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## A PROCLAMATION.

By His Honor JOHN WILLIAMSON,  
Esquire, Superintendent of the  
Province of Auckland, in the  
Colony of New Zealand.

**WHEREAS**, by delegation from His Excellency the Governor, under "The Gold Fields Act, 1866," the power has been given to me as Superintendent, to make and prescribe Rules and Regulations for the management of Gold Fields situate within the Province of Auckland, and from time to time to alter and revoke such Rules and Regulations.

AND WHEREAS it has been found expedient to make certain Alterations and Amendments in the Gold Fields Regulations at present in force in the said Province,

NOW THEREFORE, I, JOHN WILLIAMSON, Superintendent of the Province of Auckland, in pursuance of the powers so vested in me by the provisions of the said Act, do hereby proclaim and declare, that the Rules and Regulations aftermentioned, shall, on and after the first day of September next, be the Rules and Regulations of the Gold Fields in the Province of Auckland.

GIVEN under my hand and the Public Seal of the Province, at Wellington, this twenty-second day of August, in the year of Our Lord One thousand eight hundred and sixty-seven.

J. WILLIAMSON,  
Superintendent.

## GOLD FIELDS REGULATIONS.

### INTERPRETATION.

**WHEREVER** the term, Warden, is used in these Regulations it shall be understood to mean Warden, or Resident Magistrate, or any other officer entrusted with the superintendence of the Gold Field, or any portion of it, and holding a commission or appointment duly empowering him to have charge thereof.

The word "miner," "person," and "claim" shall be read as both singular and plural.

The word "miner" as used in these Regulations, shall mean the holder of a "miner's right," and no other.

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

Wherever the word "Act," is used in these Regulations it shall be taken to signify "The Gold Fields Act 1866."

1. Miners' Rights shall be issued by the Warden, on payment of a fee of one Pound. Such Miner's Right to be carried on the person, and not transferable.

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

3. The extent of ground that may be taken and held by any person, whether for sinking, surface digging, river working, or cradling, or for sluicing on ground or plank, or for mining on quartz reefs, shall be for each man employed, as follows:—

For Surfacing, shallow sinking, and deep sinking :—40 feet square.

For Quartz mining, 50 feet along the supposed course of the reef by 150 feet on each side from the supposed centre of the reef.

4. The Warden may grant a double claim for all alluvial mining, on ground which has been already worked.

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

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

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

8. Persons who discover available lands for mining shall be entitled to occupy, in addition to their own individual claims, as follows :—

If not more than two persons, one claim.

If more than two persons, two claims

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

9. In the case of the holders of any claim erecting machinery for pumping or bailing water, and thereby benefiting the claims adjoining or near to such claim, the last named claim holders shall, while working their claims contribute a fair and reasonable sum weekly or otherwise to such water-bailing machinery. The amount to be decided by two assessors, one to be appointed by the owners of the said machinery and one by the representatives of the claims alleged to have derived or to be about to derive a benefit. In the event of the assessors not agreeing in their decision, the question then to be determined in the same manner as is provided by the XVII and XVIII sections of the Act.

10. If the owners of any claim by improper management or otherwise shall damage any claim adjacent, the person receiving such damage shall be entitled to compensation for the same; and on the request of the owner or owners of any claim, who shall have reasonable

grounds for suspicion that his or their claims is receiving damage from the working of any claim adjoining, the Warden shall grant permission for the inspection of such claim; and on proof that any damage is likely to occur, the working of such claim shall be suspended until the case shall have been decided by the Warden

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

12. No person shall hold any claim in reserve or non-worked beyond the space of 24 hours, and such proceeding will be considered as a relinquishment of right to any claim, however much previously worked: Provided that if sufficient reason, such as sickness, neglect of a hired servant, or some other urgent cause, can be shown to the satisfaction of the Warden, he shall then replace the owner in the occupation thereof. No "jumping" will be allowed. Application must be made to the Warden for permission to occupy any claim alleged to be forfeited. The Warden will then decide in accordance with the merits of the case.

13. Every Miner's Right shall, during the continuance thereof, subject to these Regulations authorize the holder thereof to cut, construct, and use water races for mining purposes, and to divert and use for mining purposes any water which Her Majesty may lawfully divert and use, and to occupy for the purpose of depositing matter remove from such water races to the land immediately adjoining such water races to a distance not exceeding (5) feet on each side, subject to the conditions hereinafter described, that is to say—

14. Any person intending to divert and use water for mining purposes, by means of any water race to be constructed, shall give notice thereof in writing to the Warden and to any person whose interests may be affected by the diversion of such water and copies of

such notice shall be posted and maintained for fourteen clear days at the source whence it is proposed to obtain water, and at the proposed termination of such water race, and the intended course thereof shall be indicated by pegs not less than two inches square or by large stones marked  $\swarrow \searrow$  and placed not more than two hundred yards apart, and such notices shall state the mean breadth and depth of the proposed water race and the quantity of water it is capable of carrying. And if no valid objection be entered against the construction of such water race within fourteen clear days from the delivery of such notice, a license may be granted by the Warden to the applicant subject to the provisions and conditions herein contained.

15. Any person desiring to cut any water race through or over any private or Native lands, shall not, except by consent of the owners or occupiers of such land, enter upon such land. The consent to form any such race must be first ascertained by the Warden.

16. The cutting and formation of water races must be commenced within one calendar month, from the issue of the license authorizing the same, and the holders of such license shall continue cutting and forming the same until the work is completed.

17. All right to any water race authorized to be constructed under these provisions, shall become forfeited if entirely unused by the owner thereof for the space of one calendar month, unless in cases of sickness or unavoidable absence or in consequence of failure of water, but it shall be lawful for the Warden in his discretion, upon sufficient cause being shown, to suspend the operation of this section for a further period of two months, and a certificate of such suspension shall be given in writing to the holders of such license.

18. Every license for a water race shall be brought to the Warden for renewal annually and if any such license is not so brought within sixty days after the expiration of twelve months from the date at which it has been or may be granted, it shall be deemed to be forfeited and the registration thereof be cancelled.

19. The holder or occupier of any water race shall keep the same in repair, and shall make an efficient bridge where any road in ordinary use crosses the water race, upon being required to do so by the Warden.

20. No license shall be granted for the use or diversion of any water which is or may be required for public purposes or for the use of the miners generally.

21. Two sluice heads of water shall if required be at all times allowed to flow in the natural course of any stream for general use.

22. Where a water race crosses any water course, the use of which is required by holders of Miners' Rights or by the owners or occupiers of any land, such water race shall be carried either over or under such water course, so as not to interfere with the natural flow of water therein.

23. If any person shall take possession of unoccupied ground over which water escapes from an occupied claim, he shall not obstruct the flow thereof so as to throw it back upon the claim from which it escapes.

24. No person shall obstruct, or in any manner interfere with such workings either in progress or completed; or do anything to prevent the object proposed to be accomplished thereby.

25. If any person shall fell any tree or timber, either intentionally or by undermining, or other means, he shall remove it beyond the reach of floods, so that it may not be drifted down any stream. If any person shall fell timber on an adjoining claim so as to cause an obstruction, he shall, on demand of the occupier of such claim immediately remove the same.

26. Permission to retain a claim unworked may be granted by the Warden, and the same shall be thereon registered for such time as the Warden shall think fit.

27. Application for permission to register must be made in writing to the Warden stating:

- (1.) Date of application.
- (2.) Situation of the claim.
- (3.) Reason for registering.

All registered claims must be marked by a notice posted on a conspicuous part of the claim.

28. A certificate of registration shall be given by the Warden on payment of a fee of 5s., for every claim so registered, such certificate shall describe the claim protected, and state the reasons for which the same is registered.

29. Any party assigning false reasons, shall not be protected in the possession of the claim by such registration.

30. Any holder of a "Miners' Right," will be allowed to use timber (other than kauri) for building or mining purposes, and for firewood.

31. Any person requiring "kauri timber" must apply to the Warden, who will give permission to cut the same, on payment of the sum of One Pound five shillings (25s) for each tree required by him.

#### BUSINESS LICENSES.

32. Business Licenses will be issued authorising the holder to carry on business within the Gold Fields, the Fees to be paid for such license shall be five pounds for an annual license, three pounds for a half-yearly license and two pounds for a quarterly license. Provided, always that no person shall be entitled, under these regulations, to occupy except under a lease more than forty perches of land.

#### MISCELLANEOUS.

The Natives retain the right to lease allotments in the Township of Shortland. Any person occupying lands in that township

must, if carrying on business thereon, be the holder of a Business License.

33. No person holding a "Business License" shall be entitled to carry on business in two distinct places in virtue of one license.

34. No person will be allowed to depasture any cattle or stock within the limits of the Gold Field, unless he receive permission in writing from the Warden.

35. All lands used as Native Burial grounds are to be respected, the locality of such will be indicated by notice posted on the ground.

36. The regulation of all other operations and proceedings connected with the proper working of the Gold Field, shall be left to the discretion and judgment of the Warden, until otherwise provided for.

37. Every person committing any breach whether of omission or commission of any of the above Rules and Regulations, will be liable to the penalties set forth in the "Gold Fields Act, 1866," viz. :—

For the first offence, a fine of any sum not exceeding £10. And for the second or any subsequent offence, not exceeding £20.

N.B. Persons Mining on Native Lands not included in the boundaries of the "Gold Field," but adjoining thereto, shall be liable to the penalties set forth in Clause No. 98 of the Act.

**GEOLOGICAL SURVEY OFFICE AND  
COLONIAL MUSEUM,**

Wellington, August 14, 1867.

**S**IR,—I have the honor to report that the sample of gold from the Thames Valley, which you placed in my hands, has been examined in the laboratory of this department, and is found to consist of two distinct qualities of gold.

1st—That intermixed with quartz, contains a large proportion of silver, like the gold from Coromandel.

2nd—That which is in waterworn grains, is comparatively free from silver, and resembles South Island gold in quality.

Along with the gold are a few grains of cinnabar, or native sulphuret of mercury, and also of iron ore.

I have the honor to be,

Sir,

Yours obediently,

**JAMES HECTOR.**

His Honor the  
Superintendent of Auckland, M.H.R.