



NEW ZEALAND
GOVERNMENT GAZETTE
(PROVINCE OF MARLBOROUGH).

PUBLISHED BY AUTHORITY.

** * * All Public Notifications which appear in this Gazette with any Official Signatures thereunto annexed, are to be considered as Official Communications made to those persons to whom they relate, and are to be obeyed accordingly.*

W. H. EYES,
Superintendent.

VOL. VIII.]

SATURDAY, MARCH 23, 1867.

[No. 146.

PROCLAMATION.

By His Honor WILLIAM HENRY EYES, Esquire, Superintendent of the Province of Marlborough, 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 Marlborough 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, WILLIAM HENRY EYES, Esquire, Superintendent of the Province of Marlborough, 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 after-mentioned shall, on and after the twenty-fifth day of March next, be the Rules and Regulations of the Pelorus Gold Fields.

Given under my hand, and the public seal of the province, at the Superintendent's Office, Blenheim, this eighteenth day of March, in the year of our Lord one thousand eight hundred and sixty-seven.

W. H. EYES,
Superintendent.

By his Honor's command,
JAMES BALFOUR WEMYSS,
Provincial Secretary.

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R U L E S
AND
R E G U L A T I O N S
OF THE
MARLBOROUGH GOLD FIELDS.

I. PRELIMINARY REGULATIONS.

1.— Interpretation Clause.

In the construction, and for the purposes of these Regulations, the following terms shall, if not inconsistent with the context or subject matter, have the respective meanings hereby assigned to them, that is to say:—

The word "Warden" shall mean Warden or Resident Magistrate, or any Officer for the time being appointed under his hand and seal to act as such, and shall include "Warden and Assessors," except where it is otherwise specially provided.

The word "person" shall mean the holder of a Miner's Right.

The words "head of race" shall mean the point at which any race shall take its water from any stream, body of water, or race.

The word "tail-race" shall mean a race cut or constructed for the purpose of draining any claim or for carrying off water and tailings connected with any claim.

The words "sluice head" shall mean a quantity of running water, to be gauged by a wooden box six feet long, and ten inches wide, with an opening of a rectangular form, similar to that of the box, of an uniform depth of four inches across the bottom. In gauging, such rectangular box shall be fixed level in the race, the lower edge of which shall be level with the edges of the box.

The words "Receiver of Gold Revenue," "Mining Surveyor," and "Clerk to Warden," as used in these Regulations and for the purposes of "The Gold Fields Act, 1866," shall mean, except where otherwise provided, the Warden or any other person duly authorised by him to act in that behalf.

The words "mine," "gold," "gold-mine," "gold field," "claim," "holder of a Miner's Right," "holder of a Business License," "Business," "Crown Lands," "water race," "dam," and "reservoir," shall have the same signification as that given to them in the Interpretation clause of "The Gold Fields Act, 1866."

The singular number shall include the

plural number, and the masculine gender shall include the feminine gender.

The holder of a Miner's Right shall carry the same on his person; the holder of a License shall keep such License at his place of business; and such Miner's Right and License shall be produced for inspection when demanded by the Warden, or by any person duly authorised by him.

II. CLAIMS.

1.— Classification of Claims.

Ordinary claims shall mean alluvial claims worked without the aid of appliances for drainage.

Wet claims shall mean alluvial claims in flooded ground, which cannot be worked without the aid of appliances for drainage.

Creek and River Claims shall mean claims in the bed of creeks or rivers, the course whereof may have been or shall be wholly diverted for the purpose of mining therein; and the meaning of the words "Creek," "River," and "Beach," shall, wherever disputed, or undefined for mining purposes, under these Regulations, and "The Gold Fields Act, 1866," be defined by the Warden.

2.— Size of Claims.

Ordinary claims shall not exceed forty feet by forty feet for each person, unless the depth of sinking exceeds fifty feet; in which case such claim may be extended to fifty feet by fifty feet.

Wet claims shall not exceed fifty feet by fifty feet for each person, unless the depth of sinking exceeds fifty feet, in which case such claims may be extended to sixty feet by sixty feet.

River claims shall not exceed one hundred feet for each man employed thereon, and Creek claims shall not exceed forty feet for each man employed thereon; and the area of such claims shall in width comprise the boundaries of the bed of the River or Creek; such bed to be defined by the Warden or any person duly authorised by him in writing in that behalf.

Quartz claims shall not exceed thirty feet in length along the course of the lode or vein, by a width not exceeding two hundred feet upon each side of the course for each person; and no claim shall exceed in the whole one hundred feet in length by two hundred feet in width.

Nothing herein contained shall apply to the size of claims already taken up under previous regulations.

3.— Special Claims

Any application to be made to the Super-

intendent of the Province of Marlborough, under the provisions of Section XII of "The Gold Fields Act, 1866," shall be forwarded to him by the Warden, and, on such application being granted, a certificate of registration for the same shall be issued by the Warden to the applicant, provided that previous to such application being received by the Warden, due notice of the same shall have been posted, in conformity with Section XII of these Regulations.

4.—*Number of Claims in a Block.*

The maximum number of claims that may be occupied in one block by any party of miners shall be as follows.—

1. In ordinary claims: four single claims.
2. In wet claims: six single claims.
3. In creek or river claims: six single claims.
4. In quartz claims: four single claims.

5.—*Amalgamation of Claims.*

Any two or more claims wishing to amalgamate, shall, subject to such terms and conditions as the Warden may consider necessary, obtain a certificate of registration permitting such amalgamation: Provided that no less than fourteen days' notice, in writing in the form hereinafter set forth shall be given to the Warden by the persons desiring to amalgamate such claims, and copies of such notice shall be posted on each of the claims which it is proposed to amalgamate for a similar period of no less than fourteen days, at the expiration whereof, should no valid objection have been entered against such amalgamation, the Warden may issue such certificate as aforesaid.

FORM OF NOTICE.

No. _____ District and Date. _____
 We hereby give notice that we desire to amalgamate our claims, situate at _____ and we declare that the following particulars are true.

NAMES.	Nos. of Miners Rights.	Number of claims to be amalgamated.	Class of claims.	Area of claim held by each party.

Hearing: (Signed) _____
 (Signed) _____
 Warden.

6.—*Form of Alluvial Block Claims.*

Alluvial claims may be of any form, provided that no block claim shall exceed in length twice the breadth thereof.

7.—*Claims to be Marked.*

Claims shall be marked by pegs standing three feet above the surface of the ground at each corner thereof, and such pegs shall be of a thickness of at least four inches square, and the underwood, bush, or scrub, shall, whenever practicable, be cleared away from such pegs, leaving an open space of at least three feet all round the corners of the claim marked as aforesaid, and such pegs shall be maintained during the occupancy of the ground. River claims shall be marked by pegs, as before specified, or by arrow marks not less than one foot in length, to be cut upon the rocks above high flood mark; and such pegs or marks shall be maintained during the occupancy of the ground: Provided that when any corner cannot be so marked on account of the nature of the ground, such peg may be placed at the nearest practicable point.

8.—*Shepherding Forbidden.*

No person shall be deemed to possess a valid title to any claim unless the same shall be fairly worked during the entire period of occupancy; and any claim unworked beyond the space of twenty-four hours, unless with the expressed sanction of the Warden, shall be deemed to be forfeited, unless sufficient reason, such as sickness or other urgent cause shall be proved to the satisfaction of the Warden.

9.—*Claims not forfeited through the neglect of Servants.*

No claim, right, or privilege, shall be deemed to be forfeited through the neglect or absence of any hired servant employed thereon: Provided that if after notice in writing of such neglect or absence has been given to the owner thereof, (either personally or by leaving the same for a reasonable time at his last known place of residence), such neglect or absence be continued, any such claim, right, or privilege, shall be deemed to be absolutely relinquished.

III. PROSPECTING.

1.—*Protection while Prospecting.*

Any person may obtain from the Warden a certificate of protection for an extended claim during the time he is engaged in prospecting.

2.—*Discovery to be reported.*

Any person discovering new gold work-

ings, and being desirous of obtaining an increased area thereon, must immediately report such discovery, with full particulars thereof, to the Warden or other proper authority.

3.—Area in Alluvial Ground.

Discoverers of new gold workings may have allotted to them an extent of ground not exceeding twice the area of an ordinary claim; the discoverers of new gold workings, distant not less than one mile from existing workings, may have allotted to them an extent of ground not exceeding treble the area of an ordinary claim; and the discoverers of new gold workings, distant not less than six miles from existing workings, may obtain an extent of ground not exceeding quadruple the area of an ordinary claim: Provided that the increased grant shall not be given to more than four persons comprising any party.

4.—Area in Quartz Reef.

The discoverer of an auriferous quartz reef may have allowed to him an area not exceeding on the whole two hundred feet in length, measured along the course of the lode or vein, by a total width of two hundred feet.

5.—Notices to be posted by the Warden.

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

IV. WATER RIGHTS AND RACES.

1.—New Races.

Any person intending to cut, construct, use, or divert water for mining purposes, by means of any race, or use the water of any stream for mining purposes, without diverting or cutting any part of the same, shall give notice thereof, in writing, to the Warden, in the form hereinafter set forth, and copies of such notice shall be posted and maintained for not less than fourteen days at the source whence it is proposed to obtain water, and at the termination of such water race or stream, and the intended course thereof shall be indicated by pegs not less than two inches square, or by large stones marked (a broad arrow), 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 number of sluice heads it is capable of carrying; and if no valid objec-

tion be entered against the construction of such race, or the use of such stream, within fourteen clear days from the delivery of such notice, a certificate of registration may be granted to the applicant or applicants by the Warden.

FORM OF NOTICE.

No. _____ District and Date. _____
To the Warden at _____
We hereby give notice that we intend to construct a Water Race [or use the water of a stream] for mining purposes, commencing at a point _____ and terminating at _____
The length of the Race is _____ [yards or miles] or thereabouts, and its intended course is _____
The mean depth is _____ feet; the mean breadth is _____ feet, and such Race is capable of carrying _____ sluice heads of water.

Names (and signature) of one Applicant	Nos. of Miners' Rights.	Residence.

Locality: _____
Date of Hearing: _____
Objections to be lodged within _____ days.
(Signed) _____ Warden.

2.—Races and existing rights.

Any person wishing to carry a race through any registered residence, area, or claim, or registered existing right of whatsoever kind, shall deliver to the owner or occupier of any such registered residence, area, or claim, or right, as well as to the Warden, notice of application containing all particulars respecting the same; and the hearing of any objections to such application shall be determined in the same manner as directed in Section XII of these Regulations: Provided always, that before any such race as applied for shall be granted, through any such registered area, claim, or right, the owner or occupier of such registered area, claim, or right shall be entitled to such compensation as shall be determined by mutual agreement, or estimated by Assessors, in a manner to be directed by the Warden.

3.—Superiority of right.

Superiority of right to a supply of water, shall be determined by priority of application, made in writing to the Warden, the earlier applicant having the superior right: Provided that such applicant, at the time of making such application shall have placed a conspicuous

distinguishing mark or peg, to be retained on the spot where the diversion applied for will be cut. In all cases of granted rights, priority of registration shall determine possession.

4.—*Cutting races.*

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

5.—*Abandonment of Races.*

If any race is unused for the space of one calendar month, at a time when water is available for it; occupation of the right shall be deemed to have commenced at the last re-occupation thereof, and all right to any such race shall become forfeited, if abandoned for the space of one calendar month, unless the authority of the Warden, in writing, to abandon or unuse such race, shall have been given and obtained, and duly posted at the head of such race.

6.—*Alteration of Races.*

No person shall alter the head of any race, or extend any such race, without a certificate of registration, authorising the alteration or extension of the same having been first obtained from the Warden; and any person wishing to alter the head of any race, or extend such race, shall comply with the provisions of clause 1, as if intending to apply for a new race.

7.—*Keeping Races in Repair.*

The holder or occupier of any race shall keep the same in repair, and shall make an efficient bridge or culvert over any road in ordinary use crossing the same.

8.—*Water for General Use.*

If required for public purposes, two sluice heads of water, or less, at the discretion of the Warden, shall be at all times allowed to flow in the natural course of any stream, for general use.

9.—*Number of Sluice Heads allowed.*

The number of sluice heads allowed for any race shall be as follows:—

One or two miners, one sluice head; four or more miners, two sluice heads; and so on, at the rate of one sluice head to every additional three miners.

10. *Water not to be wasted.*

Holders of rights shall not allow any

water to run to waste; but such water shall be appropriated to the use of the next holder of a right, according to the date of their respective registrations.

11.—*Special grants of Water.*

Any person desirous to obtain any larger quantity of water than that specified in clause 9, upon sufficient cause being shewn to the Warden that such larger quantity be required for the proper and more effectual working of large areas, or for the purpose of supplying any part of the gold field with water that could not be brought on, remuneratively, without an inordinate amount of labour or expense, shall give notice thereof, in writing, to the Warden, in the form set forth in Section 1 (*ante*) of these regulations, and copies of such notices shall be posted and maintained for no less than thirty days in conformity with the provisions of such clause as aforesaid: Provided that such notices of application shall bear the following heading in large letters:—"Application for special grant of water;" and the granting and issuing of a certificate of registration for such application for special grant of water, shall be made in conformity with the provisions of clause 1 (*ante*): Provided always, that the owner or occupier of any such specially granted race, shall, if requested by any person requiring the same, allow such person the use of any such surplus water held by him, on a fair and reasonable price either agreed upon, or to be estimated by the Warden or Assessors, being first tendered to such owner or occupier, by such person desirous of using the surplus or any of the surplus water granted to, and held by the owner or occupier of such race—and the Warden shall, in all cases requiring the same, determine the conditions necessary to regulate the letting or using of such surplus water.

12.—*Keeping Races in Repair, Bridging, &c.*

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

13.—*Interfering with Races.*

No person shall destroy, damage, or interfere with any race or water right; and the owner or occupier of any race crossing any other race or stream duly registered, and holding superiority of right by priority of registration or application, shall carry his race either over or under such superior race.

14.—*Working ground occupied for races.*

Any person desirous of working the ground on which any race or portion of a race is situated, may do so by first providing an equally good race for the use of the occupier: Provided that the consent of the Warden thereto be first obtained.

15.—*Causing Claims to be flooded.*

No person shall back the water of any creek, river, race, or water-course upon any claim to the injury of the owner thereof, or otherwise cause any claim to be flooded, either wilfully or by neglect: Provided that if it be proved to the satisfaction of the Warden that any claim cannot be worked profitably without backing any such water, the Warden may, at his discretion, authorise the backing of any such water upon any claim registered subsequently to that of the persons wishing to back such water, but not upon any claim registered and *bona fide* occupied previously thereto.

16.—*Obstructions to Water-courses.*

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

17.—*Side streams.*

Where a race crosses any water-course, the use of which is required by holders of Miner's Rights, it shall be carried either over or under the same, so as not to interfere with the natural flow of water therein.

18.—*Transfer or Assignment.*

The transfer or assignment of any race, or of any interest therein, shall not affect any right or privilege attached to such race: Provided that any such transfer or assignment shall have been duly registered at the office of the Warden, and a memorandum thereof made upon the back of the original certificate.

19.—*Yearly Fee.*

The owner or occupier of any head-race lawfully held, occupied, and used under and by virtue of any Regulation or Act affecting gold fields in force in the Province of Marlborough, shall pay to the Warden, for the use of such race, the sum of Ten shillings per annum, for every and each sluice-head contained in such race as registered: and no certificate of registration shall be issued by the Warden for such race, unless such payment of Ten shillings for each and every sluice-head as aforesaid shall have first been made.

20.—*Renewal of Certificate.*

Every certificate of registration for any such head-race as aforesaid specified in the several clauses of this Section, shall be renewed yearly with the Warden, and the payment of Ten shillings for each and every sluice head of water contained in such head-race, as registered, shall be made within fourteen days from the expiration of such certificate, for such renewal.

21.—*Fees to be paid for Races already registered.*

The owner or occupier of any head-race registered previous to these Regulations coming into operation, shall, on and after the first day of next ensuing, pay to the Warden of such race, a proportionate sum at the rate of ten shillings per annum for every and each sluice-head contained in such race as registered, for the space of time that such certificate of registration issued previous to these Regulations coming into operation shall have to run.

V. TAIL RACES.

1.—*Registration of Tail Races.*

All tail-races shall be registered with the Warden, and to obtain certificates of registration for the same, notices of application shall be posted up, under and in conformity with the provisions of clause 1, Section XII (*post*) of these Regulations, in the form hereafter set forth.

FORM OF NOTICE.

APPLICATION FOR TAIL RACE.

No.

Names.	Nos. of Miners Rights	Situation of Tail Race.	Residence.

(Signed)

Hearing: Objections to be lodged within _____ days.
(Signed) _____ Warden.

2.—*Priority of Registration.*

Priority of application before registration shall give priority of right, in directing the course of, or affecting any tail-race.

3.—General Regulations.

When not inconsistent with the proper working thereof, all rules and regulations affecting head races shall also affect and regulate tail-races.

4.—Use of Tail-races.

Any person wishing to use a tail-race, may do so on condition of first paying to the owner of such tail-race a proportionate share of the expense of construction: Provided that the person so using any tail-race shall assist in clearing the same, whenever it shall be necessary to do so.

VI. DAMS AND PUDDLING MACHINES.

1.—Dams and Puddling Machines.

Any person intending to form a dam or to erect a puddling machine, shall give notice thereof in writing to the Warden, in the form hereinafter prescribed, and shall post and maintain for a period of seven clear days copies of such notice upon the intended site of such dam or machine, and at intervals not exceeding one hundred yards along the course of any proposed sludge-drains connected therewith, and if no valid objection be entered within seven days from the posting and service of such notice, the Warden may grant a certificate of registration to the applicant.

FORM OF NOTICE.

No. _____ [District and Date.]
 To the Warden, at _____
 I hereby give notice that I intend to form a dam [or erect a puddling machine as the case may be] at*
 [Signature and address in full of applicant.]

* Here describe the locality, and in the case of a puddling machine, state the purposed course of the sludge drains.

2.—Machines not to be in centre of Gully.

Dams may be formed, and puddling machines erected upon such sites only as shall be approved by the Warden; and no such dam or machine shall be permitted to be placed in the centre of any gully or flat.

3.—Main Sludge Channel to be first constructed.

No person shall be permitted to erect a puddling machine in any locality wherein puddling operations have not heretofore been carried on, until a main sludge channel shall have been constructed; and in all cases such main channel must be constructed by, and at the expense of the persons desirous of erecting such machine.

4.—Main Sludge Channel to be approved by the Warden.

The position and course of all main sludge channels, and the width and depth thereof, shall be subject to the approval of the Warden, who shall have power to alter and vary the same, whenever it shall seem to him necessary so to do; and upon the approval of any such main channel, the Warden shall grant a certificate of the same to the applicant.

5.—Expense of Construction.

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

6.—Sludge Drains and Channels to be kept clear.

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

7.—Roads over Drains to be Bridged.

When sludge or water drains run across or under any road in general use, a substantial bridge (the culvert of which shall be of sufficient size to carry off the sludge or water) shall be constructed and kept in repair by the owner of the machine whence such sludge or water proceeds.

8.—Forfeiture of Dams or Machines.

The site of any dam or machine not commenced within seven days from the date of the grant thereof, or not completed within a reasonable time, or any dam or machine unoccupied for one calendar month during a period when sufficient water has been available, shall be deemed to be forfeited, and may be granted by the Warden to any person who may apply for the same.

9.—Injury to Property by Dams.

If any claim shall be flooded, or property injured by the bursting of any dam-bank, the owner of such dam shall be liable for any loss or damage occasioned thereby, unless it is proved to the satisfaction of the

Warden that such breaking away did not result from the faulty construction of the dam.

10.—*Transfer or Assignment.*

The right and interest in any dam or machine may be transferred or assigned by the holder thereof; but such transfer or assignment shall, in all cases, be registered with the Warden, and endorsed on the original certificate.

11.—*Sites proving Auriferous.*

If it shall be proved to the satisfaction of the Warden that the ground occupied by any dam or machine contains auriferous earth or quartz, the owner of such dam or machine shall be compelled to remove the same: Provided that adequate compensation for such removal shall first have been estimated by Assessors, and paid by the person desirous of working the ground.

VII. CREEK AND RIVER CLAIMS.

1.—*Walls to be Altered.*

Holders of creek and river claims shall be allowed a sufficient wall on either side of the byewash, and the width of such wall shall be defined by the Warden.

2.—*Diversion of permanent rivers.*

Any person desirous of diverting the course of any permanent river, shall give notice thereof to the Warden in the form hereinafter prescribed; and copies of such notices shall be posted and maintained for a period of fourteen clear days, at the points proposed for the commencement and termination of such diversion as aforesaid, and if no valid objection be entered there-against within the aforesaid period, the Warden may issue a certificate of registration to the applicant.

FORM OF NOTICE.

No. _____ District and Date. _____
I hereby give notice that I intend to divert the course of (name of river), and to form a new channel therefor, commencing at a point situate [] and terminating to a point [*].
[Signature, &c.]

* Here insert, with sufficient accuracy, the localities.

VIII. ROADS, &c.

1. *Right of Water and Roadway.*

Every person holding a claim under these Regulations shall be entitled to a supply of water for his use in connection

therewith, and to a roadway, whereby he may, at all times, obtain free ingress and egress thereto and therefrom.

2.—*Sludge and Water to be kept off Roads.*

No person shall allow any sludge or water to run or spread over any road or crossing place.

3.—*Protection to Public Roads.*

No person shall dig within the distance of five feet from any road; nor drive underneath, nor in any way interfere with or obstruct such road, without first obtaining the authority of the Warden.

4.—*Alteration of Roads.*

Any person desirous of altering the direction of any public or private road, and of occupying the site thereof for mining purposes, shall give notice thereof in writing to the Warden, and post and maintain a copy of such notice in a conspicuous part of such road for three clear days, upon the expiration whereof the Warden may authorise such alteration to be made.

5.—*Right of Road over Claims.*

Upon any four or more persons applying for a road or crossing place over any claim or other obstruction, the Warden shall determine whether or not such road or crossing is necessary, and shall make such order relative thereto as he may deem requisite: Provided that when a road shall have been formed on an occupied claim, it shall be lawful for the occupier of such claim to work the ground over or through which the road passes, if he first constructs a good and sufficient road in lieu thereof.

IX. PROTECTION.

1.—*Holders of Claims under ordinary protection cannot possess a valid Title to another Claim.*

No person can hold two claims at the same time unless one of them is under "special protection," but when any claim is specially protected the owner thereof may possess a valid title to another claim.

2.—*Ordinary Protection.*

The Warden may, upon sufficient cause being shown, grant protection to any claim for a period not exceeding one month, and may renew it from time to time for not more than seven days at any one time, and such protection shall be given in writing, in the form hereinafter provided, and the fee payable for the same shall be one shilling per week granted.

3.—*Special Protection.*

Special protection may be granted by the

Warden to any claim for a period not exceeding three months, if it be first proved to his satisfaction:—

- 1st. That the holders thereof are from any cause temporarily unable to work it;
- 2nd. That they have worked continuously on such claim for the two months immediately previous to the date of their application;

But no claim shall be specially protected for a longer period than the holders thereof have been working it: and any person desirous of obtaining such special protection shall give notice in writing to the Warden, in the form hereinafter provided, and shall post and maintain a copy of such notice in a conspicuous place on his claim for the space of no less than fourteen days, at the expiration whereof, if no valid objection be entered, the Warden may issue a certificate of registration to the applicant, and such certificate may be for the period named in the application, or for any less time, the fee payable for the same shall be Five shillings per man.

FORM OF NOTICE OF APPLICATION FOR PROTECTION.

No. _____ District and Date. _____
I hereby give notice that I desire to obtain special protection for [here state the time] for my claim situate at _____, and I declare that the following particulars are true in all respects:—

1. The claim has been worked during _____
2. The depth sunk is _____ feet, and the length of drives _____ feet.
3. The cause for which I require special protection is _____

[Signature, &c.]

4.—Notice of Protection to be posted.

When any claim is under protection, the occupier thereof shall maintain on some conspicuous part of the said claim a copy of notice of protection in the following form:—

SPECIAL [OR ORDINARY] PROTECTION.

Granted from _____ to _____
to the claim occupied by _____

Area: _____

Situation: _____

[District and date.]
(Signed) _____

Warden.

5.—Special Protection may be cancelled.

If it shall at any time be represented to the Warden that it is necessary for the efficient working of any adjoining claim, that any certificate of special protection be cancelled, and that it is in the power of

the shareholders in any protected claim to work it, he may summon them to show cause why their certificate of protection should not be cancelled, and if no reasonable cause be shown he may cancel such certificate of protection; and the service of such summons shall be either personal or by posting it in a conspicuous place on the claim for not less than seven days.

6.—River Claims specially Protected during Floods.

All creek and river claims shall be deemed to be "specially protected" while they are so much flooded that they cannot be worked, and no longer: and a notice of "special protection," setting forth the date of such protection, and the cause necessitating the same shall be placed in a conspicuous spot, on or near the claim, by the owner or occupier of such creek or river claim, and shall there be maintained until the working of the claim shall have been resumed.

7.—Water may be backed on to River Claims while under special protection.

During the period that any creek or river claim is under special protection, all superiority of right with regard to backing water, conferred on the shareholders therein by priority of occupation, shall remain in obedience.

8.—Protection during notice.

Sites for dams and machines, and the proposed courses for water-races, sludge channels, and drains, together with all rights and privileges connected therewith, shall be protected during the period assigned for giving notice of intention to construct or erect the dam, or until finally dealt with by the Warden.

9.—Protection during operations.

All claims, rights, and privileges of whatsoever nature, lawfully held and enjoyed under these Regulations, shall be protected during the time that the owners or holders thereof are actually engaged in operations connected therewith: Provided that, whenever the owner or occupier of any such claims, rights, and privileges, shall be engaged in any operations at any distance from the place of such claims, rights, and privileges, a notice in writing of such absence shall be delivered to the Warden, in which shall be set forth, the place of residence, the present place of operation, and the distance of such place of operation from the claim or right of any such owner or occupier.

10.—*Holidays.*

All claims, rights, and privileges, of whatsoever nature, lawfully held and enjoyed under these Regulations, shall be deemed to be protected, while the holders, owners, or occupiers thereof are attending elections of members of the House of Representatives, or of the Provincial Council, or while due and public notification of any holiday shall have been given by the Warden.

X. LICENSES.

1.—*Business Licenses.*

Every person holding a Business License shall be entitled to occupy an area not exceeding eight hundred square feet, the frontage whereof shall not exceed twenty feet.

2.—*Slaughtering Licenses.*

Every person engaged in slaughtering, shall, in addition to his Business License, obtain from the Warden a Slaughtering License, for which he shall pay a fee of Two pounds (£2) annually, and shall be entitled to occupy for stockyards an area of Crown Lands not exceeding one half of an acre, at such distance from any township or centre of population as may be approved by the Warden.

3.—*License may be cancelled.*

Upon proof, to the satisfaction of the Warden, of a breach of the Gold Fields Regulations, or of any disorderly conduct in any licensed house, or upon the premises held under any license, he may withdraw, suspend, or cancel any such license for any length of time he may think fit.

4.—*Sites to be marked by pegs.*

Occupants of sites for business purposes shall place and maintain at each frontage corner of such site a peg not less than two inches square, and standing at least one foot above the surface.

5.—*Space to be left between buildings.*

A space of four feet shall at all times be left unoccupied between sites occupied for business purposes.

6.—*Protection of Business Sites.*

Business sites may be registered with, and protected by the Warden for ten days, whilst the holder is engaged in preparing for the occupancy thereof, and the fee for such registration shall be ten shillings; such registration may be renewed by the

Warden for an additional period of ten days, and every such renewal shall be endorsed on the certificate, and recorded in the registration book.

7.—*Occupancy of sites.*

Business sites (as defined by the Warden) can only be held or occupied by holders of Business Licenses, and no site can be held unoccupied for more than twenty-four hours, unless the same shall be protected by the Warden as specified in clause 7.

8.—*Protection of Buildings and Materials.*

All buildings, sawn timber, and other materials, situated on any Crown lands, within a gold-field, may be registered with, and protected by, the Warden, for one month, and such registration may from time to time be renewed by the Warden for an additional period of one month; and every such renewal shall be endorsed on the certificate, and recorded in the registration book, and the fee payable for each registration and renewal, shall be ten shillings.

9.—*Compensation to be paid for Buildings and Building Materials.*

Any person obtaining legal possession of any disputed or forfeited site, shall pay fair and reasonable compensation for any buildings or building materials thereon, and such compensation shall be estimated at the trial of any such disputed possession.

10.—*Notice of protection to be posted.*

When any buildings, materials, or business sites are protected, the holders thereof shall post and maintain thereon a board not less than nine inches square, with the word "Protected," and the date and number of such protection legibly painted or written thereon.

XI. GENERAL REGULATIONS.

1.—*Interference prohibited.*

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

2.—*Throwing earth or tailings on Claims.*

No person shall throw or cause to be thrown upon any claim, other than his own, any earth, stones, gravel, tailings, or any other substance, whereby the proper and

efficient working of such claim may be stopped or impeded, unless the authority of the Warden shall first have been obtained.

3.—*Interference with Pegs and Notices.*

No person shall alter the position of any trench, nor remove any peg from a claim in the occupation of any other person, nor deface, destroy, remove, hide, or cause to be defaced, destroyed, removed or hidden, any notice posted in accordance with these Regulations, nor interfere with any mark or boundary, unless duly authorised to do so by the Warden.

4.—*Stacking auriferous substances.*

Any person wishing to retain possession of any auriferous substances, may have the same protected for a period not exceeding three months, provided that such substance is properly stacked on ground not supposed to be adapted to mining purposes, and that a board with the owner's name, address, and date of stacking, legibly written or painted thereon, be posted close to such stack; and the fee payable for such protection shall be one shilling.

5.—*Jumping forbidden.*

No person shall take possession of any claim, race, dam, machine, tools used in mining, or any appliance used for mining purposes, or any other right or privilege whatsoever (unless the same shall have been actually relinquished) without first obtaining the consent of the owners, or the authority of the Warden.

6.—*Penalty substituted in lieu of forfeiture.*

In all cases wherein forfeiture is decreed by these Regulations, it shall be lawful for the Warden to substitute a monetary payment in lieu thereof, and to allow thereout a sufficient sum to defray any reasonable expenses incurred by the plaintiff or complainant in the prosecution of his suit: provided always that nothing in the evidence adduced in such cases as aforesaid shall clearly show that at the time the defendant committed the breach of the regulations whereby such forfeiture was decreed, he, the defendant, was possessed of any other claim, right, or privilege, illegally held by him.

7.—*Compensation may be adjudged.*

In all cases of forfeiture, the Warden may adjudge compensation to be paid by the person to whom any claim or right may be awarded to the former owner or holder thereof, and to appoint a time within which such payment shall be made: Provided that such compensation shall not exceed in amount two-thirds of the estimated value

of any work actually performed thereon, or in connection therewith, as assessed, if required for the purpose.

8.—*Permission to enter Claims, &c.*

The Warden shall have power to authorise the entry of any Surveyor or Assessor, or any other officer or person duly authorised in writing under his hand to do so, into and upon any claim, for the purpose of measuring the depth of any shaft, or the dip, direction, inclination or length of any tunnel or drive.

XII. NOTICES OF APPLICATION.

1.—*Notices to contain full particulars.*

All notices tendered or posted in conformity with these Regulations must contain the name in full of each member of the party, together with the number of his Miner's Right, and his place of residence, and must be signed by at least one of the applicants; and any person wishing such notices of application to be written and filled up at the Warden's Court, by the Warden or any authorised person, shall for the same pay the sum of one shilling for each and every such notice.

2.—*Notice to be registered and posted.*

A copy of all such notices shall be delivered to the Warden, to be posted by him in a conspicuous place at the Warden's Court; and such notices shall, previous to their being posted on the ground as directed for the purpose of these Regulations, be registered with the Warden, who shall at the time of such Registration fill, in the body of such notice, the date of hearing of any such application, and affix to the same the seal of the Warden's Court: The fee for such registration shall be Five shillings for each application.

3.—*Objection to Applications.*

Any Objection to the issuing of any certificate of registration to any person having tendered and posted any such notices of application, as described in the foregoing clauses of this Section, shall be made in writing, and lodged with the Warden one clear day before the day of hearing fixed and written on such notice of application, and a copy of such objection containing full particulars of the same shall also be delivered to the applicant for such certificate of registration as aforesaid, by the person making and preferring such objection to the grant of any such Certificate of Registration.

4.—*Hearing of Applications and Objections.*

The Warden shall in all such hearing as aforesaid, be the sole judge of the validity of objections to the issue of any Certificate of Registration, and also of what is a "reasonable time" for the performance of any work when no fixed period is provided by these Regulations.

5.—*Certificate may be cancelled.*

If any Certificate of Registration shall have been obtained by misinterpretation, or if any of the conditions prescribed herein have not been duly complied with, the Warden, upon proof thereof, may cancel such Certificate, or make such other order therein as may appear to be just and necessary.

XIII. NEGLECT OF WARDEN'S ORDERS

Any person who shall neglect or refuse to comply with any written notice or order of the Warden, duly served and in conformity with these Regulations, shall be deemed to be guilty of a breach thereof, and liable to the penalty imposed by "The Gold Fields Act, 1866."

XIV. RESIDENCE.

1.—*Area which may be occupied for Residence.*

Subject to the conditions hereinafter set forth, the holder of a Miner's Right shall be entitled to occupy for residence an area of Crown lands not exceeding a quarter of an acre or 1210 square yards, unless special provision for a larger area be obtained from the Warden.

2.—*Residence Area to be registered.*

Any person desirous of occupying land under the preceding regulation, shall mark the corners of the area which he proposes to occupy with trenches, and substantial posts standing at least three feet above the surface, and shall give notice in writing in the form hereunto appended, to the Warden, and a copy of such notice shall be posted and maintained in some conspicuous part of such area for the space of no less than fourteen days, at the expiration whereof, if no valid objection has been entered there-against, the Warden may cause a certificate of residence for the same to be issued.

3.—*Discovery of auriferous deposits.*

If any auriferous deposit shall be traced to the boundaries of any land occupied for residence, the Warden may, upon satisfactory proof thereof, authorise any surveyor or other person, by writing under his

hand, to enter thereupon, and at such times and in such manner as he may appoint, to search the land so occupied for a continuation of the said auriferous deposit.

4.—*Auriferous areas may be worked.*

If any residence area shall be proved to be auriferous, the Warden may, upon application, order the whole or any part thereof to be given up for mining purposes: Provided that the original occupier shall be entitled to one full claim therein.

5.—*Compensation to be paid.*

In all cases compensation for "actual damage" or "loss," shall be estimated by the Warden or assessors, and paid to the occupier of such area, by the persons desirous of mining thereon, prior to their taking possession thereof.

6.—*Conditions of Working.*

The Warden shall make such orders relative to the mode of working the ground, the restoration of the soil, and other conditions as he may deem necessary or desirable.

7.—*Transfer or Assignment.*

The right and interest in any area occupied under a residence certificate may be transferred or assigned by the holder thereof, but such transfer or assignment shall, in all cases, be registered with the Warden and endorsed on the original certificate.

FORM OF NOTICE REFERRED TO.

No. _____ [Date.]
I hereby give notice that I desire to occupy for residence (state the extent) of land, situate at _____, and that I have this day marked the corners of such land (post or trenches) in conformity with the regulations herein made and provided.

[Signature of applicant.]
[Number of Miner's Right.]

XV. TUNNELLING.

1.—*Definition.*

Hills when the sinking exceeds twenty feet in depth shall be considered tunnelling ground, subject to these regulations.

2.—*Protection while Prospecting.*

Persons engaged in prospecting shall be protected in the occupancy of a claim having a frontage for each person of forty feet, by a total depth of three hundred feet.

3.—*Registration and Marking.*

Claims under the preceding Clause must be Registered, and the boundaries

marked and maintained by rows of pegs placed not more than fifty feet apart; and such pegs shall be at right angles with the frontage of the hill along the entire depth allowed.

4.—*Discovery of Auriferous earth.*

On the discovery of payable auriferous earth, prospectors shall immediately mark off their claims in blocks in accordance with the regulations relating to alluvial mining.

5.—*Parallels.*

Persons tunnelling shall not drive beyond their own parallels.

6.—*Protection of Tunnels.*

No person shall mine within ten feet of any main tunnel, or trench at the foot of the claim, and no person shall remove the surface earth over any tunnel, nor within the parallels of ground marked off for tunnelling purposes, without the consent of the owners, or the sanction of the Warden being first obtained thereto.

7.—*Ventilation.*

When cross drives or openings are required for ventilation, the Warden may issue an order for making such drives or openings, and for the allocation of the work to be performed, and also for the distribution of any auriferous deposits which may be found in the intervening wall.

8.—*Superiority of right.*

Priority of Registration shall in all cases be deemed to confer superiority of right.

XVI. EXTENDED CLAIMS.

1.—*Inferior Ground.*

If it shall be proved to the satisfaction of the Warden that any ground cannot be profitably worked in claims of the size prescribed by the regulations, he may declare the same to be "inferior ground;" and upon application being made, as hereinafter directed, may grant therein extended claims of any form, and of such extent not exceeding a quadruple area, as he may think fit.

2.—*Form of Application.*

Application for extended claims in inferior ground shall be made to the Warden in conformity with Section XII. (*ante*) of these regulations, a duplicate of which will be posted on the ground for not less than fourteen days prior to the hearing.

3.—*Extended Claims to be registered.*

If no valid objection is offered, the Warden may, upon hearing the application, issue a certificate of registration for an extended claim, specifying therein the area granted, the exact position of the same, and the special conditions (if any) upon which such Certificate has been granted.

4.—*Forfeiture.*

If at any time the requisite number of holders of Miner's Rights shall not be employed or occupied upon any such "extended claim," the Warden may, upon proof thereof being produced before him, cancel the Certificate of Registration, either in the whole or in part, as may be equitable: Provided always that a monetary penalty may be imposed in lieu of forfeiture, whenever found necessary.

5.—*Extended Sluicing Claims.*

Where a greater amount of labour and expense than usual is necessary to prepare for working, the Warden may grant an "extended sluicing claim" not exceeding double the area of an ordinary claim; and such claim shall be registered.

XVII. EXISTING RIGHTS PRESERVED.

Nothing herein contained shall be taken to effect existing rights or privileges.

XVIII. DEPASTURING CATTLE.

1.—*Depasturing Cattle under License.*

Every owner of a business license, or a mining, mineral, or agricultural lease, shall, by virtue of such business license, mining, mineral, or agricultural lease, be entitled to depasture any number of cattle not exceeding six, on Crown lands situate within the goldfield.

2.—*Depasturing Cattle under Miners' Right.*

Every holder of a Miner's Right shall, by virtue of such Miner's Right be entitled to depasture two head of cattle on Crown lands, situate within the goldfield.

XIX. REGISTRATION.

1.—*Information to the Public.*

Any person requiring any information from the Mining Registration Book, may obtain the same on payment of the search

fee set forth in the Schedule of Fees annexed.

2.—*Conditions of Registration.*

The Warden may endorse on the back of any Certificate of Registration, such lawful condition as may be desirable or necessary for the public good, which conditions shall at all times be binding upon the holder of any such Certificate; and any breach of which will render him liable to the penalties set forth in Section XIII. of these Regulations.

3.—*Assignment of shares, &c.*

All assignments and transfers of shares, claims, races, rights, and mining partnerships, shall be registered with the Warden.

4.—*Registration of claims.*

Extended claims, amalgamated claims, creek claims, river claims, tunnelling claims, quartz claims, water rights and races, dams and puddling machines, shall be Registered with the Warden.

5.—*Schedule of Fees.*

The Registration and other fees chargeable under these Regulations, shall be as follows:—

SCHEDULE.

	\$	s.	d.
REGISTRATION—			
Any claim, right, or privilege, unless as hereafter specially described, per man	0	2	0
Residence area	0	10	0
Transfer of area	0	5	0
Notice of application	0	1	0
Ordinary protection	0	1	0
Special protection, per man	0	5	0
Extended claim	0	5	0
Assignment or transfer of claim, shares, races, rights, mining partnership, tools, &c. ..	0	3	0
Protection for buildings, &c. each month	0	10	0
Protection of business site, ten days	0	10	0
Auriferous stacked substances ..	0	1	0
MINER'S RIGHTS.—	1	0	0
Replaced on declaration	0	1	0
BUSINESS LICENSE.—			
Yearly	5	0	0
Half-yearly	3	0	0
Quarterly	2	0	0
Replaced on declaration	0	5	0
SLAUGHTERING LICENSE.—			
Yearly	2	0	0
Half-yearly	1	0	0
SEARCH.—			
Each	0	1	0
NOTICE OF APPLICATION.—			
Each	0	1	0

Dated at Blenheim, this Twelfth day of March, in the Year of our Lord one thousand eight hundred and sixty-seven.

W. H. EYES,
Superintendent.