
 and , defendant.
 A.B. and C.D., complainants; E.F. and G.H., defendants.
 I FIND [If upon the decision of Assessors, insert upon the decision of Assessors] that [Set forth the decision]; and I order [State the Warden's order in full, as for instance, that possession of the land (describing it as described in the Schedule to this order) be delivered to A.B. and C.D.]; and that the said E.F. and G.H. do pay to the said A.B. and C.D. the sum of pounds for damages, and pounds for costs. I also order that certain auriferous earth, metal, or mineral in the possession of the said A.B., and which has been valued by me [or by the said Assessors] at , shall be delivered to the said A.B. and C.D., in satisfaction [or in part satisfaction] of such damages and costs.
 Dated this day of , 1
 J.K.,
 Warden.
 NOTE.—The statements in this form are by way of example only. The form must be filled up according to the nature of the case.

Form 66 (Reg. 92).

Under "The Mining Act, 1898."

MEMORANDUM OF CONSENT BY PARTIES TO APPEAL.

No. of the year 1

In the Warden's Court of the Mining District, holden at

Between A.B., plaintiff, and C.D., defendant.

WE, the above-named plaintiff and defendant, do hereby consent that any appeal which may be made herein shall lie to the Supreme Court of New Zealand, sitting at and not to the District Court.

Dated at this day of 1 A.B. [or A.B., by his Solicitor, E.F.], Appellant. C.D. [or C.D., by his Solicitor, G.H.], Respondent.

Form 67 (Reg. 92).

Under "The Mining Act, 1898."

NOTICE OF APPEAL.

No. of the year 1

In the Warden's Court of the Mining District, holden at

Between A.B., plaintiff, and C.D., defendant.

TAKE notice that I, the above-named plaintiff [or defendant], being desirous of appealing from the decision of the Warden's Court in this suit, which decision was as follows [Here copy out minute of same as recorded in the judgment-book], intend to appeal against such decision on matter of fact alone [or on matter of law alone, or on both fact and law, as the case may be], and that the following are briefly the matters of law forming the ground of appeal:—

[Here set same out substantially but concisely in distinct paragraphs.]

The said appeal is made to the Supreme Court of New Zealand, District, holden at [or to the District Court of District, holden at, as the case may be].

You, the said plaintiff [defendant, applicant, or objector, as the case may be], are therefore called on to show why the said decision shall not be [Here state whether total or only partial reversal is sought, or what measure of relief the appellant deems himself entitled to].

Dated this day of 1 A.B.

[Signature of party appealing, either by himself or his Solicitor.]

SIXTH SCHEDULE.

(Reg. 93.)

WARDEN'S COURT.

Table of Fees.

	£	s.	d.
Summonses	0	2	0
Summonses to witnesses	0	2	0
Service of summonses, if to be made by bailiff			
within one mile of the Courthouse	0	3	0
For every extra mile, one way	0	1	0
Hearing	0	4	0

	£	s.	d.
Adjournment of hearing, when made on application of plaintiff or defendant	0	2	0
Filing demand for assessors	0	2	0
Notice of payment into Court	0	2	0
Order of the Court or a Warden in a suit	0	2	0
Entering of judgment	0	2	0
Filing notice of ground of appeal	0	8	0
Distress warrant	0	4	0
Issuing warrant to bailiff to deliver possession to a plaintiff or defendant of premises recovered	0	4	0
Executing any distress warrant beyond one mile from the Courthouse, for every extra mile, one way	0	1	0
Poundage on the sum levied or received in execution, for every £1	0	1	0
Serving or executing any writ of arrest, injunction, writ of attachment, or any summons, order, warrant, precept, writ, or other process not hereinbefore provided for, if within one mile of the Courthouse	0	4	0
For every extra mile, one way	0	1	0
For keeping possession per diem any sum not exceeding	0	8	0
For every extra mile beyond one mile, one way	0	1	0
Auctioneers' commission on goods sold, not exceeding five per cent. (to be paid into Public Account where the bailiff acts as auctioneer).			
Advertising—For three lines of space not exceeding 3s., and 3d. for every additional line.			
Executing distress warrant against the goods if satisfied within two hours of the levy	0	4	0
For every search	0	1	0
For any document required in proceedings and not enumerated in the Schedule	0	2	0
For copy of any proceedings, every complete folio of ninety words or part thereof	0	0	6
Cartage of goods seized in execution to auction-room or place of security: reasonable expenses actually paid to be supported by voucher.			
Filing any consent or agreement	0	2	0
Filing notice of any application for a rehearing	0	2	0

Allowance to Witnesses.

Professional men, merchants, and esquires, not exceeding, per diem	1	1	0
Tradesmen, mechanics, and miners, ditto	0	10	0
Labourers, &c., ditto	0	8	0
Mileage one way	0	1	0

Where any act has to be done or any document required to carry out and enforce (a) any judgment, decision, or order of the Warden or the Warden's Court in civil proceedings, or any conviction or order of such Court in (b) criminal proceedings, or (c) proceedings imposing a penalty, then in so far as no fee is charged for such act or document in the foregoing Schedule the fees chargeable shall in the case (a) be those chargeable under "The Magistrates' Courts Act, 1898," and in case (b) or case (c) those chargeable under "The Justices of the Peace Act, 1882."

J. F. ANDREWS,
Acting-Clerk of the Executive Council.

By Authority: JOHN MACKAY, Government Printer, Wellington.

