



SUPPLEMENT

TO THE

NEW ZEALAND GAZETTE

OF

THURSDAY, FEBRUARY 14, 1907.

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WELLINGTON, MONDAY, FEBRUARY 18, 1907.

*Regulations under "The Mining Act, 1905."*

PLUNKET, Governor.

By his Deputy,  
JAMES PRENDERGAST.

IN exercise of the powers conferred upon him by "The Mining Act, 1905" (hereinafter termed "the said Act"), His Excellency the Governor of the Colony of New Zealand doth hereby revoke the several regulations specified in the First Schedule hereto, and also any other existing regulations relating to mining which are inconsistent with or repugnant to the regulations hereby made, and in lieu thereof doth hereby make the regulations set forth in the Second Schedule hereto; and doth hereby declare that the regulations thereby made shall come into force on the day of the gazetting hereof.

**First Schedule.**

Regulations dated 27th January, 1899, 28th June, 1899, 18th June, 1900, 31st August, 1900, 18th May, 1901, 12th May, 1902, and 15th March, 1905; and published in the *New Zealand Gazette* of 30th January, 1899, 28th June, 1899, 18th June, 1900, 6th September, 1900, 23rd May, 1901, 22nd May, 1902, and 23rd March, 1905, respectively.

**Second Schedule.  
REGULATIONS.**

**INTERPRETATION.**

1. (1.) In these regulations, if not inconsistent with the context, words and expressions shall have the same meaning as in "The Mining Act, 1905" (hereinafter called "the Mining Act"),

(2.) In so far as relates to the receiving and disposing of applications for prospecting warrants, prospecting licenses, and mining privileges in respect of water, where the land to which the application relates is situate wholly outside a mining district and is other than Native land, all references in these regulations to the Warden or the Registrar shall be deemed to be references to the Commissioner of Crown Lands of the land district in which the land is situate, and all references to the Receiver shall be deemed to be references to the Receiver of Land Revenue of that land district, and these regulations shall be construed accordingly.

**MINERS' RIGHTS.**

2. A miner's right that does not extend to Native ceded lands shall be in the form numbered 1 or (in the case of consolidated miners' 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 miners' 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
- (5.) A workman, contractor, or tributer in respect of a mining privilege
- (6.) An occupier of private land

The exercise of his rights as such holder, and all applications to the Warden or the Court relating to such mining privilege.

The exercise of his rights, liens, and remedies in respect of money owing to him as such workman, contractor, or tributer.

Commencing any suit for encroachment on or damage to such land.

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 by any person authorised in that behalf by the Warden.
- (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. (1.) 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 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 within twelve months after the thing was so done (whether any proceedings are pending or not) 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 antedates specified therein; such antedate being however, in no case more than twelve months earlier than the actual date on which the antedated miner's right is issued.
- (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 antedate, and in any other case a special fee equal to twice the ordinary fee.
- (c.) On payment of the requisite ordinary or special fees, the antedated miners' rights shall be issued to him, bearing in each case the date of its actual issue, and also the antedate; and each such miner's right shall, for the purposes of the Mining Act, and any former Mining Act, operate as if it had been actually issued on the antedate.

Provided that it shall not operate to relieve him from any pecuniary penalty for breach of any provision of the Mining Act or the regulations thereunder.

(d.) If the application for the antedated miner's right is made in the course of the hearing of any application or any suit, it shall be made to the Warden before the decision in the proceedings is given, and shall not be issued unless the applicant not only pays the requisite ordinary or 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 antedated 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.

(2.) The foregoing provisions of this clause shall, *mutatis mutandis*, apply in the case of a person who, being the holder of a mining privilege under any former Mining Act, has neglected to take out a miner's right as required by such Act.

#### *As to Issue of Miners' Rights by Postmasters.*

6. (1.) Miners' rights (whether ordinary, consolidated, or antedated) may be issued by and the fees therefor may be paid to the Postmaster at any post-office appointed by the Governor for the purpose, and such payments shall be deemed as valid as if made to a Receiver of Gold Revenue.

(2.) Receipts arising from the issue of miners' rights at a post-office shall be entered in the post-office cash-book, and treated as part of the balance due on Post Office Account to be remitted by Sub-Postmasters to Chief Postmasters, and by Chief Postmasters to credit of the Post Office Account, and then to be paid to the Colonial Treasurer as goldfields revenue.

(3.) Each Postmaster shall enter every payment on a statement-form headed "Receipts under 'The Mining Act, 1905.'" The name of the person to whom a miner's right is issued, together with his address, and the number and description of the miner's right so issued, shall be entered in the body of the form.

(4.) A copy of each statement, containing the foregoing particulars, shall be made monthly and transmitted by the Postmaster who prepares the same to the nearest Receiver of Gold Revenue.

#### PROSPECTING.

##### *Prospecting Warrants and Licenses.*

7. The application for a prospecting warrant or prospecting license may be in such one of the forms numbered 5 to 8 in the First Schedule hereto as is applicable; and the warrant or license may be in such one of the forms numbered 9 to 14 in that Schedule as is applicable.

8. In the case of a prospecting license, the applicant shall mark out the ground in the same manner as in the case of a claim.

9. 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 £3 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, Commissioner of Crown Lands, or other fit person to hear the same and all or any objections thereto.

(3.) For the purposes of the last preceding subclause 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.

10. In the case of prospecting warrants or licenses relating to other than Native land, the application shall be dealt with under such of the provisions of section 165 of the Mining Act, and the regulations relating thereto, as are applicable.

11. 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 to the Governor in the case of Native land, or the Warden in the case of other than Native land.

(2.) The application may be in the form numbered 44 in the First Schedule hereto, with all necessary modifications.

(3.) 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.

(4.) If the renewal is granted it shall be effected by indorsing on the license the words "Renewed for one year from the day of \_\_\_\_\_, 19\_\_\_\_," being the date of the expiry of the previous term, 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.

12. 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, and all bonds (if any) duly completed and filed in Court.

13. 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 69 of the Mining Act the holder of a miner's right possesses 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

a license for any other mining privilege in respect thereof. Provided that nothing herein contained shall apply to a mineral prospecting warrant.

14. The priority of right which by subsection (k) of section 73 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.

#### *Mineral Prospecting Warrants and Mineral Leases.*

15. *Rent under Mineral Prospecting Warrants.*—The rent payable under a mineral prospecting warrant shall be 1d. an acre per annum for the first two years, 2d. for the third year, 3d. for the fourth year, and 6d. for the fifth year.

16. *Rent under Mineral Leases.*—The rent payable under a mineral lease granted under section 81 of the Mining Act shall be 2s. 6d. an acre or part of an acre per annum for the first two years, and 5s. an acre or part of an acre per annum for the remainder of the term; but, should the prescribed royalty exceed the amount of rent in any one year, such rent shall for that year cease.

17. *Royalty under Mineral Leases.*—The royalty payable under a mineral lease shall be one twenty-fifth of the value of the mineral at the pit's mouth, and such value shall be fixed before a lease is issued.

18. *Labour under Mineral Prospecting Warrants.*—Within three months after the issue of a mineral prospecting warrant the holder shall keep employed upon or in connection with the area comprised in the warrant at least four workmen for every area of 1,000 acres or under, and one additional workman for every 500 acres or part thereof in excess of 1,000 acres.

19. *Reports and Statements of Expenditure to be furnished.*—The holder of a mineral prospecting warrant shall every six months transmit to the Mining Registrar, at the Warden's office from which the warrant was issued, a statement, verified by statutory declaration, of the amount expended during the preceding six months under the mineral prospecting warrant, together with a short report of the nature of the prospecting operations during the same period. All such statements and reports shall be filed by the Registrar.

20. *Labour under Mineral Leases.*—The lessee shall, within six months after the date of the mineral lease, commence and thereafter during the term of the lease continually prosecute mining operations on the demised land for the specified mineral, and for that purpose shall at all times during the first two years of the term keep employed upon or in connection with the demised land and his said mining operations thereon at least one workman for every full area of 50 acres or less therein contained, and thereafter during the term at least two workmen for every such area, provided as follows:—

(a.) For the purpose of compliance with the aforesaid labour conditions there shall be included all work done in the construction or erection of machinery or in preparations indispensable to the actual commencement of mining operations.

(b.) To the extent of one-half of the number of workmen which should otherwise be employed the expenditure of capital shall be equivalent to the employment of workmen in the proportion of one man for every £1,000 of capital which shall be expended by the lessee in plant or permanent works for the purpose of mining for the specified mineral.

21. *Refunds of Deposits.*—Refunds of the amount deposited by an applicant for a mineral prospecting warrant or mineral lease shall from time to time be made in sums of not less than £50 on the certificate of an Inspector of Mines that at least £100 has been expended in prospecting the lands comprised in the mineral prospecting warrant or the development and working of the lands comprised in the mineral lease, as the case may be, for every £50 applied for as a refund.

22. Should gold be discovered within the area comprised in either a mineral prospecting warrant or a mineral lease, the discoverer shall, if the land is within a mining district, have the prior right to take up a special claim under the provisions of the Mining Act, but if the land is not within a mining district, the locality must be brought under the operations of the Mining Act, when the discoverer will have a prior right to take up a special claim.

23. Should any mineral other than the mineral specified in a mineral prospecting warrant or mineral lease be discovered, the discoverer shall, on giving an undertaking in writing that he will not interfere with the operations of the holder of the original warrant, have the right to acquire a warrant to prospect for the mineral he may have discovered upon the same terms and conditions as are prescribed for the original warrant, and at the end of the term of the second warrant the holder shall have the prior right to acquire a mineral license to the extent and under the conditions prescribed by section 103 of the Mining Act.

#### CLAIMS.

##### *Classes and Subdivisions.*

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

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

25. 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.

##### *Form, Area, and Dimensions.*

26. 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 88 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.

27. Subject to the provisions of section 2 of "The Mining Act Amendment Act, 1905," 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.

28. The form of dredging or river claims may have relation to the course of the stream in or on the bed or bank 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 stream 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 stream shall be comprised therein.
- (3.) For a special claim the area shall not exceed 75 acres, and not more than three miles of the course of the stream shall be comprised therein.
- (4.) The course of the stream shall in each case be measured along the centre of the bed of the stream.

29. 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.

30. 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, within the boundaries, but at no point distant more than 500 ft. above high-

water mark; and on the seaward side by straight lines at right angles to the shoreward line, and extending seawards.

- (2.) 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.
- (3.) 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.
- (4.) 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.

31. The foregoing provisions as to forms, areas, and dimensions of claims shall apply for the purpose of taking up the claims; but, whatever the class or subdivision under which a claim is taken up, it shall, for the purposes of the labour conditions, be deemed to be a dredging claim whilst being worked by a dredge.

#### MARKING-OUT OF CLAIMS AND OTHER MINING PRIVILEGES.

32. 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 out the same at 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, there shall be erected pegs of substantial material, standing not less than 2 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.) 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.
- (3.) The direction of the boundary-line on each side of each peg shall be indicated with reasonable clearness by a trench, having a length of at least 5 ft. along the boundary-line on each side of the peg, and a depth and breadth of at least 6 in.

Provided that, if trenches cannot conveniently be cut, the direction of the boundary-line may be indicated by substantially fixed finger-posts, or by tree-blazing, or in any other manner reasonably sufficient for the purpose.

- (4.) The pegs, cairns, or mounds shall bear or have affixed thereto some one distinguishing mark.
- (5.) In the case of a sea-beach claim, it shall not be necessary to mark it out below high-water mark.
- (6.) 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 as existing at the time when the claim was marked out, unless the Warden otherwise authorises.
- (7.) When the boundary of the mining privilege is on the bank or in the bed of a water-course, 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,  $\wedge$ ) are cut or clearly indicated upon trees, rocks, or other fixed natural objects above high-flood-mark at every corner or angle of each boundary-line, or as near thereto as 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.

- (8.) In addition to such arrow-headed marks, there shall also be cut or clearly indicated, at every corner or angle of each boundary-line, the distinguishing mark.
- (9.) In every case where it is not practicable to mark out the boundary on the actual boundary-lines, the marks actually used shall indicate with approximate correctness the situation of the actual boundary-lines, and their distance from such marks.
- (10.) In the case of a race it shall be sufficient if it is marked out, not at the boundaries, but at the starting-point, the terminal point, and at intervals of not more than 500 yards along the proposed course of the race, and also (in the case of a water-race) at each point of intake.
- (11.) In the case of a tunnel it shall be sufficient if it is marked out, not at the boundaries, but at the starting and terminal points.
- (12.) In the case of a tramway or road it shall be sufficient if it is marked out, not at the boundaries, but at the starting and terminal points, and also at intervals of not more than 500 yards along the proposed course of the tramway or road.
- (13.) The marking-out shall in every case be maintained until the mining privilege is duly taken up, or the application therefor is finally disposed of.

#### APPLICATIONS IN RESPECT OF MINING PRIVILEGES.

33. For the purposes of section 165 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, in so far as they are applicable, shall be observed with respect to every application to the Warden under that section:—

- (1.) The application may be made in such one of the forms numbered 15 to 26 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 by or on behalf of the applicant in the office of the Registrar during office hours as defined in clause 120 of these regulations.
- (2.) An application for a certificate of protection or for absolute surrender may include all the mining privileges that are held and worked together by the applicant, and an application for amalgamation of claims may include all the claims to be amalgamated into one claim; but in every other case the application shall relate only to one mining privilege.
- (3.) The application may be transmitted to the Registrar's office by post or otherwise, and, in the event of its reaching his office after office hours, the time of filing shall

be deemed to be the hour when the office is next open for business.

- (4.) If the application is for a claim or other mining privilege requiring to be marked out, it shall be marked out before the application is filed; and unless this rule is complied with the application shall be deemed to be void.
- (5.) The application shall in every case contain an address for service, which shall be in the same district as the office in which the application is filed, and all notices to be served on the applicant shall be deemed to be validly served if served at such address.
- (6.) When filing the application there shall also be lodged with the Registrar by or on behalf of the applicant such number of duplicate originals thereof, being in no case less than two nor more than five, as the Registrar requests or the Warden prescribes.
- (7.) The sums to be lodged with the Receiver under subsection (b) of section 165 of the Mining Act, 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.
- (8.) The Warden before disposing of 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.
- (9.) 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 the sixteenth day after the day of the filing of the application), and, for public information, shall affix one of the duplicates, or an abstract of its subject-matter, in a conspicuous place outside the Courthouse where the application is to be heard.
- (10.) 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 not less than twice in one or more newspapers

printed and published in or nearest to the locality of the land to which the application relates, or of the Courthouse where the application is to be heard.

- (11.) On the day on which the application is filed, or as soon thereafter as is practicable, 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.
- (12.) On the day on which the application is filed, or as soon thereafter as is practicable, the applicant shall post up on the ground, in some conspicuous position, a duplicate original of the minuted application, and shall there maintain the same until the day appointed for the hearing.
- (13.) Such duplicate original shall be posted up and maintained as aforesaid—
  - (a.) In the case of a water-race, at each point of intake, 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;
- (14.) If any person desires to object to the application he shall, by himself, his solicitor, or registered agent, not later than three days before the time appointed for the hearing, give notice thereof, by filing in the Registrar's office a notice in the form numbered 27 in the First Schedule hereto, and by serving on the applicant a duplicate original of such notice.
- (15.) Such notice shall in every case contain an address for service, which shall be in the same district as the office in which the notice is filed, and all notices to be served on the objector shall be deemed to be validly served if served at such address.
- (16.) At any stage of the proceedings the Warden may require the applicant to furnish a sketch-plan of the land to which the application relates, and also may allow the application to be amended in any particular upon such terms as to notices, adjournment, costs, and otherwise as he thinks fit.
- (17.) If any case where, in respect of any application or objection, the foregoing provisions relating to the time or mode of giving, posting up, maintaining, or serving 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 notices, adjournment, costs, and otherwise as he thinks fit.

- (18.) If the applicant does not desire to appear, the declaration referred to in subsection (g) of section 165 of the Mining Act may be in the form numbered 28 in the First Schedule hereto.
- (19.) 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."
- (20.) If the application is for a license for a mining privilege, the license may be in such one of the forms numbered 29 to 38 in the First Schedule hereto as is applicable, or, if none of those forms be applicable, then in such form as the Warden prescribes or authorises:  
Provided that in no case shall the license be for more than one mining privilege.
- (21.) If the application is for a license for a mining privilege, and the land applied for exceeds the maximum area that may lawfully be held, the following provisions shall apply:—  
(a.) At any time before the license is granted, or, if the license has been granted, then at any time before proceedings for forfeiture are instituted, the applicant or licensee, with the consent of the Warden, and upon such terms as to costs, adjournment, remarking, and otherwise as the Warden thinks fit, may discard the area in excess.  
(b.) If the area in excess is discarded as aforesaid, then the application, or, if the license has been issued, then the license and the register, shall be duly rectified as the Warden directs, for the purpose of eliminating the discarded area.
- (22.) For the purpose of hearing and disposing of the application the Warden shall sit alone, and the practice and procedure of the Warden's Court relating to hearings before the Warden and Assessors shall not apply.
- (23.) The appointment and notification by the Warden as to the time and place for the hearing of any application, or for the holding of any preliminary inquiry, may be made by him in such manner as he thinks fit, either generally with respect to all cases in a given Court-house or specifically with respect to specific cases, and may in like manner be made by the Registrar acting under the general instructions of the Warden.

## SURVEYS.

34. 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.

35. 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.

36. 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 by him or the Chief Draughtsman, and transmission to the Warden, a plan of the ground, together with a report as to—

(a.) Its areas, 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;

(d.) Any objections of a public nature to the granting of the application which are disclosed by the survey; and

(e.) 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.) The approval of the aforesaid plan and report shall be signified by memo. in writing thereon under the hand of the Chief Surveyor or Chief Draughtsman.

- (3.) With the aforesaid plan and report, the surveyor shall also furnish to the Chief Surveyor for transmission 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.

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

- (1.) If the land to be surveyed 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 by the surveyor on the plan, and full particulars relating thereto (including acreages) must, as far as practicable, be given in the surveyor's report to the Warden. It shall be the surveyor's duty to make careful inquiries respecting all claims to prior occupancy, and, if possible, to furnish the names of such occupants or claimants; but, in computing the acreage of the land surveyed it shall not be his duty to deduct therefrom the acreage of any land to which any such claim to prior occupancy relates.

- (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 by the Warden to excise any part from the land applied for.
- (8.) The surveyor's plan shall show the boundaries as marked out by the applicant, and the position of the pegs or other marks used in the marking-out.
- (9.) On every angle or corner peg used by the surveyor in surveying the land there shall be distinctly cut or burnt the applicant's distinguishing mark, together with, in the cases following, the initial letters of the mining privilege, that is to say: S.C. for a special claim, E.C. for an extended claim, S.S. for a special site, W.R. for a water-race, T.R. for a tail-race, M.L. for a mineral license.
- (10.) 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.
- (11.) In surveying water-race areas the surveyor is expected to furnish a plan showing the levels and size of the race.
- (12.) 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.
- (13.) 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.
- (14.) 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.
- (15.) The surveyor's plan shall be drawn to the following scale:—
- |   | Chains to<br>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                    |
- (16.) 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.
- (17.) 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.
- (18.) 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.
- (19.) 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.
- (20.) No surveyor shall employ more than two field-parties in the field, unless authorised surveyors are placed in charge of such field-parties.



- (21.) 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; except in the case of extended claims, as hereinafter provided.
- (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 proportionately 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 for the first day or part of a day, and £1 10s. for each subsequent day or part of a day; labour extra; mileage as above.
- (i.) The cost of putting plans on license forms—viz., 3s. 6d. the set—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 license issued.
- (22.) The costs and charges of the survey shall not be payable until the Chief Surveyor furnishes to the Receiver a certificate that the work charged for has been satisfactorily done.
- (23.) Such certificate shall state whether the surveyor who did the work did so as an officer of the Government Survey staff or as a private surveyor.
- (24.) The costs and charges, when ascertained and payable, shall, in the case of an officer of the Government Survey staff, be paid into the Public Account as part of the Consolidated Fund, and, in the case of a private surveyor, be payable as a debt due to him.
- (25.) The moneys deposited with the Receiver in respect of the costs and charges of the survey shall, on the order of the Warden, be applied by the Receiver in manner aforesaid, and the surplus (if any) shall on the like order be paid by the Receiver to the person entitled thereto.
- (26.) In the case of a private surveyor the Receiver, if the Warden so authorises, may, out of the moneys deposited as aforesaid, make to the surveyor progress-payments as the work proceeds. Provided that in

no case shall such progress-payments exceed half the value of the work done, as certified by the Chief Surveyor.

#### RACES AND OTHER MINING PRIVILEGES IN RESPECT OF WATER.

##### *Tail-races.*

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

- (1.) That the person in whose favour the order is made 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 in whose favour the order is made, 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.

39. (1.) Where an order pursuant to the foregoing regulations has been made, the person in whose favour it is made shall at all times, on receiving notice in writing from the holder of the tail-race, forthwith assist in clearing the race whenever it is reasonably necessary so to do, and if any such person makes default in so assisting 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.

(2.) The proportionate share of the cost of construction, the amount of the rent, the proportionate share of the cost of clearing the race, and any dispute between the parties in respect of the premises, shall, if not settled by the parties, be determined by the Warden and two Assessors.

(3.) All gold discharged into such tail-race shall belong to the parties, in shares to be settled by them, or, in case of dispute, to be determined by the Warden and two Assessors.

##### *Main Tail-races.*

40. The application for a main tail-race shall specify the persons 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, ownership of gold, and otherwise, as are agreed on between the parties, or, failing agreement, as are determined by the Warden and two Assessors.

##### *Dams.*

41. (1.) 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, and may order the surveyor or engineer to draw up plans and specifications of the dam, which the Warden, if he thinks fit so to do, may submit to the Inspecting Engineer of the Mines Department for his report thereon.

(2.) After receiving such last-mentioned report, the Warden may from time to time make such orders concerning the construction of the dam as he thinks fit, and it shall be the duty of the licensee of the dam to comply therewith.

42. The cost of such inspection and reports, and of preparing such plans and specifications, shall be borne by such persons and in such proportions as the Warden may order.

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

44. On the application of any person or local authority likely to suffer damage or injury by the unfitness, disrepair, or weakness of any dam, the Warden may 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.

45. Where any race is so constructed as to cross any stream from which the holder of the race has no right or 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 water naturally pertaining thereto, and flowing past the point of intersection.

46. 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 and date of marking out of the same, which shall in all cases be recorded in the register and on the license: Provided that this clause shall not operate to affect the priority existing in the case of a water-race license granted under the Mining Act in exchange of title under any former Mining Act.

47. (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 Regulation 33 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 such 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.

48. The licensee of a water-race shall at all times maintain the race in such condition and with such capacity as to carry the number of sluice-heads authorised to be diverted.

49. 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 *bona fide* taken, diverted, and used in terms of the license, and not otherwise.

50. (1.) 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.

(2.) Water may be gauged in manner described in the Third Schedule hereto.

#### TRAMWAYS.

51. (1.) In every case where the proposed course of a tramway crosses or runs along a road or street, the provisions of sections 204 and 205 of the Mining Act shall apply.

(2.) 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.

(3.) The license for a tramway shall in every case be deemed to be granted subject to the condition that the licensee will, at his own cost, from time to time provide, and at all times thereafter maintain to the satisfaction of the Warden, a sufficient crossing-place over the line of the tramway at every point in its route where, in the opinion of the Warden, a crossing-place is reasonably required for public or private convenience.

#### LEASES IN MINING TOWNSHIPS UNDER SECTION 44 OF THE MINING ACT.

52. (1.) Any holder of a miner's right may apply to the Warden for a lease of the surface of any land in any mining township.

(2.) Every application for a lease shall be made in writing to the Warden, in the form numbered 100 in the Ninth Schedule hereto, and shall contain a statement of the situation of the land and the area applied for, the number of the section, if the land is a surveyed section, and the purposes for which the same is to be used.

(3.) The Warden shall have power to grant a lease of the surface of any such land as aforesaid under these regulations, notwithstanding that the land applied for may be held as a claim under the Mining Act.

(4.) If the land applied for is not a surveyed section, or only part of a surveyed section, the application shall be accompanied by a deposit of £3 to cover the expenses of surveying the same, and after the application has been finally dealt with there shall be refunded to the applicant any unexpended or unrequired balance remaining of the said deposit. Should, however, the survey cost more than the amount deposited, the applicant must pay the difference before a lease is issued to him.

(5.) The Warden, or the Mining Registrar, shall appoint a day for hearing the said application, such day to be not less than one month after the filing of the application.

(6.) On the day on which the application is filed, or as soon thereafter as is practicable, the applicant shall serve a copy of the application, showing thereon the date appointed for hearing the application, upon all adjoining owners or occupiers, and upon all persons

whose interests may be obviously affected by the same.

(7.) Any person desiring to object to the granting of any lease shall, not later than forty-eight hours before the day appointed for hearing the application, give notice thereof by filing in the Registrar's office a notice in writing of the nature of such objection, and shall serve on the applicant a duplicate original of such notice; and no person shall be entitled to appear and object unless he has duly given such notice, save any person to whom the Warden, at the hearing of the application, directs that notice be given. Such notice of objection shall in every case contain an address for service which shall be in the same district as the office in which the notice is filed, and all notices to be served on the objector shall be deemed to be validly served if served at such address.

(8.) After hearing the application and all objections thereto, the Warden may either refuse the same, or, with the consent of the Minister first obtained, grant a lease.

(9.) All applications for leases and all objections thereto now pending shall be heard and determined by the Warden, and shall have priority over all other applications for the same land as though such applications and objections had been made under these regulations.

(10.) The Warden shall have power to allow costs to or against any objector.

(11.) No lease shall be granted over any land upon which any mining operations are carried on, or over which any mining right or title exists, unless or until the holder of such mining right or title consents to such lease.

(12.) Every lease shall be for the surface of the land only, and no lease shall entitle the lessee to mine for gold upon the land leased, or to extract, dig, or search for any metals or minerals therein or thereon.

(13.) No lessee shall have any claim for compensation for any damage done, or which may be caused by or arise from mining operations legitimately carried on beneath the surface of the ground, and leases shall contain such special covenants relating to mining as may be deemed necessary by the Warden; nor where the land granted is situated upon a mining privilege shall the lessee have any claim for compensation for any injury or damage done to the said land by reason of mining operations lawfully carried on by the holder of the mining privilege on land adjoining, provided such injury or damage is not caused by any negligence or want of care on the part of such holder.

(14.) The rental for lands leased under these regulations shall be 10s. per annum for each section for business purposes, and 5s. per annum for each section for residence or other purposes, and where the land is not surveyed into sections shall be at the rate of £1 per acre or fractional part of an acre.

(15.) No transfer or assignment of, or any other dealing with, any lease shall be lawful without the consent of the Warden, and every such transfer, assignment, or other dealing shall be registered at the Warden's office in the same manner as transfers, assignments, and other dealings with mining privileges under the principal Act, and the sum of 2s. 6d. shall be paid for each such registration; but where the instrument of transfer, assignment, or other dealing includes more than one lease, there shall be paid for each additional title the sum of 1s.

(16.) Leases may be in the form numbered 101 in the Ninth Schedule hereto, and all expenses in

connection with the preparation of leases shall be borne and paid by the lessee.

(17.) Applications for renewal of leases heretofore granted by the Governor under any repealed Act, or under the principal Act, shall be made in the same manner as applications for new leases, except that the notices required to be served under sub-clause 7 of this regulation need not be given and served.

(18.) The same fees shall be payable on all applications for leases or renewal of leases and objections thereto as are payable on applications for and objections to mining privileges.

(19.) Any person who is in occupation of any land in a mining township, and who has not obtained a lease therefor, or who is not the holder of a license for a residence or business site, may, within three months from the date of the gazetting of these regulations, apply for a lease of such land, and such applications shall have priority over all other applications for such land; and, failing such application by the occupier, then after the expiration of the said period any person may apply for a lease of the land, notwithstanding that any other person may be occupying the same.

(20.) These regulations shall not apply to Native ceded lands.

#### LICENSES UNDER SECTION 45 OF THE MINING ACT.

53. (1.) Township and suburban lands shall be laid off by the District Surveyor in accordance with the regulations or instructions for the time being in force of the Department of Lands and Survey.

(2.) Subject to the provisions of section 46 of the Mining Act, the area of the several sections shall be determined by the Warden on report thereon to him by the District Surveyor.

(3.) The application for a license may be in the form numbered 102 in the Ninth Schedule hereto, and the license may be in the form numbered 103 in that Schedule.

(4.) Clause 33 of these regulations shall apply to every such application and license so far as is applicable.

#### LEASES OF TOWNSHIP AND SUBURBAN LANDS UNDER SECTION 46 OF THE MINING ACT.

54. (1.) Leases of township and suburban sections, under section 46 of the Mining Act shall be submitted to public auction subject to the following conditions:—

- (a.) The highest bidder shall be the purchaser of the lease, and the amount bid shall be the annual rental thereof.
- (b.) The bidding shall be an increase on the advertised upset rental.
- (c.) The purchaser shall forthwith deposit with the Receiver of Gold Revenue the sum of £2 2s. for the cost of survey and preparation of the lease, and also one-half of the first year's rent, being the amount of his bid.
- (d.) If the purchaser of the lease fails to comply with the last preceding condition, or if any dispute arises, the lease shall be put up again and resold.
- (e.) The lease shall be executed by the purchaser within thirty days from the date of notice that it is ready for execution, or the right to lease shall become forfeited, and any deposit paid on account thereof shall also be forfeited.
- (f.) No person shall, unless with the consent of the Warden, be allowed to purchase

or hold a lease of more than one section ; and if any lease is knocked down to any person who has already leased a section such sale shall be void, and the lease shall be again put up to auction.

(g.) For the purposes of the last preceding paragraph a husband and wife shall be deemed to be one person, unless lawfully living apart under a decree of judicial separation or protection order.

(2.) The amount deposited in respect of the cost of survey and preparation of the lease shall be paid by the Receiver into the Public Account.

(3.) The lease may be in the form numbered 104 in the Ninth Schedule hereto, or as near thereto as circumstances will admit, and with such modifications and additional terms and restrictions as the Governor in the case of each lease thinks fit to impose, and may be signed by the Warden for and on behalf of His Majesty.

(4.) The lease shall be subject to all the provisions of the Mining Act and its amendments, and regulations thereunder, relating to the forfeiture and abandonment of residence-sites and to the recovery of rent in arrear, and such provisions shall be deemed to be incorporated herein and to form part of the conditions of the lease.

(5.) Not less than thirty days' notice of the conditions of sale and of any special terms and conditions intended to be inserted in each lease shall be given by advertisement.

(6.) Where an auction of township or suburban sections is held and any lot remains unsold, a lease thereof may at any time within two years from the date of the auction be granted, with the approval of the Warden, to any qualified applicant, at the upset rental named at such auction.

(7.) The section leased shall, within twelve months from the date of the lease, be substantially fenced.

(8.) At the expiration of the term of the lease the section shall, unless required by the Crown, be again put up for auction, but weighted with the value of the buildings and other improvements then existing thereon, ascertained by valuation under section 41 of the Mining Act ; but in no case shall any right of valuation exist as against the Crown.

#### MISCELLANEOUS MINING PRIVILEGES.

55. In addition to the mining privileges specifically provided for by 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 licenses 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 license ; and, in the case of a road or bridge, the license therefor shall be deemed to be granted subject to the condition that the licensee shall not be entitled to the exclusive use of the road or bridge, but the same shall be open to the full and free use of the public :

Provided that where the licensee has expended money in forming or maintaining the road or bridge and the holder of any other mining privilege uses the same for the purpose of obtaining ingress to or egress from such mining privilege, every such holder shall be liable to pay to the licensee a reasonable proportion of such expenditure, and, if the parties concerned cannot agree as to the amount of such proportion, the same shall be determined by the Warden and two Assessors on the application of any of the parties in like manner and subject to the like provisions as in the case of a claim for compensation.

#### SURRENDER OF MINING PRIVILEGES, WHETHER ABSOLUTELY OR FOR PURPOSES OF EXCHANGE OF TITLE OR AMALGAMATION OF CLAIMS.

57. With respect to the surrender of mining privileges, whether absolutely or for purposes of exchange of title or amalgamation of claims, the following provisions shall apply :—

(1.) The application need not be publicly notified by advertisement nor posted on the mining privilege unless the Warden otherwise directs.

(2.) Where the surrender is for purposes of exchange of title or amalgamation of claims, the consent of the Minister, under subsection (x) of section 165 of the Mining Act, to the license for the corresponding mining privilege or the amalgamated claim shall be necessary in the cases therein mentioned.

(3.) The license for the corresponding mining privilege or amalgamated claim shall be in the ordinary form, with the addition of a memorandum to be noted or indorsed on the license under the hand of the Warden and the seal of the Court, specifying—

(a.) The fact that the license is issued in exchange for a surrendered mining privilege, or, as the case may be, in amalgamation of surrendered claims, and the name, description, and registered number of the surrendered privilege or claims ;

(b.) The priorities, encumbrances, liens, and interests referred to in subsection (b) of section 155 of the Mining Act ;

(c.) Such other particulars as the Warden thinks fit.

(4.) Such memorandum may be in such one of the forms numbered 39 or 40 in the First Schedule hereto as is applicable.

(5.) The instrument of title to every surrendered mining privilege shall be delivered up to the Warden, who shall note or indorse thereon, under his hand and the seal of the Court, a minute of the surrender in the form numbered 41 in the First Schedule hereto :

Provided that, if the instrument of title has been lost, the Warden, upon satisfactory proof of loss, may dispense with its production, and in such case the minute of surrender may be by separate instrument in the form numbered 42 in the First Schedule hereto.

(6.) The minute of surrender shall be registered and filed by the Registrar.

(7.) The declaration of loss may be in the form numbered 43 in the First Schedule hereto.

58. Before granting the application for amalgamation of claims, the Warden shall be satisfied that there has been expended in mining operations on each of the claims not less than £10.

#### RENEWAL OF LICENSES FOR MINING PRIVILEGES.

59. Subject, in the case of tunnel prospecting licenses, to the provisions of clause 11 of these regulations, the following provisions shall apply with respect to the renewal of licenses for mining privileges:—

- (1.) The application for the renewal may be in the form numbered 44 in the First Schedule hereto, and shall be filed in the office of the Registrar within not more than two months nor less than one month before the expiration of the current term by effluxion of time, but need not be notified or advertised.
- (2.) The renewal shall be effected by indorsement on the original license.

#### LABOUR CONDITIONS.

##### *Prescribed Number of Workmen.*

60. For the purposes of section 98 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 6 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 4 acres during the second such year; and one workman for every complete 3 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 claim the title whereof is surrendered for purposes of exchange or amalgamation, the minimum number to be employed shall be computed from the date on which the claim was originally taken up.

61. In every case where the holder of a claim alleges that, under subsections (b), (e), or (f) of section 99 of the Mining Act, he is entitled to employ less than the prescribed minimum 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.

62. In the case of a mineral license the licensee shall, within two months after the date of the license, commence, and thereafter during the term of the license continually prosecute, mining operations on the land the subject of the license, for the specified metals or minerals to which the license relates, and for that purpose shall, except as aforesaid, at all times during the first two years of the term keep employed upon or in connection with the said land at least one workman for every full area of 50 acres, or less, therein contained, and thereafter during the term at least two workmen 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 instance made within the same limits, and subject to the same conditions, *mutatis mutandis*, as in the case of a claim.

##### *Certificates of Reduction.*

63. The application, under section 98, of the Mining Act, for authority to employ less than the prescribed minimum number of workmen may be in the form numbered 24 in the First Schedule hereto, and with respect to the application the following provisions shall apply:—

- (1.) The application need not be publicly notified by advertisement nor posted on the mining privilege unless the Warden otherwise directs.
- (2.) The application may be granted in whole or in part, as the Warden thinks fit, and, if granted, shall be granted by certificate of reduction in the form numbered 45 in the First Schedule hereto.
- (3.) The certificate shall be registered in the same manner as in the case of a certificate of protection.

64. When disposing of any application for a certificate of reduction, the Warden, for the purpose of determining the extent to which the prescribed number of workmen should be reduced, and the period for which the reduction should be granted, shall not confine himself to merely temporary exigencies, but shall have regard to all the circumstances fairly affecting the matter, including the following considerations:—

- (1.) In the case of a claim to be worked by hydraulic sluicing, the nature and extent of the claimholders' water-supply, the cost of procuring it, and the date when it will be fully available;
- (2.) In every case, the number of workmen that can be reasonably and advantageously employed, having regard to the nature and extent of the ground and the extent of the water-supply; and
- (3.) The extent, if any, to which the proposed reduction, or the period for which it may be granted, would lock up ground that otherwise might be reasonably and advantageously worked.

#### PROTECTION OF MINING PRIVILEGES.

##### *Certificates of Protection.*

65. The application for protection of mining privileges under section 160 of the Mining Act may be in the form numbered 25 in the First Schedule hereto, and if granted shall be granted by certificate of protection in the form numbered 46 in the First Schedule hereto.

##### *As to Statutory Protection of Mining Privileges.*

66. The provisions of section 162 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 from the first day of May to the thirty-first day of October (inclusive) in each 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 of his own motion or on summary application, and shall be deemed to be sufficiently notified by publication in the *Gazette*.

## CERTIFICATES OF EASEMENT.

67. The application for a certificate of easement under section 200 of the Mining Act may be in the form numbered 26 in the First Schedule hereto, and with respect thereto the following provisions shall apply:—

- (1.) The application need not be publicly notified by advertisement.
- (2.) Subject as last aforesaid, the application shall be made and disposed of under Regulation 33.
- (3.) The certificate of easement may be in the form numbered 47 in the First Schedule hereto.
- (4.) The certificate of easement shall be deemed to be appurtenant to the mining privilege for facilitating whose mining operations the certificate is granted, and accordingly the certificate shall not be transferable apart from such privilege, and upon the expiry or other determination of the term of such privilege the certificate shall *ipso facto* become void.
- (5.) The Warden may, by certificate of easement, grant to any person being the holder of a claim the right to connect with and use any shaft, tunnel, or drive on any other person's mining privilege:

Provided that if such shaft, tunnel, or drive existed on such mining privilege when it was taken up no compensation shall be payable by the grantee for or on account of the cost of construction.

## REGISTRATION OF MINING PRIVILEGES AND OF INSTRUMENTS AFFECTING THE SAME.

*Register, and Registration Office.*

68. (1.) The register shall be in the form numbered 48 in the First Schedule hereto.

(2.) The register may be divided into parts as follows:—Part I: Claims. Part II: Water-rights. Part III: Business-site licenses. Part IV: Residence-site licenses. Part V: Special-site licenses. Part VI: Mineral licenses. Part VII: Miscellaneous. And registrations may be effected accordingly, nevertheless without affecting the numerical sequence of the instruments registered.

69. Every register existing at the time of the coming into operation of the Mining Act shall so continue, 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.

70. (1.) The office of registration of a mining privilege granted under the Mining Act shall be the office of the Registrar to whom the same is transmitted by the Warden for registration and issue, as provided by section 173 of the Mining Act.

(2.) The office of the Registrar shall in every case be the office of the Warden's Court.

(3.) 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.

(4.) The office of registration of every ordinary claim held otherwise than under license shall be the office fixed by the Warden for the registration of

such claims in the locality in which the claim is situate.

(5.) 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.

71. 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.*

72. 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.

73. For the purpose of the last preceding clause hereof, an application under clause 77 or 78 of these regulations shall be deemed to be an instrument.

74. 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 be accompanied by such duplicate original or certified copy.

75. (1.) 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 numbered 48, or such of them as are applicable, and also by indorsing on the instrument and on the filed duplicate or copy, a memorial under the hand of the Registrar 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).

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

76. 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 be produced to the Registrar, who when registering such instrument shall, provided all arrears of rent have been paid, indorse on such license or document a memorial under his hand 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:

*Special as to Mining Privileges held otherwise than under License.*

77. 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 49 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 75 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 50 in the First Schedule hereto.
- (5.) The provisions of clause 76 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.
- (7.) Priority shall in all cases date from the time of registration.

*Special as to Liens on Mining Privileges.*

78. With respect to liens on mining privileges, and the registration and discharge thereof, the following special provisions shall apply:—

- (1.) The lienee who desires to register his lien in the Warden's Court, as prescribed by section 213 or 297 of the Mining Act, shall deposit with the Registrar an application in that behalf in the form numbered 51 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.*, 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, 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 by registered letter to the holder of the mining privileges affected thereby may be in the form numbered 52 in the First Schedule hereto.
- (5.) The discharge of a lien may be effected either by—
- (i.) An instrument of discharge in the form numbered 53 in the First Schedule hereto, or
- (ii.) As prescribed in clause 2 of section 13 of "The Mining Act, Amendment Act, 1905."
- (6.) If the discharge is effected by payment into Court the Registrar shall note on the instrument of discharge particulars of payment and date of same, and if discharged by the filing of the workman's receipt, such receipt shall be attached to the said instrument.
- (7.) The instrument of discharge shall be registered in every case where the lien itself has been registered.

*General as to Registration.*

79. 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 as defined in clause 120 of these regulations.

80. 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.

81. 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.

82. 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 shall give notice of such rectification by registered letter to all persons affected thereby; and for the purpose of such rectification he may require any person to produce any document in his possession for such rectification to be noted thereon.

83. Upon payment of the fee of 6d. per folio of ninety words or any part thereof, 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.

84. There shall be payable in respect of the registration of any instrument a fee of 1s. for each separate registration entry in the register, and in respect of every search of the register a fee of 1s. in respect of each title to which the search relates.

85. The register may be searched as aforesaid at any time during office hours.



*Index-books.*

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

87. The numerical index-book shall be in the form numbered 54 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.

88. The nominal index-book shall be in the form numbered 55 in the First Schedule hereto, and shall contain, in alphabetical order of surnames of grantors or transferors, as appearing in the register, the specified particulars of all registrations effected after the coming into operation of the Mining Act:

Provided that in any case where, in respect of any registration, the number of grantors or transferors exceeds one, it shall be sufficient if the nominal index-book contains the name first appearing in the register, together with the words "and another," or "and others," as the case may be.

89. The water-rights index-book shall be in the form numbered 56 in the First Schedule hereto, and shall contain the specified particulars of all water-rights registered before or after the coming into operation of the Mining Act in respect of each specified stream in the district.

90. 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.

## GENERAL PROVISIONS AS TO MINING PRIVILEGES.

91. Except where express provision is made to the contrary, the terms, conditions, reservations, and provisions subject to which every mining privilege shall be deemed to be granted and shall 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 thirty days is made in the full and punctual payment of any rent, royalty, license fee, or other money payable to His Majesty in respect of any mining privilege, the Warden 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 £25), and may sell the same, in such manner, at such prices, and on such conditions in all respects as he thinks fit. Licensee in this clause shall mean and include any person (whether registered or not) having any legal or equitable interest in the mining privilege.
- (3.) Such sale may be effected either on the land or elsewhere, and to that end the effects distrained may be removed.

(4.) Not less than five days' previous notice of the time and place of sale shall be given by advertisement in a newspaper printed and published in or nearest to the locality in which the land is situate.

(5.) 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.

(6.) 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 His Majesty under the license.

(7.) 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 any watercourse by such person in the lawfully carrying-on of his mining operations; 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 remove the same with all reasonable diligence, and at his own cost in all things; nor

(d.) Have any right or remedy whatsoever which would prevent any person from freely using for purpose of ingress, egress, or regress, with or without horse and vehicles, at all reasonable hours, such portion of the surface of the land comprised in the mining privilege (not being a residence-site or a business-site) as is not being actually occupied by the holder of the mining privilege as a site for his plant, buildings, or mining-works, or as is not being actually used by him for his mining operations:

Provided that nothing in this paragraph shall authorise any person to loiter about or interfere with such plant, buildings, works, or operations, or shall relieve

him from liability for any damage actually done by him whilst on the land.

- (8.) The fact of rent being payable under a license shall not be deemed to confer upon the licensee any estate in the land comprised in the license.
- (9.) Licenses for mining privileges not entitling the licensee to win gold, metals, or minerals from the land comprised therein, may be granted by the Warden in respect of so much of the surface or subsoil of the land comprised in any mining privilege entitling the holder to win gold, metals, or minerals therefrom as in the Warden's opinion is not required by such holder for the purposes of his mining operations, or the reasonable exercise of his other rights as such holder :

Provided that the license shall be granted subject to such conditions as the Warden thinks fit to impose in order to prevent such mining operations or the reasonable exercise of such rights being unduly hampered or interfered with by the licensee in acting under the license, and shall in every case be deemed to be granted subject to the condition that in the event of the surface being at any time required by such holder for the purposes of his mining operations, he may, with the previous authority in writing of the Warden, enter upon and use the same or any specified portion thereof, or the subsoil thereof, upon such terms and conditions as the Warden thinks fit, and upon paying or making provision for the payment of full compensation to such licensee for all damage thereby caused to his buildings, improvements, or mining-works on the land.

- (10.) Licenses for mining privileges entitling the licensee to win gold, metals, or minerals from the land comprised therein may be granted by the Warden in respect of land held as mining privileges not entitling the holder to win gold, metals, or minerals from the land comprised therein :

Provided that the license shall be granted subject to such conditions as the Warden thinks fit to impose in order to prevent such holder being unduly hampered or interfered with in the reasonable exercise of his rights as such holder, and shall in every case be deemed to be granted subject to the following conditions :—

(a.) That, except with the previous authority in writing of the Warden and upon paying or making satisfactory provision for the payment of full compensation to such holder for all damage thereby caused to the surface of the land, or to such holder's buildings, improvements, or mining-works on the land, the licensee will not, in acting under the license, enter upon or disturb the surface of the land or carry on mining operations within such distance of the surface as the Warden prescribes ; and also

(b.) That such holder shall be entitled to receive full compensation from

such licensee for all damage done to the surface of the land, or to such holder's buildings, improvements, and mining-works thereon, by the licensee in acting under the license.

- (11.) In every case where, pursuant to subsection (e) of section 212 of the Mining Act, any person ceases to have any right or title to the thereinmentioned improvements, such improvements, if on private land, shall follow the title to such land, and if on other than private land shall be deemed to belong to His Majesty, but in the latter case may, whilst existing on the land, be used by any person who takes up a mining privilege on the land : Provided that such user shall be only for the purposes of such mining privilege.

92. Except where authorised by or under the Mining Act, or the regulations thereunder, 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 privileges, 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.
- (7.) Remove, deface, or alter any peg, mark, or notice set up by any other person in accordance with the Mining Act or the regulations thereunder.

93. Where the holder of a mining privilege discharges or deposits tailings therefrom outside the boundaries thereof or of his special site for the deposit of tailings, his right to such tailings shall be deemed to be abandoned.

#### ADDITIONAL PROVISIONS FOR THE SAFETY OF LIFE AND PROPERTY IN CONNECTION WITH MINING OPERATIONS.

##### *Additional General Rules.*

94. In addition to the general rules prescribed by section 255 of the Mining Act, the following general rules shall, as far as practicable, be observed in every mine :—

- (1.) The extent of ventilation to be prescribed under subsection (1) of section 255 of the Mining Act shall be at the rate of not less than 100 cubic feet of air per minute for every person, and 600 cubic feet of air per minute for every horse or other animal, whilst employed under ground :

Provided that in any case where the Inspector is satisfied that the aforesaid rate is insufficient for the purpose of providing adequate ventilation, either throughout the underground workings generally, or in any specified portions thereof, he may from time to time require such rate to be increased, to such extent as in the circumstances he thinks reasonable.

- (2.) In and about every mine and the underground workings thereof provision to the satisfaction of the Inspector shall at all times be made for sanitation, and for the prevention of nuisances, and for this purpose the Inspector may require the holder of the mine to provide latrine-accommodation and the use of disinfectants.
- (3.) In any case where the Inspector is of opinion that, by reason of the use of timber or other inflammable material in a mine, there is risk of fire, he may require the holder of the mine to provide such number and description of smoke-protectors as the Inspector thinks necessary, having regard to the nature and extent of the workings and of the risk.
- (4.) If inflammable gas has been found in the mine within the preceding twelve months, a station or stations shall be appointed at the entrance to the mine or to different parts of the mine, as the case may require, and no workman shall pass beyond any such station until the mine, or as the case may be, the part beyond such station, has been cleared from gas, and been inspected and ascertained to be safe.
- (5.) Such inspection shall be made within two hours before the time fixed for the commencement of work.
- (6.) A printed copy of the foregoing general rules shall at all times be kept posted in the office, and on some building or board in a conspicuous place in connection with every mine, and shall be renewed as often as the same is torn or defaced.
- (7.) Subsection (46) of section 255 of the Mining Act (relating to offences) shall apply to the foregoing general rules.

*Special as to Dredges.*

95. 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.
  - (d.) A looped wire line securely fastened around outside of pontoons about 6 in. above water-line.
- (2.) In every case where the Warden or Inspector notifies the owner or manager of the dredge that the stream in which the

dredge is being constructed or 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, inclusive of the boat required to be kept under subclause (1) hereof, and each of such boats must be equipped ready for use and continuously furnished with a life-buoy, a light line not less than 50 ft. in length, and a boat-hook not less than 7 ft. long. 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 handrail 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 handrails 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 handrail at each side and be secured to the deck of the dredge.
- (9.) All the aforesaid safety appliances shall be subject to the approval of the Inspector.
- (10.) The length of freeboard between the deck of the dredge and the surface of the water shall at no time be allowed to be less than the Inspector directs.
- (11.) Every dredge shall be provided with latrine-accommodation to the satisfaction of the Inspector.
- (12.) Except in the case of dredges in use at the time of the gazetting of these regulations, a dredge shall not be used for working a claim until it has been inspected by an Inspector who certifies as to the strength and soundness of the pontoons, the efficiency of the safety appliances, and the sufficiency of length of freeboard.
- (13.) In any case where the Inspector is of opinion that a dredge is unsafe, and should be suspended or condemned, he shall make report thereon to the Warden,

whereupon the following provisions shall apply:—

(a.) The Warden may issue a summons requiring the owner of the dredge to show cause why it should not be suspended or condemned.

(b.) On the return of the summons, and after full inquiry and investigation, the Warden may, by order, either suspend the dredge from working until it is renovated and rendered safe to his satisfaction, or condemn it altogether, or give such other direction in the premises as he thinks fit; and it shall be the duty of the owner of the dredge, and all other persons concerned, to obey such order.

- (14.) A printed copy of the foregoing special rules shall be kept posted in a conspicuous place on every dredge, and shall be renewed as often as the same is torn or defaced.
- (15.) It shall be the duty of the owner and manager of the dredge, and of every person in charge of or giving orders or directions relating to the working of the dredge or employed thereon, to faithfully comply with the foregoing special rules, and if they fail or neglect so to do they shall be severally guilty of an offence.

#### General.

96. Any requirement, order, or direction of the Inspector under the aforesaid section 255, or these regulations, may be made by writing under his hand addressed in general terms to the person in charge of the mine or dredge, and delivered at the mine or dredge; and it shall be the duty of the owner and manager to faithfully comply therewith.

#### REGISTRATION OF APPLIANCES AND PROCESSES FOR TREATING ORES AND METALS.

97. For the purposes of Part VI of the Mining Act (relating to the registration of appliances and processes for treating ores and metals) the following provisions shall apply:—

- (1.) Any person who, as owner or proprietor of a machine, desires to register the same shall lodge with the Registrar an application for registration, in the form numbered 57 in the First Schedule hereto, or to that effect.
- (2.) If after inquiry the Registrar is satisfied as to the facts he shall register the machine 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 fit.
- (3.) The Machine Register-book shall be in the form numbered 58 in the First Schedule hereto, and registration shall be effected by entering in the said book the particulars indicated in the said form.
- (4.) On registering the machine the Registrar shall issue to the applicant a license to work the machine.
- (5.) The license may be in the form numbered 59 in the First Schedule hereto.
- (6.) The renewal of the license may be effected by the Registrar in the same manner, *mutatis mutandis*, as in the case of the renewal of a tunnel prospecting license

by the Warden, and for that purpose clause 11 of these regulations, with all necessary modifications, shall apply.

- (7.) The monthly return mentioned in subsection (k) of section 279 of the Mining Act may be in the form numbered 60 in the First Schedule hereto.

#### COMPENSATION.

*As to Compensation payable otherwise than by the Crown.*

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

99. In every case where the compensation is to be assessed by the Warden and two assessors, the provisions of section 114 of the Mining Act shall apply.

*As to Compensation payable by the Crown in respect of Watercourses set apart for Discharge of Tailings.*

100. The claim for compensation to be prescribed under section 127 of the Mining Act may be made in the form numbered 61 in the First Schedule hereto, or to that effect.

*General as to Compensation payable by the Crown.*

101. Subject as last aforesaid, all claims for compensation against His Majesty under the Mining Act may be made in such of the forms provided by "The Public Works Act, 1905," as are applicable, with all such modifications and alterations as the circumstances require.

#### STATISTICS.

102. Every holder of a claim shall during the month of January in each year forward to the Inspector a return in the form numbered 62 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 year ending on 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 month of January in each year, forward to the Inspector a return in the form numbered 63 in the First Schedule hereto, under the hand of such officer or buyer, setting forth the particulars therein mentioned for the year ending on the last day of the preceding month.

#### DUPLICATES OF DOCUMENTS LOST OR DESTROYED.

104. For the purposes of the issue of duplicates of lost or destroyed documents under the provisions in that behalf contained in section 363 of the Mining Act, the following provisions shall apply:—

- (1.) The application for the duplicate may be in the form numbered 64 in the First Schedule hereto, and shall be filed in the office of the Registrar, but need not be notified or advertised.
- (2.) The statutory declaration embodied in the application shall be exempt from stamp duty.
- (3.) The Warden, if satisfied with the proof of loss, may order the Registrar to issue a duplicate, and in such case the Registrar shall issue the same accordingly.

- (4.) The duplicate shall be a copy of the original with the addition of the words,—  
 “Duplicate, issued this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, in lieu of the original, which has been lost [or destroyed].  
 “A.B.,  
 “Registrar.”
- (5.) The application may be disposed of summarily at any time after it is filed.
- (6.) The only fee payable shall be the application fee of 2s.

#### TIMBER-CUTTING RIGHTS.

##### *As to Holder of Miner's Right or Mining Privilege*

105. 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 any available unalienated Crown land open for mining:

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; nor in respect of
- (b.) Kauri-trees or any such trees as are reserved by the Warden.

106. 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, or, in so far as suitable timber is not obtainable on such land, then on any other available unalienated Crown land open for mining, nevertheless for the purposes only of his own domestic use, or of the erection of buildings or fences on such first-mentioned land, or the carrying-on of his mining operations thereon.

##### *As to Lands available for the Grant of Timber-cutting Rights by the Warden.*

107. The timber-cutting rights hereinafter provided for shall be exercisable only in respect of timber growing or standing on such lands in a district as are defined and specified by the Governor to be areas within which timber-cutting rights may be granted by the Warden exclusively.

##### *Sawmill Licenses.*

108. On application in that behalf in the form numbered 65 in the First Schedule hereto the Warden may grant to any person, being the holder of a miner's right, a sawmill license entitling the licensee during its currency to cut timber (other than kauri-trees or trees reserved by the Warden) growing or standing on the land comprised in the license, and sell or otherwise dispose of the same for any purpose, 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, filed, and disposed of under such of the provisions of section 165 of the Mining Act and clause 33 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.
- (5.) There shall also be payable a royalty at the rate specified in the Fourth Schedule hereto in respect of all timber cut pursuant to the license.
- (6.) The acreage-rent shall be payable as provided by subsection (j) of section 170 of the Mining Act.
- (7.) The royalty shall be payable on the same days as the instalments of rent accruing due after the commencement of the term, and for similar periods:

Provided that the first such payment of royalty shall be due and payable on the same day as the first half-yearly instalment of rent, and be in respect of the royalty for the period elapsing between the date of the license and such day:

Provided further that all sums paid in respect of royalty for any period shall, to the extent of the rent payable, be deemed to be in or towards satisfaction of such rent.

- (8.) The license may be in the form numbered 66 in the First Schedule hereto.

109. 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 the land comprised therein, or on some other site approved by the Warden, a substantial and fully equipped sawmill plant, including all the necessary buildings thereto appertaining; and also shall at all times thereafter during the currency of the license keep such plant in continuous working operation cutting timber from said sawmill license, unless valid and satisfactory reasons can be given to the Warden for any temporary stoppage.
- (2.) If such plant is not already provided and fitted up when the license is granted, the Warden shall require the licensee to give security to his satisfaction that it will be provided and fitted up within six months thereafter.
- (3.) Except for the purpose of constructing the sawmill, and any tramway or other work in connection therewith, the licensee shall not cut or sell or otherwise dispose of any timber on the land until the sawmill is in full working operation.
- (4.) If at any time the mill is closed for a longer time than the Warden thinks necessary or reasonable, he may give the licensee notice in writing to resume work within the period (not exceeding one month) named in the notice.

- (5.) If the licensee fails or neglects to resume and continue the *bona fide* working of the mill in terms of such notice, the Warden may forfeit the license.
- (6.) The Warden may require the licensee to use a brand for marking his timber, and to register the same (without fee) in the Warden's Court in a book to be kept for the purpose by the Clerk of the Court.
- (7.) In no case shall any two registered brands be the same or so like one another as to be calculated to deceive.
- (8.) 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, and for such purpose cut and use any timber thereon.
- (9.) The licensee shall be entitled to occupy, for his sawmilling purposes, so much of the surface of the land comprised in the license as is reasonably required for his sawmill and sawmilling works.
- (10.) The licensee shall at all times keep full and accurate accounts of all timber cut by him under his license, and permit the accounts to be inspected at any time by any Inspector, and shall also 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.
- (11.) Subject to the specific provisions of regulations relating to timber-cutting rights, the provisions of the Mining Act and the regulations thereunder relating to the grant, registration, transfer, protection, inspection, surrender, forfeiture, and abandonment of mining privileges, and the terms, conditions, reservations, and provisions subject to which mining privileges may be granted and shall be deemed to be held, shall apply to sawmill licenses :

Provided that at any time within three months after surrender, forfeiture, or abandonment, the licensee shall be entitled to remove all buildings and plant belonging to him on the land.

- (12.) Whenever the licensee of a sawmill area obtains a license for a reserved area, the first-mentioned license shall be surrendered and cancelled :  
 Provided that the Warden shall grant him, without fee, the right to use for the purpose of working such reserved area the sites (if any) of any mill, building, or tramway belonging to him on the first-mentioned area.

110. When making his application for the license, or at any time thereafter during the currency of the license, the applicant or licensee may, by application in the form numbered 67 in the First Schedule hereto, apply to have reserved for him not more than three additional areas not exceeding 200 acres each, which shall be so situated with respect to each other and to the area in the application or license that the four shall form one area within continuous boundary-lines, and such boundary-lines shall be deemed to be continuous, notwithstanding that the area may be intersected by road or railway-lines. And the Warden may, by certificate under his hand,

in the form numbered 68 in the First Schedule hereto, reserve the same accordingly upon being satisfied that the sawmill plant referred to in subclause (1) of the next-preceding clause of these regulations has or will be duly provided and fitted up as therein required, and that in the case of any existing license all its conditions have been duly complied with to date ; and with respect to such application and certificate the following provisions shall apply :—

- (1.) Subclauses (1) and (2) of clause 108 of these regulations shall apply.
- (2.) 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.
- (3.) The certificate, and each annual renewal thereof, shall be registered.
- (4.) The renewal may be effected in the same manner, *mutatis mutandis*, as in the case of a tunnel prospecting license, and for that purpose clause 11 of these regulations, with all necessary modifications, shall apply.
- (5.) There shall be payable in respect of the certificate, and of each annual renewal thereof, an acreage-rent at the rate of 1s. per acre, and such rent shall be payable by two equal half-yearly instalments in advance.
- (6.) The certificate shall not be transferable apart from the license.
- (7.) The certificate shall not confer any right to occupy the land or cut timber or otherwise use the same, but at any time during its currency the licensee may exchange his existing license for a new sawmill license for any continuous area (not exceeding 200 acres) out of the land comprised in the certificate.
- (8.) Such new license shall specify the certificate out of which the land comprised in the new license is taken.
- (9.) The Warden, when granting the new license, shall, by memorandum, under his hand on the certificate, cancel the certificate as to the land comprised in the new license, and thereafter the certificate shall be deemed to relate only to the residue of the land, and the acreage-rent under the certificate shall abate accordingly.
- (10.) Such memorandum shall be registered.
- (11.) Upon the grant of the new license all references herein contained to the former license shall apply to the new license in lieu of to the former license.
- (12.) As against his liability for acreage-rent under the new license, the licensee shall be credited with the sums paid by him for acreage-rent under the former license or under the certificate, for any period subsequent to the commencement of the term of the new license :

Provided that, in the case of acreage-rent paid as aforesaid under the certificate, the sum to be credited as aforesaid shall be the acreage-rent so paid in respect of the area comprised in the new license, being the area as to which the certificate has been cancelled.

*Hand-sawing and Timber-splitting Warrants.*

111. On application in that behalf, filed in the office of the Registrar, the Warden may grant to any person, being the holder of a miner's right, a warrant entitling him during its currency to cut timber (other than kauri-trees or trees reserved by the Warden) growing or standing on the land comprised in the warrant, and to sell or otherwise dispose of the same for any purpose:

Provided that he shall not be entitled to cut timber for sawmilling purposes except for his own use, and with the consent of the Warden.

112. With respect to such application and warrant the provisions of subclauses (1) and (2) of clause 108 and subclauses (6), (9), and (11) of clause 109 of these regulations, *mutatis mutandis*, and also the provisions following, shall apply:—

- (1.) The application may be in the form numbered 69, and the warrant in the form numbered 70, in the First Schedule hereto.
- (2.) The area of the land shall not exceed 20 acres.
- (3.) 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.
- (4.) The warrant-holder shall pay the same royalty on railway-sleepers as in the case of a sawmill license, and the provisions of subclause (10) of clause 109 of these regulations (limited, however, to timber cut for sleepers) shall accordingly apply.

- (5.) The warrant-holder shall be entitled to construct sawpits and huts on the land, on sites approved by the Warden.

*Kauri-trees and Trees reserved.*

113. The Warden may from time to time, by order under his hand, reserve trees from being cut: Provided that, except in the case of trees reserved prior to the issue of a license or warrant, no tree on the land comprised therein shall be reserved during the currency of the license or warrant.

114. On application in that behalf filed in the office of the Registrar, the Warden may, by order under his hand, authorise any person being the holder of a miner's right to cut for any purpose 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.
- (2.) 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.*

115. 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 lands set apart as forest lands under "The New Zealand State Forests Act, 1885."

116. Every license, certificate, warrant, or order in respect of timber granted under the foregoing regulations or under section 227 of "The Land

Act, 1892," 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 105 and 106 hereof, and subject also to the power of the Warden to grant mining 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.

117. In every case where, under section 147 of the mining Act, areas within the Counties of Buller, Inangahua, Grey, or Westland may hereafter be set aside by the Governor as areas within which timber licenses and other timber-cutting rights may be granted under section 227 of "The Land Act, 1892," exclusively, the following special provisions shall apply:—

- (1.) Applications for timber licenses and other timber-cutting rights within the aforesaid areas may be made to and dealt with by the Warden as fully and effectually as if those areas had been set aside as areas within which timber licenses and other timber-cutting rights might be granted by the Warden exclusively:

Provided that in acting under this regulation the Warden shall be deemed to act on behalf of the Land Board, and shall so state on every license or other instrument issued by him hereunder.

- (2.) All fees and royalties received in respect of timber licenses and other timber-cutting rights under this regulation shall be deemed to be territorial revenue, and shall accordingly be paid by the Receiver into the Public Accounts as part of the Consolidated Fund.
- (3.) The Land Board shall not itself grant any timber licenses or other timber-cutting rights within the aforesaid areas.

*General.*

118. Subject to the foregoing provisions of clauses 115, 116, and 117 of these regulations, 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 mining privilege.

FEES IN RESPECT OF MINING PRIVILEGES AND  
TIMBER-CUTTING RIGHTS.

119. Subject to the specific provisions of the Mining Act and these regulations relating to specific fees, the fees specified in the Fifth Schedule hereto shall be payable in respect of the matters therein mentioned.

## WARDEN'S COURT.

*Office Hours.*

120. (1.) 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 open to the public from 10 a.m. to 12 noon and on Sundays and holidays the office shall be closed:

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.



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

*Holidays.*

121. 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), and all statutory holidays; and in each district the anniversary of the foundation of its province.

*Minute-book, Complaint-book, Record-book, &c.*

122. 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 71 in the Sixth Schedule hereto, and a record-book in the form numbered 72, in the Sixth Schedule hereto, wherein he shall enter the particulars therein specified.

123. The forms numbered 73 to 92 in the Sixth Schedule hereto may be used 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.*

124. The fees specified in the Seventh Schedule hereto shall be payable in respect of the matters therein mentioned, and the allowances to witnesses in proceedings in the Warden's Court shall be those specified in the same Schedule.

DEVELOPMENT OF THE MINING INDUSTRY.

*Aid to prospecting Deep Levels.*

125. 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.

*Subsidies for Water-races and Storage Reservoirs.*

126. 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 a plan of the proposed work and an estimate of its cost.
- (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, plan, and statement 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:

Provided that the subsidy shall not be granted until the applicant has supplied to the Minister 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, and the same have been submitted to and approved by the officer who furnished the aforesaid report.

- (5.) No assistance shall be given in the case of a water-race if the carrying-capacity is less than fifteen 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.*

127. 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, £500, and in the case of a Road Board, £300: Provided that 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 and 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 each party of not less than two men whilst prospecting in new ground: Provided that, except where the prospecting operations 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 each party of not less than two 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 not being less than 4 ft. by 3 ft.,—

	s.	d.
From surface to 15 ft...	0	6 per foot.
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 per foot.
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.

128. 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 shall apply in writing to the local authority or association for assistance.
- (2.) The application shall set out the name and address of each member of the party (being not less than two men), the class of the prospecting, and the locality in which it is to be done.
- (3.) The application shall be approved both by the Minister and the local authority or association.
- (4.) The 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 associa-

tion, 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.

129. (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 His 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.

#### *Rewards for the Discovery of New Mining-fields.*

130. With respect to rewards payable by the Government or any local authority for the discovery of new mining-fields, under section 353 to 355 of the Mining Act, the following provisions shall apply:—

- (1.) The person claiming the reward shall make application therefor in writing to the Minister in the case of a Government reward, or to the local authority in the case of a reward offered by such local authority.
- (2.) The application shall set forth briefly but clearly the date, nature, and site of the discovery, and the circumstances under which it was made.
- (3.) The Minister or local authority receiving the application shall forward it to the Warden exercising jurisdiction nearest to the site of the discovery, where the site is in a mining district, or if the site is outside a mining district then to the Commissioner of Crown Lands of the land district in which the site is situate.
- (4.) The Warden or Commissioner, after making full inquiry into the matter, shall report thereon to the Minister or local authority, stating whether and to what extent the statements in the application are true, and, in the case of a genuine discovery of a new mining-field, the number of miners *bona fide* engaged in mining operations thereon at the expiration of twelve months after the date of the discovery.

131. The amount of the reward (in no case exceeding £500) shall be computed at the rates hereafter specified for every full number of fifty miners *bona fide* engaged in mining operations on the new field at the expiration of twelve months after the date of the discovery.

132. If the reward is offered by the Government, such rates shall be as follows:—

- (1.) £50 where the new field (whether of gold, silver, tin, copper, or diamonds) is distant not less than three miles from the nearest known similar field at the date of the discovery, whether such similar field was then being worked or not.
- (2.) £37 10s. where such new field is distant less than three miles and not less than one mile from such similar field.
- (3.) £25 where such new field consists of (a) the discovery of a new lead or lode, distant less than one mile and not less than half a mile from the nearest known lead or lode at the date of the discovery, whether such known lead or lode was then being worked or not; or (b) the recovery of an old lead or lode which, at the date of the recovery, had been lost.

133. If the reward is offered by a local authority, such rates shall be those hereinbefore specified, or such modification thereof as, with the approval of the Minister, the local authority thinks fit to make.

#### EXAMINATIONS FOR MINE-MANAGERS' AND BATTERY SUPERINTENDENTS' CERTIFICATES.

##### *The Board.*

134. With respect to the Board of Examiners for Mine-managers' and Battery Superintendents' Certificates the following provisions shall apply:—

- (1.) At all meetings of the Board the quorum shall be four, and the Chairman appointed by the Governor shall preside: Provided that if at any meeting the Chairman is absent, the members present may appoint one of their number to act as chairman at such meeting in his stead, and, whilst so acting, the person so appointed shall have all the powers of the Chairman.
- (2.) Each member of the Board who is not otherwise employed in any department of the public service shall receive by way of allowance the sum of £21 to cover all expenses of attending a meeting of the Board.

##### *Certificates by Examination.*

135. The examinations for certificates as mine-managers or battery superintendents shall be held at such times and places as are appointed by the Board, and with respect to such examinations the following provisions shall apply:—

- (1.) For the better conduct of the examinations the Board may appoint supervisors, with such functions and powers as the Board thinks fit.
- (2.) Every candidate for a certificate by examination shall, at least one month before the date fixed for the examination, and in the Form No. 93 in the Eighth Schedule hereto, make application in that behalf to "The Secretary of the Board

of Examiners under the Mining Act," at Wellington, and shall forward therewith a fee of £1.

- (3.) For the purpose of enabling the Board to determine whether the candidate possesses the requisite practical experience, his application shall specify with sufficient particularity for identification and reference the respective mines in which he has been employed, and the period and nature of his employment therein, including, in the case of a battery superintendent's certificate, the nature of the chemical process used in the mine, and of the machinery and appliances connected therewith.
- (4.) For the purposes of section 234 of the Mining Act the requisite practical experience of a candidate for a battery superintendent's certificate shall be actual employment for not less than twelve months in the working of the chemical process used in the mine, and of the machinery and appliances connected therewith.
- (5.) The evidence in writing from previous employers in proof of the nature and extent of the candidate's practical experience, to be supplied to the Board as required by section 234 of the Mining Act, shall be so supplied at the same time as the application is forwarded, or as soon thereafter as is possible.
- (6.) The subjects of examination for certificates as mine-managers shall consist of two Parts, as follows:—

*Part 1.—For First- or Second-class Certificates.*

- (a.) The laying-out and construction of shafts, chambers, main drives or levels, adits, uprisers, and stopes.
- (b.) The timbering of shafts, adits, main drives or levels, passes, stopes, and generally the systems of timbering mines and filling up old workings.
- (c.) The ventilation of mines and composition of gases.
- (d.) Tapping water in mines, and the mode of constructing dams in underground workings to keep the water back.
- (e.) Blasting and the use of explosives.
- (f.) A knowledge of arithmetic and the method of keeping mining accounts.
- (g.) A knowledge of Parts V and VI of "The Mining Act, 1905"—oral.

*Part 2.—For First-class Certificates.*

- (h.) Pumping appliances and the drainage of mines.
- (i.) The haulage in shafts and on underground planes; also the strength of haulage ropes and chains.
- (j.) The effect that faults, slides, and mullock-bars have on lodes, and how to ascertain the direction of slides and heavals.
- (k.) A knowledge of underground surveying, and of making plans of the underground workings, showing the dip or inclination and strike of the reefs or lodes.
- (l.) A knowledge of the different rocks

where gold, silver, tin, copper, zinc, lead, and antimony are found, and the formation of lodes and leads.

- (7.) A candidate for a first-class certificate shall be entitled thereto if he passes satisfactorily in Parts 1 and 2, and not otherwise; but if he passes satisfactorily in Part 1 only, and is not the holder of a second-class certificate, he shall be entitled to a second-class certificate.
- (8.) A candidate for a second-class certificate shall be entitled thereto if he passes satisfactorily in Part 1, and he shall not be required to be examined in Part 2.
- (9.) If the candidate is the holder of a second-class certificate he shall state the fact in his application.
- (10.) The subjects of examination for certificates as battery superintendents shall be as follows:—
- (a.) The different modes of reducing and pulverising ores.
- (b.) Amalgamating-machines.
- (c.) The use of quicksilver, and methods of using it in connection with the extraction of gold and silver from ores.
- (d.) Cyanide, chlorination, and other chemical processes of recovering gold and silver from ores.
- (e.) The sampling and testing of ores.
- (f.) A knowledge of arithmetic and the method of keeping battery accounts.
- (g.) A knowledge of Part VI of "The Mining Act, 1905"—oral.
- (11.) Every applicant must be able to give drawings to illustrate details connected with any work to be done in or about a gold-mine, and must give all details of calculations, and in matters of opinion must fully state his reasons for arriving at any given conclusion.
- (12.) All applications shall, prior to the examination, be forwarded by the Secretary of the Board to the Inspector of Mines of the district for inquiry as to bona fides.
- (13.) No candidate shall be permitted to attend for examination without an authority signed by the Secretary of the Board.
- (14.) Certificates, whether by examination or without examination, shall be in such of the forms numbered 94 to 96 in the Eighth Schedule hereto as are applicable.
- (15.) The Board shall keep a register of all certificates issued by it.

**DREDGEMASTERS' CERTIFICATES.**

With respect to the Board of Examiners for Dredgemasters' Certificates, the following provisions shall apply:—

*The Board.*

136. In each mining district where dredging is carried on the Board of Examiners shall appoint a certificated dredgemaster of experience and good repute, and a Harbourmaster, who, together with the Inspector of Mines for the district, shall conduct the examinations, and at such times and places as may be determined by the Board.

137. Every Examiner so appointed by the Board shall receive by way of travelling-expenses the sum of £1 11s. for each day's absence from his place of abode for the purpose of conducting the examina-

tions, including the day of his leaving his place of abode, but not the day of his return thereto.

138. He shall also be repaid all sums properly expended by him for fares by railway, coach, or steamer in travelling for the purpose of attendance at such examinations.

*Certificates by Examination.*

139. Every candidate for examination shall, at least one month before the date fixed for the examination, and in the Form No. 97 in the Eighth Schedule hereto, make application in that behalf to "The Secretary of the Board of Examiners under the Mining Act," at Wellington, and shall forward therewith a fee of £1.

140. Every candidate for examination shall be not less than twenty-four years of age, and shall forward, together with his application, satisfactory evidence of sobriety and good character, and of at least three years' employment on a dredge or dredges. Two years of such employment must have been served on a dredge or dredges working in deep or swift-flowing streams, and in respect thereto certificates shall be furnished by the candidate in the Form No. 109 of the Eighth Schedule hereto.

141. No candidate shall be permitted to attend for examination without an authority signed by the secretary of the Board.

142. The examination shall comprise the following subjects:—

- (a.) On laying lines and the methods of running lines for working a dredge.
- (b.) On moving a dredge up and down stream.
- (c.) On mooring a dredge and protecting same against floods, &c.
- (d.) On boats and the working of same under conditions incidental to dredging operations.
- (e.) On a knowledge of the requirements of the Mining Act and its amendments and regulations relating to dredging.
- (f.) On such other matters relating to the safe working of dredges as the Board may deem desirable, including a knowledge of machinery and the strength of ropes.

143. The certificate issued under these regulations shall be in the Form No. 98 in the Eighth Schedule hereto, as the case requires.

144. The Board shall keep a register of all certificates issued by it.

145. The owner of every dredge shall from time to time notify in writing to the Inspector the name of the dredgemaster employed thereon, together with the number of his certificate, and shall also at all times cause such name to be kept posted in some conspicuous place on the dredge.

146. Every person employed or acting as dredgemaster, or in control of a dredge, shall produce his certificate to the Warden or the Inspector of Mines whenever required so to do.

MISCELLANEOUS PROVISIONS.

*As to Service.*

147. In every case where, in connection with proceedings before the Warden or in the Warden's Court, notice of any application, objection, counterclaim, appeal, or any other document is to be served by one person or party on another person or party, then such service may be effected (a) by delivering a copy thereof to such other person or party or his solicitor, or his registered agent, personally, or (b) by leaving the same at the usual place of business

or abode of such other person or party in the colony, or at his address for service, with some person appearing to be not less than fourteen years of age and to be an inmate thereof, or in charge thereof, or employed therein; or (c) by posting the same in a duly registered letter addressed to such other person or party at his address for service.

148. If service cannot conveniently be effected in any of the ways provided for in the last preceding clause hereof, it may, if the Warden or the Clerk of the Court so directs, be effected in any of the following ways:—

- (1.) By affixing the copy in some conspicuous position upon the site of his last known place of business or abode in the colony, or upon the site of his address for service, or, if the proceedings relate to any mining privilege or ground held, claimed, or applied for by the person or party to be served, then upon such privilege or ground; or
- (2.) By posting the copy in a duly registered letter addressed to such person or party at his last known place of business or abode in the colony; or
- (3.) In such other manner as the Warden or the Clerk of the Court directs.

149. In case of service under the last preceding clause hereof, a notification of the mode of service, and of the fact that it has been directed by the Warden or Clerk, shall be advertised in some newspaper published or circulating in the locality of the Courthouse in which the proceedings are being dealt with, and in such case (but subject to the provisions of the next succeeding clause hereof relating to service by post) the date on which the advertisement first appears shall be deemed to be the date of the service.

150. In every case where under these regulations service is effected by posting a registered letter, the date on which the letter would reach its address in the ordinary course of post shall be deemed to be the date of the service.

151. The foregoing provisions as to service shall not apply in the case of a summons, the mode of service whereof is prescribed by subsections (14) to (19) of section 331 of the Mining Act.

152. In the case of a summons where the defendant is beyond the limits of the colony, but has an agent within the colony authorised to defend actions, service may, by leave of the Court, be made upon such agent.

*As to Tent or Hut Ground.*

153. In addition to the other privileges conferred by the Mining Act or these regulations on the holder of a miner's right, he shall as such holder, and without application to the Warden, be entitled to personally occupy as tent or hut ground for his residence an area not exceeding 24 ft. frontage by 48 ft. depth on any unoccupied Crown land open for mining, not being land set apart for business or residence sites or land required for such sites or for mining purposes.

*As to Sanitary Provisions.*

154. The holders of all residence or business sites or of tent or hut grounds shall comply with all sanitary regulations prescribed by any local authority having jurisdiction over such sites or grounds, and also with all the provisions of "The Public Health Act, 1900," or its amendments relating thereto.

*As to Rents, &c., payable to Owner of Land.*

155. All rents, royalties, and license fees to which the owner of land is entitled under section 59 of the Mining Act shall, when received by the Receiver, be paid by him into his Deposit Account, and there held until he can pay them over to the owner entitled thereto.

*As to Receivers.*

156. In every case where, under the powers in that behalf conferred by section 166 of the Mining Act, the Commissioner of Crown Lands exercises the powers and functions of the Warden and Registrar respectively, the Receiver of Land Revenue of the land district shall exercise the powers and functions of the Receiver of Gold Revenue.

*As to Appeals.*

157. The result of every appeal under section 334 of the Mining Act shall be forthwith communicated to the Clerk of the Court from which the appeal was made, by certificate under the hand of the Clerk of the Appellate Court and the seal of his Court.

*Mining Agents.*

158. All mining agents duly registered under any former Mining Act shall be deemed to be duly registered under "The Mining Act, 1905"; and shall be liable to pay the annual registration fee hereinafter prescribed.

159. Any person desirous of being registered as a mining agent under section 331 of the Mining Act shall make application in writing in the Form No. 105 in the Ninth Schedule hereto, which application shall be publicly notified by and at the expense of the applicant by advertisement twice at least in one or more newspapers circulating in the district.

160. Such application shall state the particular mining district, or the particular localities within such district, to which the application is intended to relate.

161. An application shall not be granted authorising any mining agent to appear in any Warden's Court held outside the mining district for which he is registered.

162. Before granting any application for registration as a mining agent the Warden shall satisfy himself as to the applicant's knowledge in respect to the general mining law of the colony, particularly treating of the following subjects:—

- (a.) The classes of land in respect of which mining privileges may be granted pursuant to the Mining Act.
- (b.) Miners' rights.
- (c.) The different classes of mining privileges, and their protection, amalgamation, and exchange, as well as the procedure to be adopted in applying therefor.
- (d.) The procedure of the Warden's Court.
- (e.) Forfeiture by decree of the Court.
- (f.) Abandonment of mining privileges.

163. Every application to be registered as a mining agent, and every application to cancel such registration, shall be publicly heard.

164. Immediately on the grant of an application to be registered as a mining agent, the Warden shall issue to the applicant a license in the Form No. 106 in the Ninth Schedule hereto.

165. (1.) There shall be payable to the Clerk of the Warden's Court by every mining agent an annual license fee of £1 ls., payable on the 1st

day of January in each year: Provided that if any application for registration is granted after the 1st day of July in any year there shall only be payable in respect of the remainder of that year a fee of 10s. 6d.

(2.) In default of payment for a period of thirty days the agent shall be suspended until the fee is paid.

(3.) All such fees shall be paid to the Receiver of Gold Revenue.

166. The registration of any person as a mining agent shall not be cancelled until after a public inquiry, of which due notice is given to all persons concerned. An application to cancel such registration may be in the Form No. 107 in the Ninth Schedule hereto.

167. The fees set out in the Tenth Schedule hereto may be allowed to either party in respect of any registered mining agent lawfully appearing and acting in any proceedings under the Mining Act.

168. The procedure prescribed by the Mining Act, and these regulations in respect of applications for mining privileges, and objections thereto, shall, *mutatis mutandis*, apply to all applications and objections filed and lodged pursuant to these regulations relating to mining agents.

*Forms.*

169. 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, such form may be used as the Warden prescribes or approves.

170. In every case where, in the exercise of the powers and functions of the Warden, the Commissioner of Crown Lands issues any license or warrant, sealing shall not be necessary.

*As to Determination of Questions or Disputes by Warden and Two Assessors.*

171. In every case where any question or dispute is to be determined by the Warden and two Assessors, the provisions of section 114 of the Mining Act shall, *mutatis mutandis*, apply.

*Purchase and Sale of Gold and Registration of Gold-buyers.*

172. Any person, other than an incorporated bank, desirous of obtaining a gold-dealer's license shall, at least thirty days before the hearing, lodge with the Warden an application in duplicate in the Form No. 108 in the Ninth Schedule hereto, together with a fee of five shillings.

173. The duplicate shall, on the day of the receipt thereof by the Mining Registrar or Clerk of the Court, be posted in a conspicuous place either with or without the Court, and shall be kept posted, legible, and intact till the day of hearing of the application.

174. The applicant shall forthwith cause a copy of his application to be published in three consecutive issues of a local newspaper, and shall also keep a copy posted until the hearing in a conspicuous place on the building in which he intends to carry on his business as a licensed gold-dealer.

175. Any person may, either before or at the hearing of an application, object to the issue of a gold-dealer's license to any applicant: Provided that any objection may be communicated to the Warden or to the Minister by ordinary letter through the post; and, for the purpose of making due inquiry into the grounds of such objection, the Warden or Minister may defer dealing with the application for such period as may be necessary.

176. If the Minister decides to grant to any such applicant a gold-dealer's license he shall cause a license in the Form No. 109 in the Ninth Schedule hereto to be issued to such person. When any such license has been granted, and has been registered in the Register of Licensed Gold-dealers at the office of the Department of Mines in Wellington, it shall be forwarded to the Warden for delivery to the licensee.

177. An incorporated bank shall apply in writing to the Minister for a general gold-dealers' license, and, on receipt of a fee of five shillings, together with five shillings in addition for each branch at which gold-dealing is to be carried on, such license may be granted in the Form No. 110 in the Ninth Schedule hereto.

178. Such license shall authorise the bank to deal in gold at every branch specified therein.

179. The manager, or the accountant, or the officer in charge of the gold-buying department for the time being at every such branch shall be deemed to be a "licensee" within the meaning of the said Act.

180. The bank in the application for the license shall state the places at which such branches are established, and from time to time give to the Under-Secretary for Mines written notice of the establishment of any additional branch at which gold-dealing is to be carried on.

181. A Gold-dealer's Book, in the Form No. 111 in the Ninth Schedule hereto, shall be kept at the registered place of business of every gold-dealer, and at every branch of an incorporated bank holding a gold-dealer's license at which gold-dealing is carried on. Every licensed gold-dealer other than an incorporated bank, and, in the case of a bank, the manager, accountant, or officer in charge of the gold-buying department for the time being of the branch, as the case may be, shall personally conduct and carry out every transaction relating to the purchase or sale of gold, and shall, after every purchase or sale has been effected, forthwith record in his Gold-dealer's Book the prescribed particulars of the transaction.

182. On or before the fifth day of each month every licensed gold-dealer and the manager at any such branch of an incorporated bank holding a gold-dealer's license shall forward to the Under-Secretary for Mines a return in the Form No. 112 in the Ninth Schedule hereto, containing the particulars therein prescribed with regard to every transaction relating to gold undertaken by him or by his bank during the preceding month.

183. The statutory declaration to be made by the sender when forwarding gold by post or other intermediary to an incorporated bank licensed under the said Act shall be in the Form No. 113 in the Ninth Schedule hereto.

184. Any failure to comply with the provisions of clauses 181 to 183 of these regulations renders the person or persons liable to the penalties set out in sections 52-54 of "The Mining Act Amendment Act, 1905."

185. Any person who desires to obtain a temporary license to deal in gold in any remote locality shall lodge with the Warden an application in the Form No. 114 in the Ninth Schedule hereto, together with a fee of five shillings.

186. Every temporary license granted by a Warden shall be in the Form No. 115 in the Ninth Schedule hereto.

187. The provisions of these regulations relating to gold-buyers shall apply to the holder of a temporary license so far as the same are applicable thereto.

SCHEDULES.

FIRST SCHEDULE.

Form 1 (Reg. 2).

Under "The Mining Act, 1905."

MINER'S RIGHT.

<p>[Block to be retained by the officer.] MINER'S RIGHT, N.Z. Not extending to Native ceded land. No. . . . . District and place of issue : To whom issued : of Date of issue :  Date of expiry : Fee paid : 5s. Initials and designation of officer by whom issued :</p>	<p>[To be issued to the applicant.] MINER'S RIGHT, N.Z. Not extending to Native ceded land. No. . . . . District : To whom issued : [Full name], of [Residence]. Date of issue : day of , 19 . Date of expiry : Fee paid : 5s. Dated and issued at this day of , 19 . ..... Warden [or other designation of officer].</p>
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Form 2 (Reg. 2).

Under "The Mining Act, 1905."

CONSOLIDATED MINERS' RIGHT.

<p>[Block.] CONSOLIDATED MINERS' RIGHT. Not extending to Native ceded land. No. . . . . District and place of issue : To whom issued : 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]. Date of issue : Date of expiry : Number of rights comprised :  Fee paid : Initials and designation of officer by whom issued :</p>	<p>CONSOLIDATED MINERS' RIGHT, NEW ZEALAND. Not extending to Native ceded land. No. . . . . District : To whom issued : of [State, &amp;c., as in block].  Date of issue : Date of expiry : Number of miners' rights comprised herein : Fee paid : Dated and issued at this day of , 19 . ..... Warden [or other designation of officer].</p>
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Form 3 (Reg. 2).

Under "The Mining Act, 1905."

MINER'S RIGHT.

<p>[Block to be retained by the officer.] MINER'S RIGHT, NEW ZEALAND. Extending to Native ceded land. No. . . . . District and place of issue : To whom issued : of Date of issue :  Date of expiry : Block of Native ceded land to which the right extends :  Fee paid : Initials and designation of officer by whom issued :</p>	<p>[To be issued to the holder.] MINER'S RIGHT, NEW ZEALAND. Extending to block of Native ceded land. No. . . . . District : To whom issued : [Full name], of [Residence]. Date of issue : day of , 19 . Date of expiry : Block of Native ceded land to which this miner's right extends : Fee paid : Dated and issued at this day of , 19 . ..... Warden [or other designation of officer].</p>
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Form 4 (Reg. 2).

Under "The Mining Act, 1905."

CONSOLIDATED MINERS' RIGHT.

[Block.]

<p>CONSOLIDATED MINERS' RIGHT.</p> <p>Extending to Native ceded land. No.</p> <p>District and place of issue: To whom issued: 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: Date of expiry: Block of Native ceded land to which the right extends: Number of rights comprised: Fee paid: Initials and designation of officer by whom issued:</p>	<p>CONSOLIDATED MINERS' RIGHT, NEW ZEALAND.</p> <p>Extending to Native ceded land. No.</p> <p>District: To whom issued: of [State, &amp;c., as in block].</p> <p>Date of issue: Date of expiry: Block of Native ceded land to which this right extends: Number of miners' rights comprised herein: Fee paid: Dated and issued at this day of 19[ ] Warden [or other designation of officer].</p>
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Form 5 (Reg. 7).

Under "The Mining Act, 1905."

APPLICATION FOR PROSPECTING WARRANT IN RESPECT OF NATIVE LAND.

To the Minister of Mines. PURSUANT to "The Mining Act, 1905," the undersigned [Full name, residence, and occupation], hereby applies to His Excellency the Governor for a prospecting warrant in respect of the following Native land:—

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

The sum of £3 is forwarded herewith to abide the disposal of this application.

Date and number of miner's right: Address for service: Dated at , this day of , 19 . Signature of applicant: A. B. [Or, as the case may be, A. B. (by his Solicitor or Registered Agent, C. D.)]

Form 6 (Reg. 7).

Under "The Mining Act, 1905."

APPLICATION FOR 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 specifying in the case of a tunnel prospecting 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. 7).

Under "The Mining Act, 1905."

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

[If the land (not being Native land) is situate wholly outside a mining district the application (as also every application for a prospecting license or a mining privilege in respect of water) must be made to the Commissioner of Crown Lands of the land district, and the forms must be altered accordingly.]

To the Warden of the Mining District, at . PURSUANT to "The Mining Act, 1905," the undersigned [Full name, residence, and occupation], hereby applies for a prospecting warrant in respect of the following land (being other than Native land):—

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

Date and number of miner's right: Address for service: Dated at , this day of , 19 . Signature of applicant: A. B. [Or, as the case may be, A. B. (by his Solicitor or Registered Agent, C. D.)]

Precise time of marking out privilege applied for: [e.g., 6th August, 1900, at 2.30 p.m.]. Time and place appointed for the hearing of the application and all objections thereto: [e.g., Thursday, 23rd August, 1900, at 10 a.m., at Warden's Court at ]. Objections must be filed in the Registrar's office and notified to applicant at least three days before the time so appointed.

, Mining Registrar.

Form 8 (Reg. 7).

Under "The Mining Act, 1905."

APPLICATION FOR PROSPECTING LICENSE IN RESPECT OF OTHER THAN NATIVE LANDS.

[As in Form 7, with the requisite modifications, adding a statement that the land has been duly marked out, and specifying in the case of a tunnel prospecting license the estimated length, position, and proposed course of the tunnel.]

Form 9 (Reg. 7).

Under "The Mining Act, 1905."

PROSPECTING WARRANT IN RESPECT OF NATIVE LAND.

PURSUANT to "The Mining Act, 1905," His Excellency the Governor of the Colony of New Zealand hereby grants to [Full name, residence, and occupation] this prospecting warrant, conferring upon him, whilst this warrant continues in force, the non-exclusive right to enter and prospect for gold and any other metal or mineral on all that parcel of Native land [Here describe the land].

The term of this warrant is one year, commencing on the date hereof, and the warrant is granted subject to the terms, conditions, reservations, and provisions set out in 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 , 19 . , Minister of Mines.

Form 10 (Reg. 7).

Under "The Mining Act, 1905."

PROSPECTING WARRANT IN RESPECT OF OTHER THAN NATIVE LAND.

PURSUANT to "The Mining Act, 1905," I, the undersigned, , a Warden of the Mining District, do hereby grant to [Full name, residence, and occupation] this prospecting warrant, conferring upon him, whilst this warrant continues in force, the non-exclusive right to enter and prospect for gold and any other metal or mineral on the land specified in the Schedule hereto.

The term of this warrant is one year, commencing on the date hereof, and the warrant is granted subject to the terms, conditions, reservations, and provisions set out in 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 , 19 .

SCHEDULE.

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

Form 11 (Reg. 7).

Under "The Mining Act, 1905."

ORDINARY PROSPECTING LICENSE IN RESPECT OF NATIVE LAND.

PURSUANT to "The Mining Act, 1905," His Excellency the Governor of the Colony of New Zealand hereby grants to [Full name, residence, and occupation] this ordinary prospecting license, conferring upon the licensee, whilst this license continues in force, the exclusive right to enter and prospect for gold and any other metal or mineral on the Native land specified in the Schedule hereto.

The term of this license is one year, commencing on the date hereof, and the license is granted subject to the terms,

conditions, reservations, and provisions set out in 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           , 19   .

SCHEDULE.

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

Minister of Mines.

Form 12 (Reg. 7).

Under "The Mining Act, 1905."

ORDINARY PROSPECTING LICENSE IN RESPECT OF OTHER THAN NATIVE LAND.

PURSUANT to "The Mining Act, 1905," I, the undersigned,           , a Warden of the            Mining District, do hereby grant to [Full name, residence, and occupation] this ordinary prospecting license, conferring upon the licensee, whilst this license continues in force, the exclusive right to enter and prospect for gold and any other metal or mineral on the land specified in the Schedule hereto [i.e., as in Form 10].

Form 13 (Reg. 7).

Under "The Mining Act, 1905."

TUNNEL PROSPECTING LICENSE IN RESPECT OF NATIVE LAND.

PURSUANT to "The Mining Act, 1905," His Excellency the Governor of the Colony of New Zealand hereby grants to [Full name, residence, and occupation] this tunnel prospecting license, conferring upon the licensee, whilst this license continues in force, the exclusive right to enter and prospect for gold or any other metal or mineral on the Native land specified in the Schedule hereto.

The term of this license is two years, commencing on the date hereof, and the license is granted subject to the provisions for renewal and other the terms, conditions, reservations, and provisions set out in 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 [i.e., as in Form 11].

Form 14 (Reg. 7).

Under "The Mining Act, 1905."

TUNNEL PROSPECTING LICENSE IN RESPECT OF OTHER THAN NATIVE LAND.

PURSUANT to "The Mining Act, 1905," I, the undersigned,           , a Warden of the            Mining District, do hereby grant to [Full name, residence, and occupation] this tunnel prospecting license, conferring upon the licensee, whilst this license continues in force, the exclusive right to enter and prospect for gold and any other metal or mineral on the land specified in the Schedule hereto.

The term of this license is two years, commencing on the date hereof, and the license is granted subject [i.e., as in Form 13].

In witness whereof [i.e., as in Form 10].

Form 15 (Reg. 33).

Under "The Mining Act, 1905."

APPLICATION FOR LICENSE FOR A CLAIM.

To the Warden of the            Mining District, at           .  
PURSUANT to "The Mining Act, 1905," the undersigned [Full name, residence, and occupation], hereby applies for a license for a claim, as specified in the Schedule hereto, in respect of the land therein referred to, which has been duly marked out for the purpose.

Date and number of miner's right:

Address for service:

Dated at           , this            day of           , 19   .

SCHEDULE.

Class and subdivision of claim:\*

Style under which claim is to be worked:

Proposed mode of working:

Proposed term of license:

Locality where land is situated, with its boundaries, measurements, and area:

\* E.g., ordinary alluvial claim, extended quartz claim, special dredging claim, or otherwise, as the case may be.

[Signature of applicant, &c., as in Form 7.]

Precise time, &c. [as in Form 7].

Form 16 (Reg. 33).

Under "The Mining Act, 1905."

APPLICATION FOR LICENSE FOR A WATER-RACE.

To the Warden of the            Mining District, at           .  
PURSUANT to "The Mining Act, 1905," the undersigned [Full name, residence, and occupation], hereby applies for a license for a water-race, as specified in the Schedule hereto, the course whereof has been duly marked out for the purpose.

Date and number of miner's right:

Address for service:

Dated at           , this            day of           , 19   .

SCHEDULE.

Locality of the race, and of its starting and terminal points:

Length and intended course of race:

Points of intake:

Estimated time and cost of construction:

Mean depth and breadth:

Number of heads to be diverted:

Purpose for which water is to be used:\*

Proposed term of license:

\* E.g., mining purposes, irrigation, or otherwise, as the case may be.

[Signature of applicant, &c.]

Precise time, &c.

Form 17 (Reg. 33).

Under "The Mining Act, 1905."

APPLICATION FOR LICENSE FOR A TAIL-RACE [or MAIN TAIL-RACE.]

[As in Form 16, with all necessary modifications, including Schedule as follows.]

Locality of the race, and of its starting and terminal points:

Length and intended course of race:

Its greatest depth and breadth:

Estimated time and cost of construction:

Proposed term of license:

[If a main tail-race.] The persons by whom and the terms upon which the race is to be used:

Form 18 (Reg. 33).

Under "The Mining Act, 1905."

APPLICATION FOR LICENSE FOR A DAM.

[As in Form 15, with all necessary modifications, including Schedule as follows.]

SCHEDULE.

Locality of dam:

Particulars of dam, viz.:—

Length of dam-wall:

Greatest height of same:

Breadth of same at base:

Length and width of water-area:

Estimated time and cost of construction:

Proposed term of license:

Purpose for which water is to be stored:

Form 19 (Reg. 33).

Under "The Mining Act, 1905."

APPLICATION FOR LICENSE FOR RESIDENCE-SITE [or BUSINESS-SITE].

[As in Form 15, with all necessary modifications, including Schedule as follows.]

SCHEDULE.

Locality where land is situate, with its boundaries, measurements, and area:

Proposed term of license:

Form 20 (Reg. 33).

Under "The Mining Act, 1905."

APPLICATION FOR LICENSE FOR A SPECIAL SITE.

[As in Form 15, with all necessary modifications, including Schedule as follows.]

SCHEDULE.

Locality where special site is situate, with its boundaries, measurements, and area:

Purpose for which special site is to be used:

Claim in connection with which the special site is to be used:

Proposed term of license:

Form 20A (Reg. 33).

Under "The Mining Act, 1905."

APPLICATION FOR A MINERAL LICENSE.

[As in Form 15, with all necessary modifications, including Schedule as follows.]

SCHEDULE

Locality where license is situate, with its boundaries, measurements, and area.

Form No. 21 (Reg. 33).

Under "The Mining Act, 1905."

APPLICATION TO SURRENDER MINING PRIVILEGE[S] ABSOLUTELY.

To the Warden of the Mining District, at

PURSUANT to "The Mining Act, 1905," the undersigned [Full name, residence, and occupation], being the holder of the mining privilege[s] specified in the Schedule hereto, hereby applies to surrender the same absolutely, and not for the purpose of exchange.

Address for service:  
Dated at , this day of , 19 .

SCHEDULE.

Name of Mining Privilege.	Locality.	Existing Instrument of Title, with Date and Registered Number.	Whether Instrument is produced or not.

[Signature of applicant, &c.]

Precise time, &c.

Form 22 (Reg. 33).

Under "The Mining Act, 1905."

APPLICATION FOR EXCHANGE FOR TITLE UNDER "THE MINING ACT, 1905."

To the Warden of the Mining District, at  
PURSUANT to "The Mining Act, 1905," the undersigned [Full name, residence, and occupation], being the holder of the mining privilege specified in the Schedule hereto, hereby applies to surrender the same, and to obtain in substitution therefor a license for a corresponding mining privilege under that Act.

Address for service:  
Dated at , this day of , 19 .

SCHEDULE.

Name of mining privilege proposed to be surrendered, and the Act under which the title is held:

Locality and area of mining privilege:  
Existing instrument of title, with date and registered number:

Whether instrument produced or not:  
Time from which priority is claimed:  
Name of proposed corresponding mining privilege:  
Proposed term of new license:

[Signature of applicant, &c.]

Precise time, &c.

Form 23 (Reg. 33).

Under "The Mining Act, 1905."

APPLICATION FOR AMALGAMATION OF CLAIMS.

To the Warden of the Mining District, at

PURSUANT to "The Mining Act, 1905," the undersigned [Full name, residence, and occupation], being the holder of the claims specified in the Schedule hereto, and being desirous of facilitating the working thereof, and simplifying the titles thereto, hereby applies to surrender the same, and to obtain in substitution therefor a license for an amalgamated claim.

Address for service:  
Dated at , this day of , 19 .

SCHEDULE.

Name, Locality, and Area of each Claim proposed to be amalgamated.	Existing Instrument of Title, with Date and Registered Number, and whether produced or not.	Amount expended on each Claim.	Boundaries, Measurements, and Area of Amalgamated Claim.	Proposed Term of New License.

[Signature of applicant, &c.]

Precise time, &c.

Form 24 (Regs. 33 and 63).

Under "The Mining Act, 1905."

APPLICATION FOR CERTIFICATE OF REDUCTION.

To the Warden of the Mining District, at

PURSUANT to "The Mining Act, 1905," the undersigned [Full name, residence, and occupation], being the holder of the claim specified in the Schedule hereto, hereby applies for a certificate reducing to the extent and for the period therein specified, or to such lesser extent and for such lesser period as the Warden thinks fit, the prescribed minimum number of workmen to be employed in working the said claim.

Address for service:  
Dated at , this day of , 19 .

SCHEDULE.

Name, locality, and area of claim:

Title under which claim is held, with registered number (if any):

Date when originally taken up:

Present prescribed minimum number of workmen:

Extent of reduction desired (being the maximum number that can reasonably be employed):

Period for which the reduction is desired:

[Signature of applicant, &c.]

Precise time, &c.

Form 25 (Regs. 33 and 65).

Under "The Mining Act, 1905."

APPLICATION FOR CERTIFICATE OF PROTECTION.

To the Warden of the Mining District, at

PURSUANT to "The Mining Act, 1905," the undersigned [Full name, residence, and occupation], hereby applies for a protection certificate for the period of in respect of the mining privilege[s] specified in the Schedule hereto.

Address for service:  
Dated at , this day of , 19 .

SCHEDULE.

Name and Locality of Privilege.	Title under which Privilege is held with Date and Registered Number.	Date at which Occupation commenced.	Whether Privilege has or has not been used, and, in former Case, during what Period.	Whether the Privilege has or has not been protected before, and, in former Case, during what Period.	Cause for which Protection is required

[Signature of applicant, &c.]

Precise time, &c.

Form 26 (Regs. 33 and 67).

Under "The Mining Act, 1905."

APPLICATION FOR CERTIFICATE OF EASEMENT.

To the Warden of the Mining District, at

PURSUANT to "The Mining Act, 1905," the undersigned [Full name, residence, and occupation], being the holder of the following mining privilege—[Specify its name, locality, and registered number]—hereby applies for a certificate of easement in respect of the land specified in the First Schedule hereto, which has been duly marked out for the purpose, and is portion of the mining privilege specified in that Schedule.

The works to be constructed and the rights to be exercisable under the certificate of easement are as specified in the Second Schedule hereto.

Address for service:  
Dated at , this day of , 19 .

FIRST SCHEDULE.

[Specify the land with reasonable particularity, as also the name, locality, registered number (if any), and holder of the mining privilege in which such land is comprised.]

SECOND SCHEDULE.

[Specify with reasonable particularity the works to be constructed and the rights to be exercised under the certificate.]

[Signature of Applicant, &c.]

Precise time, &c.

Form 27 (Reg. 33).

Under "The Mining Act, 1905."

OBJECTION TO AN APPLICATION.

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

THE undersigned [Full name, residence, and occupation], hereby gives notice that he objects to the granting of the above-described application, and the following are the grounds of his objection, namely,—

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

Address for service:

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

[Signature of objector, &c.]

Form 28 (Reg. 33).

Under "The Mining Act, 1905."

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, A. B. [Full name, residence, and occupation], 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 application are true.

3. That all prescribed provisions as to marking out the ground referred to in the application, posting notices thereon, 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 does not cross any road or street, and is Crown land open for mining within the meaning of "The Mining Act, 1905."

5. That I believe myself [or the applicants] to be entitled to the grant of the application, and know of no valid objection thereto.

6. That, so far as I am aware, no public or private rights will be prejudicially affected by the grant of the 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 intitled "The Justices of the Peace Act, 1882."

A. B.

Declared at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, before me— \_\_\_\_\_, a Justice of the Peace for the Colony of New Zealand [or as the case may be].

Form 29 (Reg. 33).

Under "The Mining Act, 1905."

LICENSE FOR A CLAIM OTHER THAN AN ORDINARY CLAIM.

PURSUANT to "The Mining Act, 1905," I, the undersigned \_\_\_\_\_, a Warden of the \_\_\_\_\_ Mining District, do hereby grant to [Full name, residence, and occupation], this license for [Set out class and subdivision of claim—e.g., a Special Dredging Claim, an Extended Quartz Claim, or otherwise, as the case may be, not being an ordinary claim], in respect of the land described in the First Schedule hereto.

This license is granted for a term of \_\_\_\_\_ years, commencing on the date hereof, subject to the payment of the rent as specified in the Second Schedule hereto, and also to the terms, conditions, reservations, and provisions set out in the aforesaid 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 \_\_\_\_\_, 19 \_\_\_\_\_.

FIRST SCHEDULE.

All that area of land in the \_\_\_\_\_ Mining District, containing by admeasurement \_\_\_\_\_ acres \_\_\_\_\_ roods and \_\_\_\_\_ perches, more or less, situate [Here set out section, block, survey district, boundaries, and measurements; and, if land is surveyed, affix plan].

SECOND SCHEDULE.

1. A rental in respect of each acre or portion thereof at the rate of 2s. 6d. a year for the period elapsing between the date hereof and the last day of June [or December] ensuing after the expiration of one year from the date hereof, 5s. for the next succeeding year, and 7s. 6d. for each subsequent year during the term of the license; the amount of the rental being—for the first year, £ \_\_\_\_\_; for the next succeeding year, £ \_\_\_\_\_; and for each subsequent year, £ \_\_\_\_\_ In

case of Native land, a rental in respect of each acre or portion thereof at the rate of 1s. per annum, the amount of the rental for each year being £ \_\_\_\_\_.

2. 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.

THIRD SCHEDULE.

(1.) The right of the public to use all tracks over and across the land held under this license for so long and until proper roads are provided and open for public traffic is reserved.

(2.) The right to take all roads for public purposes which shall, in the opinion of the Warden, be necessary is reserved without any claim for compensation, except where such roads may interfere with workings actually in use; and the licensee shall also take out and hold in his own name a miner's right relating to Native ceded land in respect of every person employed in mining on such area, whether on wages or as a tributer or as a contractor.

(3.) That the owner hereof will bona fide and continuously work the claim by carrying on mining operations for gold hereon with reasonable diligence and skill, and will commence such operations within \_\_\_\_\_ from the date of this license

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

\_\_\_\_\_ Warden.

Form 30 (Reg. 33).

Under "The Mining Act, 1905."

LICENSE FOR AN ORDINARY CLAIM.

[As in Form 29, omitting all references to rent, and making all other necessary modifications.]

Form 31 (Reg. 33).

Under "The Mining Act, 1905."

LICENSE FOR A WATER-RACE.

PURSUANT to "The Mining Act, 1905," I, the undersigned \_\_\_\_\_, a Warden of the \_\_\_\_\_ Mining District, do hereby grant to [Full name, residence, and occupation], this license for a water-race, as specified in the First Schedule hereto.

This license is granted for a term of \_\_\_\_\_ years, commencing on the date hereof, subject to the terms, conditions, reservations, and provisions set out in the aforesaid Act, and the regulations thereunder, and also to such additional terms, conditions, reservations, and provisions as are specified in the Second Schedule hereto.

In witness whereof I have hereunto subscribed my name, and affixed the seal of the Warden's Court at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

FIRST SCHEDULE.

[Set out locality of race 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 of land if surveyed, number of heads authorised to be diverted, and purpose for which water is to be used.]

SECOND SCHEDULE.

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

\_\_\_\_\_ Warden.

Form 32 (Reg. 33).

Under "The Mining Act, 1905."

LICENSE FOR A TAIL-RACE [or MAIN TAIL-RACE].

[As in Form 31, with all necessary modifications.]

Form 33 (Reg. 33).

Under "The Mining Act, 1905."

LICENSE FOR A DAM.

[As in Form 31, with all necessary modifications.]

Form 34 (Reg. 33).

Under "The Mining Act, 1905."

LICENSE FOR A BUSINESS-SITE.

PURSUANT to "The Mining Act, 1905," I, the undersigned \_\_\_\_\_, a Warden of the \_\_\_\_\_ Mining District, being of the opinion that the land specified 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, residence, and occupation], this business-site license in respect of the said land.

This license is granted for a term of \_\_\_\_\_ years, commencing on the date hereof, subject to the payment 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 set out in the aforesaid 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 \_\_\_\_\_, 19 \_\_\_\_\_.

## FIRST SCHEDULE.

[Describe land with reasonable particularity by reference to area, situation, and measurements; and, if land is surveyed, affix plan.]

## SECOND SCHEDULE.

[Set out as in paragraph 2 of Second Schedule to Form 29, substituting "license fee" for "rent."]

## THIRD SCHEDULE.

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

\_\_\_\_\_, Warden.

## Form 35 (Reg. 33).

Under "The Mining Act, 1905."

## LICENSE FOR A RESIDENCE-SITE.

PURSUANT to "The Mining Act, 1905," I, the undersigned, \_\_\_\_\_, a Warden of the \_\_\_\_\_ Mining District, being of the opinion that the land specified 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, residence, and occupation], this residence-site license in respect of the said land.

This license is granted for a term of \_\_\_\_\_ years, commencing on the date hereof, subject to the payment, in advance, of an annual license fee of [Same as fee for a miner's right], but so that the licensee 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 set out in the aforesaid Act, and the regulations thereunder, and to such additional terms, conditions, reservations, and provisions as are specified in the Second Schedule hereto.

In witness whereof I have hereunto subscribed my name, and affixed the seal of the Warden's Court at \_\_\_\_\_, this day of \_\_\_\_\_, 19 \_\_\_\_\_.

## FIRST SCHEDULE.

[Describe land as in Form 34.]

## SECOND SCHEDULE.

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

\_\_\_\_\_, Warden.

## Form 36 (Reg. 33).

Under "The Mining Act, 1905."

## LICENSE FOR A SPECIAL SITE.

PURSUANT to "The Mining Act, 1905," I, the undersigned, \_\_\_\_\_, a 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, residence, and occupation], this special-site license in respect of the said land, authorising the licensee to use the said land 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 the claim referred to in the First Schedule hereto or any other claim hereafter held by the licensee.

This license is granted for a term of \_\_\_\_\_ years, commencing on the date hereof, subject to the terms, conditions, reservations, and provisions set out in the aforesaid Act, and the regulations thereunder, and to such additional terms, conditions, reservations, and provisions as are specified in the Second Schedule hereto.

In witness whereof I have hereunto subscribed my name, and affixed the seal of the Warden's Court at \_\_\_\_\_, this day of \_\_\_\_\_, 19 \_\_\_\_\_.

## FIRST SCHEDULE.

[Describe land as in Form 34, adding name and locality of licensee's claim.]

## SECOND SCHEDULE.

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

\_\_\_\_\_, Warden.

Form 37 (Reg. 33).

Under "The Mining Act, 1905."

## MINERAL LICENSE.

PURSUANT to "The Mining Act, 1905," 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 each metal or mineral, which must be other than gold].

This license is granted for a term of \_\_\_\_\_ years, commencing on the date hereof, 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.

In witness whereof I have hereunto subscribed my name, and affixed the seal of the Warden's Court at [Place], this day of \_\_\_\_\_, 19 \_\_\_\_\_.

## FIRST SCHEDULE.

All that area of Crown land, containing by admeasurement [Describe land with reasonable particularity by reference to area, situation, and measurements; and, if land is surveyed, affix plan].

## SECOND SCHEDULE.

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, at the pit's mouth, of all the specified metals and minerals raised pursuant to the license.

3. The royalty shall be due and payable on the same days and for the same periods as the instalments of rent accruing due after the date hereof:

Provided that the first such payment of royalty shall be due and payable on the same day as the first half-yearly instalment of rent, and be in respect of the royalty for the period elapsing between the date of this license and such day:

Provided, further, all sums paid in respect of royalty for any period shall, to the extent of the rent payable for the same period, be deemed to be in or towards satisfaction of such rent.

## THIRD SCHEDULE.

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 at the pit's mouth.

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, 1905," as are applicable to mineral licenses or the holders thereof.

3. All the provisions of "The Mining Act, 1905," 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 or abandonment of this license, shall be deemed to form part of this license, and to be incorporated herein.

[Here leave space for additional terms, &c., imposed by Warden.]

\_\_\_\_\_, Warden.

Form 38 (Reg. 33).

Under "The Mining Act, 1905."

LICENSE FOR A [Tunnel, Tramway, Road, or other mining privilege for which no form is elsewhere provided].

PURSUANT to "The Mining Act, 1905," I, the undersigned, \_\_\_\_\_, a Warden of the \_\_\_\_\_ Mining District, do hereby grant to [Full name, residence, and occupation], this license, authorising the licensee to construct, maintain, and use the mining privilege specified in the First Schedule hereto.

This license is granted for a term of \_\_\_\_\_ years, commencing on the date hereof, subject to the terms, conditions, reservations, and provisions set out in the aforesaid Act and the regulations thereunder, and to such additional terms, conditions, reservations, and provisions as are specified in the Second Schedule hereto.

In witness whereof, &c.

FIRST SCHEDULE.

Description of the Mining Privilege, and of the Land to which it relates.

[Describe the privilege, land, and proposed work, as set out in the application—modified, however, so as to accord with the grant—adding such other particulars as are necessary.]

SECOND SCHEDULE.

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

\_\_\_\_\_, Warden.

Form 39 (Reg. 57).

Under "The Mining Act, 1905."

LICENSE FOR MINING PRIVILEGE GRANTED IN EXCHANGE OF TITLE UNDER FORMER MINING ACT.

[The ordinary form of license, with the addition of the following memorandum, to be noted or indorsed thereon under the hand of the Warden and the seal of the Court.]

MEMORANDUM.

The above license is granted in exchange for [Specify name, title, and registered number of surrendered mining privilege] (which has been duly surrendered for the purpose of such exchange), and confers the same priorities, and is subject to the same encumbrances, liens, and interests, as in the case of the surrendered mining privilege—to wit, the following:—

[Set out the necessary particulars of the priorities, encumbrances, liens, and interests, if any.]

\_\_\_\_\_, Warden.

Form 40 (Reg. 57).

Under "The Mining Act, 1905."

LICENSE FOR AMALGAMATED CLAIM.

[The ordinary form of license, with the following memorandum to be noted or indorsed thereon under the hand of the Warden and the seal of the Court.]

MEMORANDUM.

The above license is granted in amalgamation of the following claims—[Specify name, title, registered number, and area of each surrendered claim] (which have been duly surrendered for the purposes of such amalgamation)—and confers the same priorities, and is subject to the same encumbrances, liens, and interests, as in the case of the surrendered claims—to wit, the following:—

[Set out the necessary particulars of the priorities, encumbrances, liens, and interests, if any.]

\_\_\_\_\_, Warden.

Form 41 (Reg. 57).

Under "The Mining Act, 1905."

MINUTE OF SURRENDER OF MINING PRIVILEGE.

[To be noted or indorsed on the surrendered license under the hand of the Warden and the seal of the Court.]

SURRENDERED absolutely [or, as the case may be, for purposes of exchange or amalgamation] this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, pursuant to application in this behalf.

\_\_\_\_\_, Warden.

Form 42 (Reg. 57).

[If the surrendered license is lost and cannot be produced, the minute of surrender is to be by separate instrument, under the hand of the Warden and the seal of the Court, as follows.]

This is to certify that, pursuant to application in this behalf, the mining privilege[s] specified in the schedule hereto is [are] this day surrendered absolutely [or, as the case may be, for purposes of exchange or amalgamation].

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

SCHEDULE.

[Set out name, locality, title, registered number, and holder of mining privilege(s) surrendered.] \_\_\_\_\_, Warden.

Form 43 (Reg. 57).

Under "The Mining Act, 1905."

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

In the matter of an application by \_\_\_\_\_ involving surrender of title, which application is numbered \_\_\_\_\_ in the Application Record-book at \_\_\_\_\_, in the Mining District.

I, A. B. [Full name, residence, and occupation], 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."

SCHEDULE.

[Set out date, name, and registered number of each instrument of title.]

Declared at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me—\_\_\_\_\_, a Justice of the Peace for the Colony of New Zealand [or as the case may be].

Form 44 (Regs. 11 and 59).

Under "The Mining Act, 1905."

APPLICATION FOR RENEWAL OF LICENSE FOR MINING PRIVILEGE.

To the Warden of the \_\_\_\_\_ Mining District, at \_\_\_\_\_.

PURSUANT to "The Mining Act, 1905," the undersigned [Full name, residence, and occupation], being the holder of the license specified in the Schedule, hereby applies for a renewal thereof for a term of \_\_\_\_\_ years, commencing on the expiry of the current term.

Address for service:

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

SCHEDULE.

Particulars of Current License.

Date and registered number:

Name and locality of mining privilege:

Date of expiry of term:

[Signature of applicant, &c.]

Form 45 (Reg. 63).

Under "The Mining Act, 1905."

CERTIFICATE OF REDUCTION.

This is to certify that, pursuant to "The Mining Act, 1905," and on the application of [Full name and residence of holder of claim], being the holder of the claim specified in the Schedule hereto, the prescribed minimum number of workmen to be employed therein is hereby reduced to \_\_\_\_\_ for the period of \_\_\_\_\_, commencing on the date hereof.

In witness whereof I have hereunto signed my name, and affixed the seal of the Warden's Court at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

SCHEDULE.

Title under which claim is held, with date and registered number:

Name of claim:  
Its locality and area:  
Date when originally taken up:

, Warden.

Form 46 (Reg. 65).

Under "The Mining Act, 1905."

CERTIFICATE OF PROTECTION.

THIS is to certify that, pursuant to "The Mining Act, 1905," I have this day granted protection to [Here set out in full names of holder of mining privilege(s) protected] in respect of the mining privilege[s] specified in the Schedule hereto, for a period of , commencing on the day of , 19 .

In witness whereof I have hereunto subscribed my name, and affixed the seal of the Warden's Court at , this day of , 19 .

SCHEDULE.

Name of Privilege in respect of which Protection is granted.	Locality.	Title and Registered Number.

, Warden.

Form 47 (Reg. 67).

Under "The Mining Act, 1905."

CERTIFICATE OF EASEMENT.

PURSUANT to "The Mining Act, 1905," I, the undersigned, a Warden of the Mining District, do hereby grant to [Full name, residence, and occupation], as holder of the mining privilege specified in the First Schedule hereto this certificate of easement, authorising him as such holder, and for the purpose of facilitating his mining operations in connection with such mining privilege, to enter upon, occupy, and use the land specified in the Second Schedule hereto (being portion of the land comprised in the mining privilege specified in that Schedule), for all or any of the purposes specified in the Third Schedule hereto.

This certificate is granted subject to the terms, conditions, reservations, and provisions set out in the aforesaid Act and the regulations thereunder, and also to such additional terms, conditions, reservations, and provisions as are specified herein or in the Fourth Schedule hereto.

The rights exercisable under this certificate shall be deemed to be appurtenant to the mining privilege specified in the First Schedule hereto, and accordingly this certificate shall not be transferable apart from such privilege, and upon the expiry, forfeiture, or abandonment of such privilege this certificate shall be void.

In witness whereof I have hereunto subscribed my name, and affixed the seal of the Warden's Court at , this day of , 19 .

FIRST SCHEDULE.

[Specify name, registered number (if any), and locality of the applicant's mining privilege.]

SECOND SCHEDULE.

[Specify, with sufficient particulars for identification, the situation, measurement, and area of the portion of land to which the certificate applies, and the name, registered number (if any), and locality of the mining privilege in which it is comprised, as also the full name of the holder of such privilege.]

THIRD SCHEDULE.

[Specify the purposes.]

FOURTH SCHEDULE.

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

, Warden.

Form 48 (Reg. 68).

Under "The Mining Act, 1905."

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; water authorised to be diverted, fifteen heads. Precise time of filing application for the race: 1 p.m., 12th July, 1900.]

Regt. No. of Instrument.	Instru-ment.	Date of Instru-ment.	Precise Time of presenting Instrument for Registration.	Names of Parties.	
				Grantor or Trans-feror.	Grantee or Trans-ferree.

Form 49 (Reg. 77).

Under "The Mining Act, 1905."

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

To the Mining Registrar of the Mining District, at

PURSUANT to "The Mining Act, 1905," I, A. B. [Full name, residence, and occupation], being the lawful holder of the 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 the grant of this application.

Date and number of miner's right:

Address for service:

Dated at , this day of , 19 .

SCHEDULE.

[Set out name, locality, and area of the mining privilege with sufficient particularity for identification.]

[Signature of applicant, &c.]

Form 50 (Reg. 77).

Under "The Mining Act, 1905."

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

PURSUANT to application in that behalf made by A. B. [Full name, 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 this day of , 19 .

SCHEDULE.

[Set out name, locality, and area of the mining privilege as in the application.]

, Mining Registrar.

Form 51 (Reg. 78).

Under "The Mining Act, 1905."

APPLICATION TO REGISTER LIEN.

To the Mining Registrar of the Mining District, at

THE undersigned [Full name, residence, and occupation], hereby applies to register a lien against the mining privilege[s] specified in the First Schedule hereto, for £ , in respect of moneys due to him as wages-man, [or subcontractor, or contractor, or partner, as the case may be], particulars whereof are specified in the Second Schedule hereto.

Address for service:

Dated at , this day of , 19 .



FIRST SCHEDULE.

[Describe the name, situation, and registered number of each mining privilege, and the name of the holder, and also the equitable owner (if any)].

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.]

[Signature of applicant, &c.]

Form 52 (Reg. 78).

Under "The Mining Act, 1905."

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

To A. B. [Full name, residence, and occupation], the holder or equitable owner of the mining privilege[s] set out in the Schedule hereto.

TAKE notice that C. D. [Full name, residence, and occupation], has this day registered as No. a lien against the undermentioned mining privilege[s] for the sum of £ due to him as wages-man [subcontractor, contractor, or partner, as the case may be.]

SCHEDULE.

Reg. No. of Privilege (if any).	Name and Locality of Mining Privilege.

Dated at , this day of , 19 .  
Clerk of Warden's Court.

Form 53 (Reg. 78).

Under "The Mining Act, 1905."

DISCHARGE OF LIEN.

Registered number of lien :  
Office of registration :  
Date of registration :  
Amount of lien : £ .  
Name and locality of mining privilege affected, its registered number (if any), and the name of its holder :  
THE above-mentioned lien is hereby declared to be discharged by [Set out mode of discharge, e.g., satisfaction, withdrawal, order of the Warden, or as the case may be].

Dated at , this day of 19 .

A. B. (Lienee)  
[if discharge is by him; or, if discharge is by order of the Warden, then—  
C. D., Warden.]

[If discharge is by Lienee, his signature should be attested thus—

Signed by the said A. B., as Lienee, in the presence of E. F. (adding occupation and residence).]

[If discharge is by payment into Court, or by receipt of the workman duly filed, then—  
G. H., Registrar.

Form 54 (Reg. 87).

NUMERICAL INDEX OF REGISTRATIONS AT THE MINING DISTRICT.

Registration No. in Register.	Volume and Folio of Register.	Instrument.	Mining Privilege.	Grantor or Transferee.	Grantee or Transferee.
1	..	License ..	Special dredging claim	..	W. Green.
2 &c.	..	Certificate of registration	Ordinary alluvial claim	..	J. Watson.
321	...	Mortgage	Water-race ..	A. White	T. Black.

Form 55 (Reg. 88).

NOMINAL INDEX OF REGISTRATIONS AT THE MINING DISTRICT.

Grantor or Transferor.	Grantee or Transferee.	Instrument.	Mining Privilege.	Registration No. in Register.	Volume and Folio of Register.
A. Adams, J., and others &c. &c. &c.	Watson, G.	Mortgage	Special claim	240	Vol. i, folio 49.

Form 56 (Reg. 89).

IN

WATER-RIGHTS INDEX-BOOK OF WATER GRANTS REGISTERED AT THE MINING DISTRICT.

Name of Stream:

Registered Number in Register.	Instrument.	Number of Heads.	Precise Time from which Priority begins	Grantee.	Expiration. [To be filled up when the event occurs.]	
					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	..	..
2143	License	9	2 p.m., 22 Jan., 1900	C. White	Abandoned	2 Sept., 1901.

Form 57 (Reg. 97).

Under "The Mining Act, 1905."

APPLICATION FOR REGISTRATION AND LICENSE IN RESPECT OF MACHINE.

To the Mining Registrar of the Mining District, at

PURSUANT to "The Mining Act, 1905," the undersigned [Full name, residence, and occupation], being the owner of the process or appliance specified in the Schedule hereto, hereby applies for the registration of the same, and for the issue of a license to him in respect thereof.

Dated at , this day of , 19 .

SCHEDULE.

[Specify the process of appliance, and also the locality where it is to be used.]

[Signature of applicant, &c.]

Form 58 (Reg. 97).

Under "The Mining Act, 1905."

MACHINE REGISTER-BOOK. License No.

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 Persons delivering.	Of Owner.		Of Ordinary Quartz.	Of Tailings.	Of Specimens.	Of Amalgam.	Of Retorted Gold or Silver.	Of Melted Gold or Silver.	Other Metals (specify).	By Crushing.	By Amalgamating.	By Retorting.	By Melting.	By Smelting.	By Refining.	By Concentrating.	Of Retorted Gold or Silver.		Of Melted Gold or Silver.	Of Refined Gold or Silver.	Other Metals (specify).

Form 59 (Reg. 97).

Under "The Mining Act, 1905."

MACHINE LICENSE.

No.

PURSUANT to "The Mining Act, 1905," A. B., [Full name, residence, and occupation], of , is hereby licensed as the owner of a registered [Here describe machine, e.g., a 12-stamp crushing machine, a berdan, amalgamator, retort, melting-furnace, or otherwise] at [Place where machine situate] until the 31st day of December next.

Fee, 1s., paid.

Dated at , this day of , 19 , Mining Registrar.

Form 60 (Reg. 97).

Under "The Mining Act, 1905."

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

	*Quantity received.				*Quantity treated.				Gold or Bullion.		Retorted.		Melted.		Other Metals.		Value.
	Tons	cwt.	qr.	lb.	Tons	cwt.	qr.	lb.	Oz.	dwt.	Oz.	dwt.	Oz.	dwt.	Oz.	dwt.	
<i>Recovered by Amalgamation</i>																	
Quartz or ore .. ..																	
Tailings .. ..																	
Specimens .. ..																	
Other metals .. ..																	
Concentrates .. ..																	
<i>Recovered by Cyanide</i>																	
Quartz or ore .. ..																	
Tailings .. ..																	
Specimens .. ..																	
Other metals .. ..																	

\* As per details on back hereof.

A. B., Licensee.

Dated , 19 .

Details.

Date.	Name of Owner or Tributer.	Name of Claim.	Locality of Claim or License.	Quartz received.				Quartz crushed.				Value.
				Tons	cwt.	qr.	lb.	Tons	cwt.	qr.	lb.	

Form 61 (Reg. 100).

Under section 127 of "The Mining Act, 1905."

CLAIM SETTING FORTH FULL PARTICULARS OF THE COMPENSATION THAT WILL BE REQUIRED IN THE EVENT OF WATERCOURSE BEING CONSTITUTED AND SET APART FOR DISCHARGE OF TAILINGS.

To the Minister of Mines, at Wellington.

WHEREAS by notice published in the *Gazette* on the day of \_\_\_\_\_, 19\_\_\_\_, it is stated that application has been made to His Excellency the Governor to constitute and set aside by Proclamation the watercourse described in the First Schedule hereto to be a watercourse into which may be discharged tailings, *débris*, and waste water produced by or resulting from mining operations, and in which or on the banks of which mining operations may be carried on: And whereas by the operation of such Proclamation, if made, the lands described in the Second Schedule hereto in which I have an interest, as described in the Third Schedule hereto, will be damaged or injuriously affected by reason that [Here state items of claim, with a reference number to each, and give in each case full particulars of the nature and extent of each such item]:

Now, therefore, this is to give notice that in the event of such Proclamation being made I shall claim £ \_\_\_\_\_, as compensation for all loss and damage arising from the operation thereof, which sum is made up as follows:—  
 [Here state reference number and short heading of each item of claim previously detailed, and the amount claimed in respect of each such item separately.]

Total claim . . . . . £ s. d.

Given under my hand, at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Signature of Claimant:  
 [Christian name and surname in full.]

Address:  
 [Address in full.]

FIRST SCHEDULE.

[Here describe the watercourse, as in the *Gazette* notice.]

SECOND SCHEDULE.

[Here describe the area and situation of the lands affected, giving name of survey district and number and block of section, or other means of identification.]

THIRD SCHEDULE.

[Here state in full the nature of the interest, as owner in fee-simple, mortgagee, lessee, or occupier; and if the lands are leased or encumbered, or subject to any easement, give particulars thereof.]

Form 62 (Reg. 102).

Under "The Mining Act, 1905."

YEARLY RETURN 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 dredgemaster:
- Name and address of legal manager or secretary:
- Locality of mining operations:
- Average number of men employed during the year:
- Yield of gold for the year: oz. dwt. gr.
- Total value of gold: £
- Value of gold per ounce: £

[In the case of a quartz claim] Quantity of material operated on during the year:

Mode of treatment:  
 [In the case of a registered company] Amount paid in dividends—  
 For the year: £  
 Since commencing work: £

A true return for the year ending the last day of December, 19\_\_\_\_.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of January, 19\_\_\_\_.

Owner [or Manager].

Form 63 (Reg. 103).

Under "The Mining Act, 1905."

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

Yearly return of gold purchased by [Naming the bank or other gold-buyer] at \_\_\_\_\_ for the year ending on the 31st day of December, 19\_\_\_\_:—

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

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of January, 19\_\_\_\_.  
 [Signature of bank-officer or gold-buyer.]

Form 64 (Reg. 104).

Under "The Mining Act, 1905."

APPLICATION FOR DUPLICATE OF LOST OR DESTROYED DOCUMENT.

To the Warden of the \_\_\_\_\_ Mining District, at \_\_\_\_\_.

I, THE undersigned [Full name, residence, and occupation], being the lawful holder of the license [or other document] specified in the Schedule hereto, hereby apply for the issue of a duplicate thereof on the ground that the original has been lost or destroyed; and in support of this application I do hereby solemnly and sincerely declare as follows:—

1. I am the lawful holder of the document above referred to, and it was lost [or destroyed] under the following circumstances: [Set out as far as known the date on which and the manner in which the loss or destruction occurred].
2. I have made diligent search for the said document, but have been unable to find it.
3. I have not, nor with my knowledge or consent has any other person, deposited the said document with any person for the purposes of security or otherwise, and I verily believe it to be lost [or destroyed].

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

SCHEDULE.

[Set out the name of the document, the Act under which it was issued, the registration or other number, and such other particulars as will suffice to identify it.]

Declared by the said \_\_\_\_\_, at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me—\_\_\_\_\_, J.P. [Solicitor, or other person authorised to take statutory declarations].

Form 65 (Reg. 108).

Under "The Mining Act, 1905."

APPLICATION FOR A SAWMILL LICENSE.

[As in Form 15, with all necessary modifications, including Schedule, as follows.]

SCHEDULE.

Area, situation, and boundaries of land:  
 Proposed term of license: \_\_\_\_\_  
 [Signature of applicant, &c.]  
 Precise time, &c.

Form 66 (Reg. 108).

Under "The Mining Act, 1905."

LICENSE FOR A SAWMILL.

PURSUANT to "The Mining Act, 1905," I, the undersigned, \_\_\_\_\_, a Warden of the \_\_\_\_\_ Mining District, at \_\_\_\_\_, do hereby grant to [Full name, residence, and occupation], this license for a sawmill in respect of the land specified in the First Schedule hereto.

This license is granted for a term of \_\_\_\_\_ years, commencing on the date hereof, subject to the respective rent, royalties, terms, conditions, reservations, and provisions set out in the aforesaid Act and the regulations thereunder, and also to such additional terms, conditions, reservations, and provisions as are specified in the Third Schedule hereto.

The annual rental is £ \_\_\_\_\_, being at the rate of 1s. per acre per annum.

All rent has been duly paid up to the last day of June [or December] next following the date hereof, and the subsequent payments of rent are to be made by equal half-yearly instalments in advance, the first half-yearly instalment in advance being due and payable on the last day of June [or December] aforesaid.

The royalties are specified in the Second Schedule hereto, and are payable on the same days as the rent accruing due after the date hereof, and for similar periods:

Provided that the first payment of royalty shall be due and payable on the same day as the first half-yearly instalment of rent, and be in respect of royalty for the period elapsing between the date of this license and such day:

Provided further that all sums paid in respect of royalty for any period shall, to the extent of the rent payable for such period, be deemed to be in or towards satisfaction of such rent.

In witness whereof I have hereunto subscribed my name, and affixed the seal of the Warden's Court at this day of , 19 .

FIRST SCHEDULE.

[Set out area, situation, and boundaries of the land, and, if land is surveyed, affix plan.]

SECOND SCHEDULE.

ROYALTIES.

[Set out from Fourth Schedule to these Regulations.

THIRD SCHEDULE.

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

, Warden.

Form 67 (Reg. 110).

Under "The Mining Act, 1905."

APPLICATION FOR CERTIFICATE OF RESERVATION OF TIMBER AREAS.

To the Warden of the Mining District, at

PURSUANT to "The Mining Act, 1905," the undersigned [Full name, residence, and occupation], being the holder of [or applicant for] a license for a sawmill in respect of the land specified in the First Schedule hereto, hereby applies for a certificate reserving to him for sawmilling purposes the areas of adjoining land, as specified in the Second Schedule hereto, which have been duly marked out for the purpose.

Date and number of miner's right:

Address for service:

Dated at , this day of , 19 .

FIRST SCHEDULE.

[Set out the area and locality of the land for which the sawmill license is held or has been applied for, adding in the former case the registered number of the license, and in the latter case the date of the filing of the application.]

SECOND SCHEDULE.

[Set out separately the acreage, situation, and boundaries of each area of land (not exceeding two) for which the certificate of reservation is desired.]

[Signature of applicant, &c.]

Precise time, &c.

Form 68 (Reg. 110).

Under "The Mining Act, 1905."

CERTIFICATE OF RESERVATION OF TIMBER AREAS.

THIS is to certify that, pursuant to "The Mining Act, 1905," I, the undersigned, a Warden of the Mining District, have this day reserved the areas of land described in the First Schedule hereto for [Full name, residence, and occupation], as the holder of sawmill license registered at as No.

This certificate is granted subject to the terms, conditions, reservations, and provisions set out in the aforesaid Act and the regulations thereunder, and also to such additional terms, conditions, reservations, and provisions as set out in the Second Schedule hereto.

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 respect of this certificate and of each annual renewal thereof, an acreage rental of £ , being at the rate of ls. per acre, and such rental is payable by equal half-yearly instalments in advance, of which the first instalment has been duly paid.

In witness whereof I have hereunto subscribed my name, and affixed the seal of the Warden's Court at this day of , 19 .

FIRST SCHEDULE.

[Describe land, setting out separately the acreage, situation, and boundaries of each reserved area, and, if land is surveyed, affix plans.]

SECOND SCHEDULE.

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

, Warden.

Form 69 (Reg. 112).

Under "The Mining Act, 1905."

APPLICATION FOR HAND-SAWING AND TIMBER-SPLITTING WARRANT.

To the Warden of the Mining District, at

PURSUANT to "The Mining Act, 1905," the undersigned [Full name, residence, and occupation], hereby applies for a hand-sawing and timber-splitting warrant in respect of the land specified in the Schedule hereto, which has been duly marked out for the purpose.

Date and number of miner's right:

Address for service:

Dated at , this day of , 19 .

SCHEDULE.

[Set out area, situation, and boundaries of the land.]

[Signature of applicant, &c.]

Precise time, &c.

Form 70 (Reg. 112).

Under "The Mining Act, 1905."

HAND-SAWING AND TIMBER-CUTTING WARRANT.

PURSUANT to "The Mining Act, 1905," I, the undersigned, a Warden of the Mining District, hereby grant to [Full name, residence, and occupation], this hand-sawing and timber-cutting warrant in respect of the land specified in the First Schedule hereto.

This warrant is granted for a term of months, commencing on the date hereof, subject to the terms, conditions, reservations, and provisions set out in the aforesaid Act and the regulations thereunder, and also to such additional terms, conditions, reservations, and provisions as are specified herein or in the Second Schedule hereto.

There are payable by the warrant-holder a warrant fee of £3 [or £5, as the case may be] for the issue of this warrant, and also a royalty of 2d. for every railway-sleeper cut by him under this warrant. The warrant fee has been duly paid, and the royalty is payable at quarterly intervals computed from the date hereof.

In witness whereof, &c. [as in Form 68].

SECOND SCHEDULE.

(Reg. 33.)

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

Where rent is payable for the mining privilege or timber-cutting right applied for } One half-year's rent computed on area specified in the application.

Where a recurring license fee or other fee is so payable } The amount of the fee.

Where a non-recurring license fee or other fee is so payable } The amount of the fee.

Where survey is necessary } Survey fees as per scale, as approximately estimated by the Receiver.

Where advertising is or may be required } The approximate cost thereof as estimated by the Receiver, not exceeding £2.

Where registration will be necessary } A registration of 1s. for each separate registration entry.



Form 72 (Reg. 122).  
Under "The Mining Act, 1905."  
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 73 (Reg. 123).  
Under "The Mining Act, 1905."  
STATEMENT OF CLAIM.

No. \_\_\_\_\_ of the year 19 \_\_\_\_  
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 74 (Reg. 123).  
Under "The Mining Act, 1905."  
SUMMONS TO DEFENDANT.

No. \_\_\_\_\_ of the year 19 \_\_\_\_  
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], the above-named defendant, 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 \_\_\_\_\_, 19 \_\_\_\_, 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 .. \_\_\_\_\_
- Subpoenas .. \_\_\_\_\_
- Plaint fee .. \_\_\_\_\_

£ \_\_\_\_\_  
Given under my hand and the seal of the Warden's Court, at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_, \_\_\_\_\_, Clerk of the Court.

Hours of attendance at the office of the Clerk at \_\_\_\_\_  
From \_\_\_\_\_ till \_\_\_\_\_, except on \_\_\_\_\_, when the office will be closed at \_\_\_\_\_, and on \_\_\_\_\_, when the office will be closed all day.  
This summons was sued out by the plaintiff [or \_\_\_\_\_, of \_\_\_\_\_, solicitor (or registered agent) for the plaintiff], whose address for service is \_\_\_\_\_.

NOTICE.  
[To be noted or indorsed on the summons, and on each duplicate thereof.]  
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 or registered agent, at least twenty-four hours before

the day of 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 counterclaim 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 or registered agent, at least twenty-four hours before the time appointed for the hearing of the suit.

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

Form 75 (Reg. 123).  
Under "The Mining Act, 1905."

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 \_\_\_\_\_, 19 \_\_\_\_, [Signature of deponent.]

Sworn at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_, before me— \_\_\_\_\_, Warden

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

Form 76 (Reg. 123).  
Under "The Mining Act, 1905."  
SUMMONS TO WITNESS TO PRODUCE.

No. \_\_\_\_\_ of the year 19 \_\_\_\_  
In the Warden's Court of the \_\_\_\_\_ Mining District,  
holden at \_\_\_\_\_  
Between \_\_\_\_\_, plaintiff,  
and \_\_\_\_\_, defendant.  
To [Name in full, residence, and occupation of witness].

You are hereby commanded to attend at the Warden's Court of the \_\_\_\_\_ Mining District, holden at \_\_\_\_\_, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_, 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 \_\_\_\_\_, 19 \_\_\_\_, \_\_\_\_\_, Clerk of the Court.

Form 77 (Reg. 123).  
Under "The Mining Act, 1905."  
SUMMONS TO APPEAR.

No. \_\_\_\_\_ of the year 19 \_\_\_\_  
In the Warden's Court of the \_\_\_\_\_ Mining District,  
holden at \_\_\_\_\_  
Between \_\_\_\_\_, plaintiff,  
and \_\_\_\_\_, defendant.

To [Name in full, residence, and occupation of witness].  
You are hereby commanded to attend at the Warden's Court of the \_\_\_\_\_ 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 \_\_\_\_\_, 19 \_\_\_\_, \_\_\_\_\_, Clerk of the Court.

Form 78 (Reg. 123).  
Under "The Mining Act, 1905."  
DEMAND FOR ASSESSORS.

No. \_\_\_\_\_ of the year 19 \_\_\_\_  
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 defendant, as the case may be], hereby demand that this suit be tried by Assessors pursuant to "The Mining Act, 1905."

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_,  
A. B. [or A. B., by his Solicitor or Registered Agent, C. D.]  
To the Clerk of the Court, \_\_\_\_\_

Form 79 (Reg. 123).

Under "The Mining Act, 1905."

CLERK'S NOTICE TO PARTIES OF TRIAL BY ASSESSORS.  
No. of the year 19 .

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 at , this day of , 19 .

To the plaintiff [or defendant, as the case may be].  
Clerk of the Court.

From 80 (Reg. 123).

Under "The Mining Act, 1905."

SUMMONS TO ASSESSOR.  
No. of the year 19 .

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 at , on the day of , 19 , 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 at , this day of , 19 .  
Clerk of the Court.

To [Full name, residence, and occupation].

Form 81 (Reg. 123).

Under "The Mining Act, 1905."

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 or before the day of , 19 ] pay to the Clerk of this Court at a fine of £ for such neglect.

Dated at , this day of , 19 .  
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 on part of the day], when the office will be closed at , and on , when the office will be closed all day.

Form 82 (Reg. 123).

Under "The Mining Act, 1905."

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 83 (Reg. 123).

Under "The Mining Act, 1905."

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 84 (Reg. 123).

Under "The Mining Act, 1905."

NOTICE OF COUNTERCLAIM.

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 counterclaim, particulars whereof are attached hereto.

The defendant's address for service is:  
Dated at , this day of , 19 .

Defendant  
[or Solicitor or Registered Agent for the defendant].

To the plaintiff, and the Clerk of the Court.

[Attach particulars of counterclaim, as in a statement of claim.]

Form 85 (Reg. 123).

Under "The Mining Act, 1905."

NOTICE OF PAYMENT INTO COURT.

[Plaint No. .

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 [or, as the case may be, the sum which he thinks a full satisfaction for] your demand in this action, and has also paid into Court the further sum of pounds shillings and pence for the costs incurred by you up to the time of the service of this notice.

Dated at , this day of , 19 .

Defendant  
[or Solicitor or Registered Agent for the defendant].

To the plaintiff, .

Form 86 (Reg. 123).

Under "The Mining Act, 1905."

APPLICATION FOR A REHEARING.

Plaint No. .

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

Between , plaintiff,  
and , defendant.

Judgment given on the day of , 19 .

I, A. B., being the plaintiff [or defendant] in this action, hereby apply for a rehearing, on the following grounds: [Here state grounds for application].

This application will be made to the Warden on the day after the service hereof on the defendant [or plaintiff, as the case may be], or so soon thereafter as it can be heard.

Dated at , this day of , 19 .

A. B.  
[or A. B., by his Solicitor or Registered Agent, C. D.].

To the Warden, .

Form 87 (Reg. 123).

Under "The Mining Act, 1905."

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 action 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 Court, this day of , 19 .

Warden.

Form 88 (Reg. 123).

Under "The Mining Act, 1905."

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

No. of year 19 .

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 Warden or Warden's Court in the above suit shall be final.

Dated at , this day of , 19 .

A. B. [or A. B., by his Solicitor or Registered Agent, E. F.],  
Plaintiff.

C. D. [or C. D., by his Solicitor or Registered Agent, G. H.],  
Defendant.



Form 89 (Reg. 123).

Under "The Mining Act, 1905."

FORM OF INJUNCTION OR OTHER ORDER.

In the Warden's Court of the No. of the year 19 Mining District, holden at

Between , plaintiff, and , defendant.

UPON reading the affidavit of A. B., sworn and filed herein the day of 19 [Recite any other affidavits used on the application, and, if evidence vivâ voce has been given either with or without affidavits, add and upon hearing the evidence of C. D.], and upon hearing the plaintiff [or defendant, as the case may be], in person [or Mr. , as counsel or solicitor or registered agent for the plaintiff (or defendant)] [and, if the application is on notice and the other party has appeared, then add and upon hearing the defendant (or plaintiff, as the case may be) in person (or Mr. , as counsel or solicitor or registered agent for the defendant (or plaintiff)); or, if the other party does not appear, say and upon service of notice of this application upon the plaintiff (or defendant) being proved to my satisfaction, and he not appearing], I do hereby order that [State the subject-matter of the order].

Given under my hand and the seal of the Court, at this day of 19 , Warden.

[Form 90 (Reg. 123).

Under "The Mining Act, 1905."

FORM OF FINAL DECISION AND ORDER.

In the Warden's Court of the No. of the year 19 Mining District, holden at

Between , plaintiff, and , defendant.

FIND [If upon the decision of Assessors, insert upon the decision of Assessors] that [Set forth the decision]; and I order [State the order, as, for instance, that possession of the land (describing it as described in the Schedule to this order) be delivered to ]; and that the said do pay to the said 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 , and which has been valued by me [or by the said Assessors] at , be delivered to the said in satisfaction [or in part satisfaction] of such damages and costs.

Given under my hand and the seal of the Court this day of 19 , Warden.

[NOTE.—The statements in this and the preceding forms are by way of example only.]

Form 91 (Reg. 123).

Under "The Mining Act, 1905."

MEMORANDUM OF AGREEMENT TO APPEAL TO SUPREME COURT.

In the Warden's Court of the No. of the year 19 Mining District, holden at

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

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

Dated at , this day of 19 .

A. B. [or A. B., by his Solicitor or Registered Agent, E. F.],

Plaintiff.  
C. D. [or C. D., by his Solicitor or Registered Agent, G. H.],

Defendant.

Form 92 (Reg. 123).

Under "The Mining Act, 1905."

NOTICE OF APPEAL.

In the Warden's Court of the No. of the year 19 Mining District, holden at

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

[Or, if the appeal is from the decision of the Warden in his administrative capacity—

In the matter of an application numbered in the Application Record-book, at , for (Here state subject-matter—e.g., a license for a special dredging claim).

Between A. B., applicant, and C. D., objector.]

TAKE notice that I, , the above-named plaintiff [or defendant, or applicant, or objector], being dissatisfied with the decision of the Warden's Court [or the Warden] in these proceedings, which decision was as follows—[Here copy out minute of same as recorded in the judgment-book or record-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 appeal is made to the Supreme Court, holden at [or to the District Court, 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 at , this day of 19 .

A. B.

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

SEVENTH SCHEDULE.

(Reg. 124.)

WARDEN'S COURT.

Table of Fees.

	£	s.	d.
Summons to defendant, for each defendant to be served .. .. .	0	2	0
Summons to witness, for each witness to be served .. .. .	0	2	0
Service of any summons by bailiff or police officer, for each defendant or witness to be served .. .. .	0	3	0
Mileage for service of any summons or copy of summons by bailiff or police officer, for every mile, one way, after the first mile, from the Courthouse or police-station from which service commences .. .. .	0	1	0
Hearing .. .. .	0	4	0
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 intention to 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..	£	s.	d.
For copy of any proceedings, every complete folio of ninety words or part thereof ..	0	2	0
Cartage of goods seized in execution to auction-room or place of security: reasonable expenses actually paid, to be supported by voucher.	0	0	6
Filing any consent or agreement ..	0	2	0
Filing notice of any application for a rehearing ..	0	2	0

*Allowances 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 is required in order to carry out and enforce (a) any judgment, decision, or order of the Warden or the Warden's Court in civil proceedings, or (b) any conviction or order of the Warden or the Warden's Court in proceedings imposing a penalty, then in so far as no fee is charged for such act or document in this Schedule, the fees chargeable shall in case (a) be those chargeable under "The Magistrates' Courts Act, 1893," and in case (b) be those chargeable under "The Justices of the Peace Act, 1882."

**EIGHTH SCHEDULE.**

FORMS FOR USE IN CONNECTION WITH MINE-MANAGERS', BATTERY SUPERINTENDENTS', AND DREDGEMASTERS' CERTIFICATES.

(The forms being numbered on from the last form in the Sixth Schedule.)

Form 93 (Reg. 135).

Under "The Mining Act, 1905."

APPLICATION TO BE EXAMINED FOR CERTIFICATE.

To the Secretary of the Board of Examiners under the Mining Act, Wellington.

I, [Full name, residence, and occupation], the undersigned, hereby apply to be examined for a certificate as mine-manager of the first [or second] class [or battery superintendent]. I enclose the prescribed fee of £1, and hereby declare as follows:—

(1.) My practical experience consists of actual employment as specified in the Schedule hereto; and in proof thereof I forward with this application evidence in writing from my previous employers, as specified in that Schedule.

(2.) [If the applicant is a candidate for examination for a mine-manager's certificate of the first class, he shall state whether he is the holder of a second-class certificate—e.g.] I am the holder of a second-class certificate, No.

Dated at , this day of , 19 .

SCHEDULE.

Particulars of Employment, and Nature of Evidence in Proof thereof.

Name and Locality of Mine.	Name of Employer.	Period of Employment.		Nature of Employment.	Nature of Evidence in Writing.
		From	To		

[Signature of applicant.]

Form 94 (Reg. 135).

Under "The Mining Act, 1905."

MINE-MANAGER'S CERTIFICATE OF FIRST [or SECOND] CLASS BY EXAMINATION.

THIS is to certify that [Full name, residence, and occupation], has by examination duly satisfied the Board of Examiners that he is entitled to a mine-manager's certificate of the first [or second] class, and this first- [or second-] class certificate is hereby issued to him accordingly.

Issued at Wellington, this day of , 19 , by the Board of Examiners.

C. D.,  
Secretary.

Signature of holder:

Form 95 (Reg. 135).  
Under "The Mining Act, 1905."  
MINE-MANAGER'S CERTIFICATE OF FIRST [or SECOND] CLASS WITHOUT EXAMINATION.

THIS is to certify that [Full name, residence, and occupation], having duly satisfied the Board of Examiners that he is the holder of a corresponding certificate of equal status, granted after examination by [Name of authority] (being a duly constituted and recognised authority outside New Zealand), this first- [or second-] class certificate as mine-manager is hereby granted to him accordingly without examination.

Issued at Wellington, this day of , 19 , by the Board of Examiners.

C. D.,  
Secretary.

Form 96 (Reg. 135).  
Under "The Mining Act, 1905."

BATTERY SUPERINTENDENT'S CERTIFICATE BY [or WITHOUT] EXAMINATION.

[As in Form 94 or 95, or with all necessary modifications.]

Form 97 (Reg. 139).

Under "The Mining Act, 1905."

APPLICATION TO BE EXAMINED FOR CERTIFICATE AS DREDGE-MASTER.

To the Board of Examiners, Wellington.

I, THE undersigned [Full name, residence, and occupation], hereby apply to be examined for a certificate as dredgemasters I enclose the prescribed fee of £1, and hereby declare at follows: My practical experience consists of actual employment on dredges working in deep or swift-flowing streams, as specified in the Schedule hereto; and in proof thereof I herewith supply evidence in writing from my previous employers, as specified in that Schedule.

Dated at , this day of , 19 .

SCHEDULE.

Particulars and Proof of Employment.

Name and Locality of Dredge.	Name of Employer.	Period of Employment.		Total Period employed.		Nature of Employment.
		From	To	Years.	Months.	

Signature of applicant:

No. Form 98 (Reg. 143).  
Under "The Mining Act, 1905."

DREDGEMASTER'S CERTIFICATE AFTER EXAMINATION.

THIS is to certify that , of , has duly satisfied the Board of Examiners that he is entitled to a certificate entitling him to take charge of a dredge working on a deep or swift-flowing stream, and this certificate is issued to him accordingly.

Issued at Wellington, this day of , 19 , by the Board of Examiners.

, Chairman.  
, Secretary.

Form 99 (Reg. 140).

Under "The Mining Act, 1905."

CERTIFICATE BY EMPLOYER OF APPLICANT FOR EXAMINATION FOR DREDGEMASTER'S CERTIFICATE.

I HEREBY certify that , of , was employed by me on a dredge working on a deep or swift-flowing stream, situate at , belonging to , from the day of , 19 , to the day of , 19 , and I can recommend him as a man of good repute, sober habits, and competent to undertake the management of a dredge.

Employer's name and address:

## NINTH SCHEDULE.

Form 100 (Reg. 52).

## APPLICATION FOR LEASE IN A MINING TOWNSHIP.

"The Mining Act, 1905."

To the Warden at  
I APPLY for a lease of the ground herein described:—

Situation:

Area:

No. of section (if land is surveyed):

Tenure:

Length of occupation:

Purpose for which land is to be used:

[Signature.]

Address for service:

Filed by the Mining Registrar, at o'clock on  
the day of , 19 .The above application will be considered on day,  
19 . A. B., Warden.  
[or Mining Registrar].

Form 101 (Reg. 52).

## FORM OF LEASE IN A MINING TOWNSHIP.

"The Mining Act, 1905."

THIS deed made the day of , one thousand nine hundred , in pursuance of section forty-four of "The Mining Act, 1905," between the Warden of the Mining District of (hereafter, with his successors in office and assigns, called "the lessor"), of the one part, and (hereinafter, with his executors, administrators, and permitted assigns, called "the lessee"), of the other part, witnesseth that the lessor, with the consent of the Minister of Mines, doth hereby demise and lease unto the lessee all that piece or parcel of land situate in the Township of in the Mining District, containing , and being section No. , on the map of that township, in the District Survey Office at , and as the same is more particularly delineated in the plan drawn in the margin of these presents and therein coloured red: To hold the same unto the lessee for the term of years from the date hereof: Yielding and paying unto His Majesty the King, his successors and assigns, during the said term the yearly rent of , by equal half-yearly instalments in advance to the Receiver of Gold Revenue at , the first such instalment having been duly paid, and the subsequent instalments being due and payable in advance on the day of and the day of in each year throughout the said term: Provided always, and it is hereby expressly declared and agreed as follows:—

- (1.) These presents shall be construed and taken to be a demise of the surface of the demised land only, and shall not entitle the lessee to mine on or under the demised land, or to extract, dig, or search for gold or any other metals or minerals therein or thereon.
- (2.) The lessee shall have no claim for compensation, or otherwise against the lessor, His Majesty the King, or any other person or persons, or body or bodies corporate whomsoever or whatsoever, for or on account of any loss which the lessee may sustain on account of mining operations carried on below the surface of the demised land or the lands adjoining thereto.

And the lessee doth hereby covenant with the lessor as follows:—

- (a.) That the lessee will from time to time well and truly pay the said rent as hereinbefore appointed and also all rates, taxes, and assessments levied on the demised land during the said term. And also
- (b.) That the lessee will not part with, assign, or underlet the demised land or any part thereof without the previous consent in writing of the lessor, or of some person duly authorised by the lessor to give such consent. And also
- (c.) That the lessee will not mine for gold or any other metal or mineral on or under the demised land, or extract, dig, or search for gold or any other metal or mineral therein or thereon. And also
- (d.) That the lessee will not at any time commence or prosecute any action or suit or take any proceedings against any person or body corporate to recover any compensation or damages for any loss which the lessee may sustain on account of any mining operation carried on below the surface of the demised land or the lands adjoining thereto.

And it is hereby further agreed, and declared that these presents are subject to the provisions of section 44 of "The Mining Act, 1905," and are granted on the express condition that, if and as often as the said rent or any part thereof is in arrear and unpaid for thirty days next after any of the days hereinbefore appointed for the payment thereof, although no formal demand may have been made therefor, or if and as often as the lessee neglects or fails to observe any other of the covenants or provisions herein contained or implied, or for six months continuously abandons or deserts the demised land, then in any of such cases it shall be lawful for any person or persons thereunto duly authorised by the lessor, or by the Minister of Mines, into and upon the demised lands to re-enter, and thereupon this demise shall be absolutely determined, but without releasing the lessee from the payment of any arrears of rent, or from any action or suit for or on account of any preceding default.

In witness whereof the lessor and the lessee have hereunto set their hands the day and year firstly hereinbefore written.

, Lessor.  
, Lessee.Signed by the within-named lessor  
in the presence of—A. B.  
[Residence and occupation.]Signed by the within-named lessee  
in the presence of—C. D.  
[Residence and occupation.]Consented to this day of , 190 .  
Minister of Mines.

Form 102 (Reg. 53).

## APPLICATION FOR LICENSE UNDER SECTION 45 OF THE MINING ACT.

[As in Form 15 in the First Schedule hereof, with all necessary modifications, including Schedule as follows.]

## SCHEDULE.

Purpose for which license is required:  
Proposed term of license:  
Locality where land is situated, with its boundaries, measurements, and area:

Form 103 (Reg. 53).

## LICENSE UNDER SECTION 45 OF THE MINING ACT.

PURSUANT to "The Mining Act, 1905," I, the undersigned, Warden of the Mining District, do hereby grant to [Full name, residence, and occupation] this license, authorising the licensee to [State purpose of license] on or over the land described in the First Schedule hereto.

This license is granted for a term of years, commencing on the date hereof, subject to the terms, conditions, reservations, and provisions set out in "The Land Act, 1892," and Mining Act and the regulations thereunder, and to such additional terms, conditions, reservations, and provisions as are specified in the Second Schedule hereto.

In witness whereof, &amp;c.

## FIRST SCHEDULE.

[Describe the land.]

## SECOND SCHEDULE.

[Additional terms, if any.]

Form 104 (Reg. 54).

## LEASE UNDER SECTION 46 OF "THE MINING ACT, 1905."

THIS deed, made the day of , one thousand nine hundred and , in pursuance of section forty-six of "The Mining Act, 1905," between His Majesty King Edward the Seventh (who, with his heirs and successors is hereinafter referred to as "the King") of the one part and (who with his executors, administrators, and permitted assigns, is hereinafter called "the lessee") of the other part, witnesseth that the King doth hereby demise and lease unto the lessee all that piece or parcel of land, situate at in the Mining District, containing , and being Suburban Section Number on the Warden's office plan of , and as the same is more particularly delineated in the plan drawn in the margin of these presents, and therein coloured red: To hold the same unto the lessee for the term of years from the date hereof: Yielding and paying unto the King during the said term the yearly rent of in advance by equal half-yearly instalments, the first of such instalments having been duly paid, and the subsequent instalments being due and payable in advance on the day of and the day of in each year throughout the said term:

Provided always, and it is hereby expressly declared and agreed, as follows:—

1. These presents shall be construed and taken to be a demise of the surface of the demised land only, and shall not entitle the lessee to mine on or under the demised land, or to extract, dig, or search for gold, or any other metals or minerals therein or thereon.
2. The lessee shall have no claim for compensation or otherwise against the King, or against any person or persons, or body or bodies corporate, for or on account of any loss which the lessee may sustain on account of mining operations carried on below the surface of the demised land, or the lands adjoining thereto, provided that such mining operations were not being carried on at a less distance from the surface than that sanctioned by the Warden.
3. This lease shall be subject to all the provisions of "The Mining Act, 1905," and regulations thereunder, and its and their amendments, relating to the forfeiture and abandonment of residence-sites, and to the recovery of rents in arrear, and such provisions shall be deemed to be incorporated herein, and to form part of the conditions of the lease.
4. At the expiration of the term of this lease the section shall (unless required by the Crown) be again put up for auction, but weighted with the value of the buildings and other improvements then existing thereon, ascertained by valuation under section forty-one of "The Mining Act, 1905," but in no case shall any right of valuation exist as against the Crown.

And the lessee doth hereby covenant with the King as follows:—

- (a.) That the lessee will from time to time pay the said rent to the said Receiver of Gold Revenue at , and also all rates, taxes, and assessments levied on the demised land during the said term; and also
- (b.) That the lessee will not part with, assign, underlet, or otherwise dispose of the demised land, or any part thereof, without the previous consent in writing of the King, or some person duly authorised to give such consent; and also
- (c.) That the lessee will not mine for gold or any other metal or mineral on or under the demised land, or extract, dig, or search for gold or any other metal or mineral therein or thereon; and also
- (d.) That the lessee will not at any time commence or prosecute any action or suit, or take any proceedings, against any person or body corporate to recover any compensation or damages for any loss which the lessee may sustain on account of any mining operations carried on below the surface of the demised land, or the lands adjoining thereto, provided that such mining operations were not being carried on at a less distance from the surface than that sanctioned by the Warden; and also
- (e.) That the lessee shall within twelve months from the date of this lease fence the whole of the land herein demised with a substantial fence.

And it is hereby further agreed and declared that these presents are subject to the provisions of section forty-six of "The Mining Act, 1905," and are granted on the express conditions that, if and as often as the said rent or any part thereof is in arrear and unpaid for thirty days next after any of the days hereinbefore appointed for the payment thereof, although no formal demand may have been made therefor, or if and as often as the lessee neglects or fails to observe any other of the covenants or provisions herein contained or implied, or for six months continuously abandons the said demised premises, then in any of such cases it shall be lawful for any person or persons thereunto duly authorised by the King, or by the Minister on his behalf, into and upon the demised land to re-enter, and thereupon this demise shall be absolutely determined, but without releasing the lessee from the payment of any arrears of rent, or from any action or suit for or on account of any preceding default. In witness whereof the Warden of the Mining District, on behalf of the King, and the said lessee, have set their hands respectively, the day and year first hereinbefore written.

(Lessor.)  
(Lessee.)

Signed by A. B., Warden, &c., for and on behalf of the King, in the presence of—

[Residence and occupation.]

Signed by the said lessee in the presence of—

[Residence and occupation.]

Form 105 (Reg. 159).

APPLICATION TO BE REGISTERED AS A MINING AGENT.

To the Warden of the Mining District, at Pursuant to "The Mining Act, 1905," the undersigned hereby makes application to be registered as a mining agent for the above-mentioned mining district [or in respect of the following localities within the said mining district: namely, (Here name them)].

Address for service:

Dated at , this day of , 19 .

Signature of applicant:

A. B.

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

Time and place appointed for the hearing of the application and all objections thereto: [e.g., Thursday, the 22nd August, 1901, at 10 a.m., at the Warden's Court House at ].

Objections must be filed in the Registrar's office, and notified to the applicant, at least twenty-four hours before the time so appointed.

, Mining Registrar.

Form 106 (Reg. 164).

LICENSE TO ACT AS REGISTERED MINING AGENT.

Pursuant to "The Mining Act, 1905," I, the undersigned, a Warden of the Mining District, do hereby register as a mining agent under the said Act in respect of the Mining District [or the following localities—(naming them)—within the said district].

This license is subject to payment of an annual license fee of £1 ls.

In witness whereof I have hereunto subscribed my name, and affixed the seal of the Warden's Court of the Mining District, this day of , 19 , at Warden.

Form 107 (Reg. 166).

FORM OF APPLICATION TO CANCEL REGISTRATION AS A MINING AGENT.

To the Warden of the Mining District at and to , a Registered Mining Agent.

TAKE notice that I, the undersigned, intend to make application for the cancellation of the registration of the above-named as a mining agent under the above Act, on the grounds following: [Here set out the grounds of application with reasonable particularity, in separate paragraphs consecutively numbered].

Date and number of miner's right:

Address for service:

Dated at , this day of , 19 .

, Objector.

Form 108 (Reg. 172).

APPLICATION FOR A GOLD-DEALER'S LICENSE.

To the Warden of the Mining District at

I, of , do hereby make application for a license under "The Mining Act Amendment Act, 1905," to deal in gold. My present address for carrying on business is at , in the said mining district. I have [not] previously held a license for such purpose.

Dated at , this day of , 19 .

[Signature of Applicant: .]

Address for business:

Received the within application at the hour of .m. on the day of , 190 , with a fee of 5s. , Mining Registrar [or Clerk of the Court].

Form 109 (Reg. 176).

GOLD-DEALER'S LICENSE.

I, Minister of Mines, being satisfied that is a fit and proper person to be a licensed gold-dealer, do hereby license the said to be a gold dealer under the provisions of "The Mining Act Amendment Act, 1905," and the regulations, to carry on the business of a gold-dealer at , in the premises occupied by him and situate

at \_\_\_\_\_, within the \_\_\_\_\_ Mining District, and at no other place, until the 31st day of December, 190\_\_\_\_, and no longer.

Given under my hand, at Wellington, this \_\_\_\_\_ day of \_\_\_\_\_, 190\_\_\_\_.

\_\_\_\_\_, Minister of Mines.  
Entered in the Register of Licensed Gold-dealers.  
\_\_\_\_\_, Registrar.

Form 110 (Reg. 177).

GOLD-DEALER'S LICENSE FOR INCORPORATED BANK.

I, \_\_\_\_\_, Minister of Mines, by virtue of the powers conferred upon me by section 47 of "The Mining Act Amendment Act, 1905," and the regulations, do hereby grant to \_\_\_\_\_, an incorporated bank carrying on business at its head office at \_\_\_\_\_, a license to deal in gold at the branches described on the back hereof, under the provisions of the said Act and regulations, until the 31st day of December, 190\_\_\_\_, and no longer.

Given under my hand, at Wellington, this \_\_\_\_\_ day of \_\_\_\_\_, 190\_\_\_\_.

\_\_\_\_\_, Minister of Mines.  
Entered in the Register of Licensed Gold-dealers.  
\_\_\_\_\_, Registrar.

List of places where such Branches of the Bank are established, and Names of Present Managers thereof.

Place where Branch established.	Name of Manager.

Form 111 (Reg. 181).

GOLD-DEALER'S BOOK.

No. of Transaction.	Date.	Nature of Transaction.*	Name and Address of Purchaser or Seller.	Particulars of Gold bought or sold.†	No. of Lease, Claim, or Holding from which Gold was obtained, and Locality.	Where and how treated.	Value given or received.	Signature of Parties to the Transaction other than the Licensed Gold-dealer.
				oz. d				

\* Under this heading particulars must be stated as to whether the transaction was a sale, purchase, advance, or deposit for safe keeping.

† Under this heading must be accurately set out the particulars of the gold dealt with, in accordance with the definition thereof contained in section 40 of "The Mining Act Amendment Act, 1905."

Form 112 (Reg. 182).

RETURN OF GOLD BOUGHT OR SOLD BY AN INCORPORATED BANK OR LICENSED GOLD-DEALER FOR THE MONTH OF \_\_\_\_\_, 190\_\_\_\_.

(To be posted to the Under-Secretary for Mines not later than the 5th day of each month.)

No. of Transaction.	Date.	Nature of Transaction.*	Name and Address of Purchaser or Seller.	Particulars of Gold bought or sold.†	No. of Lease, Claim, or Holding from which Gold was obtained, and Locality.	Where and how treated.	Value given or received.	Names of Parties to the Transaction other than the Licensed Gold-dealer.

\* Under this heading particulars must be stated as to whether the transaction was a sale, purchase, advance, or deposit for safe keeping.

† Under this heading must be accurately set out the particulars of the gold dealt with, in accordance with the definition thereof contained in section 40 of "The Mining Act Amendment Act, 1905."

I, \_\_\_\_\_, manager of the \_\_\_\_\_ Bank at \_\_\_\_\_ [or a licensed gold-dealer, whose registered address for business is at \_\_\_\_\_], do hereby certify that the foregoing is a true and correct statement of all the transactions of my bank [or of all my transactions] in gold during the month ending \_\_\_\_\_, 190\_\_\_\_.

Signature of licensee : \_\_\_\_\_  
Address and description : \_\_\_\_\_  
Date : \_\_\_\_\_

To the Under-Secretary for Mines, Wellington.

Form 113 (Reg. 183).

DECLARATION AS TO GOLD\* SENT BY POST OR OTHERWISE.

I, \_\_\_\_\_, of \_\_\_\_\_, do solemnly and sincerely declare as follows:—

1. I did on the \_\_\_\_\_ day of \_\_\_\_\_, 190\_\_\_\_, forward to the \_\_\_\_\_ Bank at \_\_\_\_\_ by post a parcel containing [Here set out nature of contents and approximate quantity or weight thereof].

2. The said \_\_\_\_\_ is my property [or the property of \_\_\_\_\_, of \_\_\_\_\_], and was acquired by me [or him] [Here set out whether it was acquired by purchase or is the product of some mining lease, and in the former case the name and address of the seller, and in the latter case the name and situation of the lease and the holder thereof].

And I make this solemn declaration conscientiously believing the same to be true, 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 \_\_\_\_\_ one thousand nine hundred and \_\_\_\_\_, before me— \_\_\_\_\_, Warden, Mining Registrar, Magistrate, Justice of the Peace, Postmaster, or Constable.

\* "Gold" includes gold, gold bullion, retorted gold, gold-ores, gold-amalgam, gold-alloys, precipitates containing gold, slag, concentrates, tailings, and residues, but does not include coin or things manufactured of gold.

(To be forwarded to the Bank.)

Form 114 (Reg. 184).

APPLICATION FOR A TEMPORARY GOLD-DEALER'S LICENSE.

To the Warden of the \_\_\_\_\_ Mining District at \_\_\_\_\_, I, \_\_\_\_\_, of \_\_\_\_\_, do hereby make application, in accordance with the provisions of section 57 of "The Mining Act Amendment Act, 1905," for a temporary license to deal in gold. My present address for carrying on business is at \_\_\_\_\_, in the said mining district. I have [not] previously held a license for such purpose.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 190\_\_\_\_.  
Signature of applicant : \_\_\_\_\_

Received this application at \_\_\_\_\_ o'clock \_\_\_\_\_ m. on the \_\_\_\_\_ day of \_\_\_\_\_, 190\_\_\_\_, with a fee of five shillings.  
\_\_\_\_\_, Warden.

Form 115 (Reg. 185).

TEMPORARY GOLD-DEALER'S LICENSE.

I, \_\_\_\_\_, being the Warden of the \_\_\_\_\_ Mining District, do, by virtue of the powers vested in me under section 57 of "The Mining Act Amendment Act, 1905," grant to \_\_\_\_\_ a temporary gold-dealer's license to deal in gold at \_\_\_\_\_, in the said mining district, and at no other place, for a period of \_\_\_\_\_ month from the day of the date hereof, and no longer.

Given under my hand, at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, one thousand nine hundred and \_\_\_\_\_, Warden.

TENTH SCHEDULE.

Reg. 167.

SCALE OF COSTS AND CHARGES WHICH MAY BE ALLOWED TO REGISTERED MINING AGENTS.

(A.) *In respect of Applications to the Warden.*

Nature of Proceeding.	Costs or Charges.	
	£	s. d.
In respect of every unopposed application, including preparation and filing of application, and appearance before the Warden . . . . .	0	10 6
In respect of every opposed application, including preparation and filing of application [ <i>or</i> notice of objection, <i>as the case may be</i> ], as well as appearance before the Warden . . . . .	£1 1s. to	3 3 0

(B.) *In respect of Proceedings before the Warden's Court.*

Nature of Proceedings.	Under £2.		£2 and under £5.		£5 and under £20.		£20 and under £45.		£45 and over that Sum.	
	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.
For entering plaint where the amount claimed is Appearance in Court on behalf of plaintiff to conduct action in defended suits where the amount recovered is	0	10 6	1	1 0	1	11 6	2	2 0	2½	per cent. on amount in respect of which judgment is given, but so that the sum allowed is not less than £2 2s.
Appearance in Court on behalf of defendant to conduct action in defended suits where the amount claimed is	0	10 6	1	1 0	1	11 6	2	2 0	2½	per cent. on amount sued for, but so that the sum allowed is not less than £2 2s.
Appearance in Court in undefended cases where the amount claimed is	0	5 0	0	10 6	1	1 0	1	11 6	1	per cent. on amount in respect of which judgment is given, but so that the sum allowed is not less than £1 11s. 6d.
Appearance in Court in cases where no amount is claimed, or where payment of money is not the only relief sought (as in forfeitures, encroachments, &c.)										The same as for opposed applications.

Where the hearing of a defended suit extends over one day of six hours, the Warden may allow an additional fee not exceeding £1 1s. for each additional day of six hours or part thereof.

(C.) *Interlocutory or other Proceedings.*

In respect of any interlocutory or other proceedings the Warden may, in his discretion, allow an additional fee of not less than 5s. nor more than £2 2s.

As witness the hand of His Excellency the Governor, this twelfth day of February, one thousand nine hundred and seven.

JAMES MCGOWAN,  
Minister of Mines.

