



THE COUNTY OF
WESTLAND GAZETTE.

Published by Authority.

HOKITIKA, FRIDAY, DECEMBER 31, 1869.

Hokitika, 20th December, 1869.

IT is hereby notified, for general information, that the Proclamation contained in the *County of Westland Gazette*, No. 29, of the 17th instant, granting certain Mining Leases, is cancelled, and that the following Proclamation will be read in lieu thereof.

C. Hoos,
Governor's Delegate.

PROCLAMATION.

Whereas by the 29th Section of "The Gold Fields Act, 1866," it is enacted that it shall be lawful for the Governor in Council, in the name and on behalf of Her Majesty, to demise for mining purposes, to any person, for any term not exceeding fifteen years from the making of the lease, any auriferous Crown Lands, not exceeding ten acres in the whole of alluvial ground, or an area of 400 yards by 200 yards on a quartz reef, and to grant sites for machinery and any necessary easements for the purposes aforesaid, subject, nevertheless, to the conditions or provisions in the said section contained:

And whereas His Excellency Sir George Ferguson Bowen, the Governor of New Zealand, did, on the third day of February, 1869, with the advice and consent of the Executive Council of the Colony, delegate unto me, Conrad Hoos, Chairman of the County Council of the County of Westland, the power vested in him by the twenty-ninth section of "The Gold Fields Act, 1866 ;"

Now, therefore, I, Conrad Hoos, Chairman of the County Council of the County of Westland, in exercise of the powers vested in me in that behalf, do hereby give notice that,

on the fourth day of January, 1870, I intend to demise to the persons named in the Schedule hereto annexed, certain auriferous Crown Lands, containing quartz lodes or veins, for the term specified in the said Schedule.

C. Hoos.

SCHEDULE.

Name of Lessees,	Situation.	Area. YARDS.	Term of Lease.
Nicholas Walsh & Co.	Taipo.	311 x 156	15 years.
William Jenkin ..	Taipo.	311 x 156	15 years.
John Cunningham ..	Taipo.	311 x 156	15 years.
Edwin Blake ..	Taipo.	311 x 156	15 years.
Weymouth Roberts ..	Taipo.	400 x 200	15 years.
John Owen & Co. ..	Redman's Creek.	340 x 170	15 years.
George Freshaw & Co.	Redman's Creek.	278 x 139	15 years.
M'Farlane and Co. ..	Redman's Creek.	278 x 139	15 years.

G. F. BOWEN, Governor.

A PROCLAMATION.

WHEREAS by the seventeenth section of "The County of Westland Act, 1867," it is enacted that it shall be lawful for the Governor in Council, from time to time, as he shall think fit, by Proclamation in the *New Zealand Gazette*, to make Regulations for the sale, letting, disposal, occupation, and management of any Waste Lands of the Crown, and to alter the laws in force within the said County of Westland at the time of coming into operation of the said Act regulating the sale, letting, disposal, occupation, and management of such lands within the said County of Westland, and to sell, let, and dispose thereof at such prices, and in such

allotments, and generally in such manner as he shall deem expedient, and in like manner to alter, vary, and annul any such Regulations, and to make others: Provided that it shall not be lawful by any such Regulations to authorise the sale of land classified under such Regulations as rural land at a less price than ten shillings per acre: Provided also that nothing in the seventeenth section of the said Act contained shall affect, or authorise the making of Regulations to affect, any promise, contract, or engagement made by or on behalf of Her Majesty previously to the coming into operation of the said Act, and then incomplete or unfulfilled: And whereas Regulations have from time to time been made under the said recited power, and it is expedient to revoke all the said Regulations, and to make new Regulations in manner herein appearing:

Now, therefore, I, Sir George Ferguson Bowen, the Governor of New Zealand, in pursuance and exercise of the power and authority conferred on me by the hereinbefore recited Act, do hereby, with the advice and consent of the Executive Council of New Zealand, make and proclaim the Regulations in the Schedule hereto for the sale, letting, disposal, occupation, and management of the Waste Lands of the Crown within the County of Westland, and in pursuance and exercise of the said power and authority, and with the like advice and consent, proclaim and declare that the laws in force within the said County at the time of coming into operation of "The County of Westland Act, 1867," regulating the sale, letting, disposal, occupation, and management of such lands within the said County, so far as the same now remain in force, shall be altered in the manner provided in and by the Regulations contained in the Schedule hereto; and in further pursuance and exercise of the said power and authority, and by the like advice and consent, I declare that the said Regulations shall come into force on the day of publication of this Proclamation in the *New Zealand Gazette*.

Given under the hand of His Excellency Sir George Ferguson Bowen, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the Seal of the said Colony, this seventeenth day of November, in the year of our Lord

one thousand eight hundred and sixty-nine.

WILLIAM FOX,
Presiding.

Approved in Council.

FORSTER GORING,
Clerk of Executive Council.

GOD SAVE THE QUEEN!

SCHEDULE.

REGULATIONS FOR THE SALE, LETTING, OCCUPATION, AND MANAGEMENT OF THE WASTE LANDS OF THE CROWN IN THE COUNTY OF WESTLAND.

1. All Regulations heretofore made under the said recited powers, and in force on the first day of September, one thousand eight hundred and sixty-nine, shall be deemed to have continued in force till the day on which these Regulations come into force.

2. All Acts and Regulations now in force in the County of Westland for the sale, letting, disposal, and occupation of the Waste Lands of the Crown, are hereby repealed: Provided that nothing in these Regulations shall affect any promise, contract, or engagement made by or on behalf of the Crown previously to the coming into operation of these Regulations, and then incomplete or unfulfilled. And nothing in these Regulations shall be deemed to affect any licenses or leases for the occupation of Waste Lands for depasturing or other purposes heretofore lawfully granted or issued, and existing and being in force at the time of the coming into operation of these Regulations, or during the currency of such licenses or leases, the Waste Lands thereunder, or the rights of the holders thereof, except when otherwise expressly provided; but such licenses and leases, and the rights of the holders thereof, and the Waste Lands held thereunder, shall be and continue to be, during the term or currency of such licenses and leases, regulated by and subject to the laws in force regulating the same, and to which the same were subject immediately before the time of the coming into operation of these Regulations, notwithstanding the repeal of such laws: Provided, however, that the Board hereby constituted shall, with respect to such licenses and leases, and such unfulfilled contracts, promises, and engagements as aforesaid, have all the powers and authorities, and perform all the duties which, with respect to such licenses, leases, promises, contracts, and engagements as were, immediately before the coming into operation of these Regulations, vested in, conferred or imposed on any Waste

Lands Board then existing, and on the day on which these Regulations shall come into force, any such Waste Lands Board shall be dissolved: Provided also that "The Waste Lands Act, 1858," shall only be repealed where it is repugnant to or inconsistent with these Regulations, and only so far as regards Waste Lands in the County of Westland; and all the powers and authorities by "The Waste Lands Act, 1858," vested in the Governor shall continue to be vested in him in like manner as if these Regulations were included in the Schedule of "The Waste Lands Act, 1858."

3. All such Waste Lands shall, on and after the day on which these Regulations shall come into force, be sold, let, disposed of, and occupied according to these Regulations, and not otherwise.

II.—*The Waste Lands Board.*

4. There shall be established a Board, to be called "The Waste Lands Board for the County of Westland," to consist of one Chief Commissioner, of the Receiver of Land Revenue for the County, who shall be a Commissioner *ex officio*, and of not less than two, nor more than four, other members, all of whom shall be Commissioners of the said Board, and shall be appointed and be removable by the Governor, and shall hold office during pleasure.

5. The Waste Lands Board shall sit at the principal Land Office of the County, which shall be kept at the Town of Hokitika, and at certain stated times to be determined from time to time by the Governor, and shall also sit for special purposes at such places and at such times as the Governor shall from time to time direct; of which sittings due notice shall be given in the Westland County *Gazette*, and one or more newspapers published in the County.

6. The Chief Commissioner, when present, and in his absence then some member selected by those present at any meeting of the Board, shall preside thereat, and shall have an original as well as a casting vote in all questions coming before the Board. All questions coming before the Board shall be decided by a majority of the Commissioners present thereat.

7. All meetings of the Board shall be attended by at least three Commissioners, and shall be open to the public.

8. All applications for land, and for pasturage and for timber-cutting licenses, shall, after hearing evidence when necessary, be determined by the Board at some sitting thereof.

9. The Board shall have power to hear and determine all disputes between the holders of pasturage and timber licenses respecting the boundaries of runs and districts.

10. A book, to be called the "Application Book," shall be kept open during office hours at the Land Office, in which the name of every person desiring to make any application to the Board shall be written in order, by himself or any person authorised in writing on his behalf; and the Commissioner shall, during the sitting of the Board, consider and determine all applications in the order in which they shall appear in the Application Book: Provided that if any person shall not appear himself, or by some person duly authorised on his behalf, before the Board when called in his turn, his application shall be dismissed until his name shall appear again in the book in order: Provided also that if two or more persons shall apply at the same time to write their names in the Application Book, the Chief Commissioner or presiding member shall bracket their names, and shall initial the bracket; and when they shall appear before the Board, the Board shall determine the priority of right to be heard by lot; and it shall not be lawful for the Board to hear any application except such as shall be made in accordance with this Regulation.

11. The Board shall keep true and detailed minutes of all applications made to the Board, and all decisions thereon, and of all sums of money paid to the Receiver of Land Revenue, and generally of all the proceedings of the Board; and such minutes shall be signed by all the Commissioners present at any meeting. Such minutes shall be open to the inspection of all persons desiring to inspect the same, at all reasonable hours, on payment of the sum of two shillings and sixpence for every such inspection.

III.—*Surveys.*

12. There shall be a Chief Surveyor for the County, who shall be appointed and removable by the Governor, and shall hold his office during pleasure, and as many Assistant Surveyors as shall be necessary, who shall be appointed and removable by the Chairman of the County Council, upon the recommendation of the Chief Surveyor, all of whom shall hold office during pleasure.

13. All surveys shall be conducted in such manner as the Board by any Regulations to be made in that behalf shall direct, subject to any Regulations to be at any time, or from time to time, made by the Governor in Council.

14. Crown Grants of all lands sold under these Regulations shall be prepared and forwarded to the Secretary for Crown Lands within one month after the completion of the sale in the case of town lands, and within one month after the completion of the survey in the case of suburban and rural lands.

IV.—*The Land Revenue.*

15. All payments to be made in respect of land, and other payments to be made under the provisions of these Regulations, shall be made to the Receiver of Land Revenue during the sitting of the Board, and the Receiver shall thereupon give receipts for the same.

V.—*Public Reserves.*

16. Reserves for the uses of the Colonial Government, and for other public purposes, may be made by the Governor, by writing under his hand, and shall not be alienated from the specific purposes to which they shall have been severally dedicated, except under the provisions of an Act of the General Assembly, intituled "The Public Reserves Act, 1854;" and a full and complete description of every such reserve, and of the purposes to which it shall have been dedicated, shall, so soon as possible after it shall have been made, be published in the *County of Westland Gazette*, and set forth on the authenticated maps in the Land Office: Provided that the Waste Lands Board may temporarily reserve land for such purposes; and if such temporary reserve shall not be confirmed by the Governor, in manner aforesaid, within three months from the date at which such temporary reserve was made, such land shall thereupon cease to be so reserved. Schedules and plans of all public reserves shall be forwarded to the office of the Secretary of Crown Lands by the Commissioner of Crown Lands in all cases as soon as possible after such reserve shall have been set forth as aforesaid.

17. Reserves for public highways, bridle-paths, and foot-paths shall be made by the Waste Lands Board, and shall be set forth on the authenticated maps in the Land Office.

18. The Waste Lands Board may temporarily reserve any land for the preservation or sale of the timber thereon; but such land may at any time cease to be so reserved upon a resolution of the County Council.

VI.—*Town Lands.*

19. The sites of towns shall from time to time be determined by the Governor, upon the recommendation of the County Council, and shall be notified by Proclamation in the *County of Westland Gazette*, and all sites for towns determined to be such sites before

the coming into operation of these Regulations shall continue to be sites for towns as if determined hereunder: Provided always that, upon the recommendation of the County Council, approved by the Waste Lands Board, the Governor may withdraw any such lands as sites for towns, or make such alterations in their boundaries as may be recommended as aforesaid.

20. Town lands shall be sold by public auction, in sections, the size and upset price of which shall be determined by the Governor, on the recommendation of the County Council; and having been so determined for each town severally, such upset price shall not be diminished; and all town lands, the size and upset price of which have been determined before the coming into operation of these Regulations, shall be sold under these Regulations in and according to such sizes and prices so determined as if determined under these Regulations, unless otherwise determined hereunder.

21. The time and place of every auction sale shall be fixed by the Waste Lands Board, and shall be notified in the *County of Westland Gazette*, and one or more newspapers circulating in the County, at least thirty days before such sale shall take place.

22. No such notification of any sale of town lands shall be published until a map of the town, signed by the Chief Surveyor, shall have been laid open for public inspection in the Land Office; and such map shall set forth, accurately delineated, the town sections, numbered consecutively, so far as laid out, showing the sections to be submitted for sale.

23. Town sections may be put up to auction, either by order of the Waste Lands Board, or upon the application of some person who shall, at the time of making such application, deposit ten per cent. of the upset price with the Receiver of Land Revenue. Such deposit shall, if no advance on the upset price be made, be considered as the deposit upon the sale at such public auction.

24. If any town section shall at the auction sale be purchased by other than the original applicant, the deposit money shall be returned on demand.

25. Ten days at least before any such auction sale, a list of all the sections about to be offered for sale shall be published in one or more newspapers of the County.

26. Every auction sale of land shall be held by the Commissioner in open Court, as hereinbefore provided.

27. The person who shall be declared the highest bidder at such auction shall immediately pay a deposit of ten per cent. of the purchase money to the Receiver of Land Revenue, and in default thereof the section shall be again immediately put up to auction.

28. The remainder of the purchase money shall be paid to the Receiver of Land Revenue in full, within fifteen days after the day of sale; and in default thereof the purchaser shall forfeit his deposit money, and also all right or title to the land, and the section may be sold to any person applying for the same for the price at which it was knocked down at the auction; and, if not so sold, the section may be again put up to auction at any future sale.

29. Upon payment of the purchase money in full, the purchaser shall receive from the Commissioners a License to Occupy, in the form set forth in Schedule A. to these Regulations, and such license shall be delivered up upon receipt of a Crown Grant of the land purchased.

VII.—*Suburban and Rural Land*

30. Waste Lands of the Crown in the County of Westland, not being town land, may, from time to time, be declared open for sale by the Waste Lands Board, by Proclamation in the *County of Westland Gazette*. Such Proclamation shall define the boundaries and position of the blocks of land so proclaimed open for sale, and shall classify the same as suburban land or rural land.

31. All suburban or rural lands (but not lands within any proclaimed township) sold under the provisions of these Regulations, shall, after sale, be open to entry by miners for the purpose of mining for gold, subject to rules and regulations set forth in the Schedule hereunto annexed to be from time to time made by the Governor in Council in that behalf.

32. It shall be lawful for the Waste Lands Board, at any time within five years from the date at which the Crown Grant shall be issued for any land sold as suburban or rural land, to cause to be laid out and reserved through such land such roads, tramways, or railways as such Board may think fit. Upon the survey of all lands sold as suburban or rural there shall be added an amount equal to five per cent. of the total acreage so sold for the purposes of such roads, tramways, and railways as aforesaid.

33. Persons who shall prove to the satisfaction of the Waste Lands Board that they have, previous to the seventeenth day of

February, one thousand eight hundred and sixty-eight, made improvements of the value of not less than thirty pounds on and declared open for sale as suburban or rural land, shall have a pre-emptive right of purchase over the lands in which such improvements have been made to the extent of not more than ten acres of suburban land, at the fixed price of three pounds per acre, and fifty acres of rural land at one pound or two pounds per acre, according to the class in which such rural land shall be placed. Such pre-emptive right shall, however, be forfeited, unless claimed within one month from the date at which such lands have been proclaimed open for sale, and unless the purchase be completed within three months from such date.

34. Every section of suburban or rural land shall be in one block, and, except as hereinafter provided, of a rectangular form.

35. In the interpretation of these Regulations, a frontage line shall be taken to mean the boundary of a road, river, or public reserve, or any stream or watercourse which shall have been declared, by notification in the *County of Westland Gazette*, to constitute a frontage for the purpose of selection.

36. Where, from the frontage not being a straight line, or from the interference of other frontage lines, natural features, or the boundaries of private lands, the rules provided in these Regulations in respect of form cannot be accurately observed, or where suburban land has been previously sold in sections of less than one acre, the form and size of the section shall be determined as nearly in accordance with these Rules as in the judgment of the Board circumstances will admit.

VIII.—*Suburban Land*

37. Land in the vicinity of townships or other centres of population may, when declared by the Waste Lands Board to be open for sale, be classified as suburban land.

38. Suburban land shall be sold by auction at an upset price of three pounds per acre, in blocks of not less than one nor more than ten acres. The provisions of these Regulations in respect of the sale of town lands by auction shall apply *mutatis mutandis* to the sale by auction of suburban land, except that the amount of deposit to be paid by the person upon whose application any suburban land shall be put up to auction, or who shall at the auction be declared to be the highest bidder, shall be twenty-five per cent. of the upset price, or of the purchase money realized at auction respectively, and that the purchaser of any suburban land shall, after payment of

a deposit in respect thereof, be allowed one month to pay the remainder of the purchase money; Provided however that—

(a.) Where such improvements as are mentioned in the thirty-third of these Regulations have been made on any land which under these Regulations or any Regulations heretofore in force shall be or has been classed as suburban land, such land may be surveyed for sale and sold in a block or section of any size the Board may think fit, although less than one acre, but no such section shall in any case exceed ten acres.

39. Every section of suburban land shall have such a depth as in the judgment of the Board circumstances admit.

40. Upon payment of the purchase money in full for any suburban land, the purchaser shall receive from the Commissioners a License to Occupy in the form set forth in Schedule B. to these Regulations, and such license shall be delivered up upon receipt of a Crown Grant of the land purchased.

IX.—*Rural Land.*

41. All rural land shall be open for sale at a fixed uniform price of one pound per acre in blocks of not less than twenty acres in extent.

42. Every section of rural land shall have such a depth as in the judgment of the Board circumstances admit.

43. Where such improvements as are mentioned in the thirty-third section of these Regulations have been made on any land which, under these Regulations, has been or shall be classed as rural land, such land may be sold in a section of any size the Board may think fit, though less than twenty acres in extent.

44. Immediately on the payment of the purchase money for any rural land, the purchaser shall receive from the Commissioners a License to Occupy, in the form set forth in the Schedule C. hereunto annexed; and as soon thereafter as conveniently may be, the land shall be laid off by a Government Surveyor as nearly in accordance with the description given by the purchaser in his application as these Regulations will admit: Provided always that should any section, when surveyed, prove to differ in any respect from that intended by the purchaser, the Government will not be responsible for any loss or inconvenience which the purchaser may experience, nor will the purchase money be returned: Provided also that when

land has been sold by auction the sum to be so refunded shall be the value of the deficient acres at a price per acre equal to the whole sum paid for the land, divided by the number of acres put up: Provided also that when the land is found to be in excess, such excess may either be retained by Government, or paid for by the purchaser, at a price determined as aforesaid, at the discretion of the Waste Lands Board: Provided further that if the Surveyor shall find that the whole extent of land in the selected locality falls short of the quantity paid for by the purchaser, the Receiver of Land Revenue shall refund so much of the purchase money as exceeds the price of the land to be conveyed. The License to Occupy shall, in any case, be amended by the Commissioners in accordance with the report of the Surveyor, and the Crown Grant shall be made out in accordance therewith; and the license shall be delivered up when the Crown Grant shall be issued.

X.—*Reserved Unsold Lands Occupied and Improved.*

45. Whenever improvements have been made on any section, the value of which should, in the opinion of the County Council of Westland, be secured to the lawful occupant of such section, it shall be lawful for the Waste Lands Board, on the recommendation to that effect having been approved in such case by the Governor, to add to the upset price of such section the value of such improvements, to be ascertained in such manner as shall be decided by the Board with such approval as aforesaid; in which case, should the occupant become the purchaser, it shall not be necessary for him to pay the value so ascertained, but the same shall be allowed to him as if paid; and if any other person become the purchaser, the amount of such value shall be paid over to the occupant by the Receiver of Land Revenue: Provided always that, should lands so occupied be Public Reserves, such sale shall in no case take place except under an Order of the Governor in Council, to be applied for by the Board, notice of which intended application shall be published in the *Westland Gazette* for a period of three weeks prior to the issue of such Order.

XI.—*Withdrawal of Land from Sale.*

46. It shall be lawful for the Waste Lands Board to withdraw from sale, by Proclamation in the *County of Westland Gazette*, any block or blocks of suburban or rural land which may have been, or shall hereafter be, declared open for sale by the said Board, in exercise of the powers given them by section

thirty-eight of these Regulations, and which shall after such declaration be found to be auriferous.

47. It shall further be lawful for the Waste Lands Board to declare the land so withdrawn open for sale again, in accordance with the Regulations hereinbefore contained, at their discretion: Provided always that three months' notice of such sale as last aforesaid shall be previously given in the *County of Westland Gazette*.

XII.—*Gold Fields.*

48. Every mining claim on private land shall be registered in the office of the Warden of the district within which such land is situated before being entered upon for mining; and the fee for such registration shall be ten shillings.

49. The mode of registration shall be by depositing with the Warden of the district a written contract entered into by the miner and the owner of the property, or if there be no such contract then an award given by arbitrators or an umpire, as hereinafter provided, and together with such contract or award a plan of the claim and of the property within which such claim is situated, signed by the Mining Surveyor. And the Warden shall thereupon issue a certificate in the form given in Schedule E.

50. No miner shall be allowed to occupy for mining purposes any ground covered by any dwelling-house, garden, or any yard or other enclosure attached to any dwelling-house, unless a written contract shall have been entered into by himself and the owner of such building, garden, yard, or other enclosure.

51. No miner shall be allowed to use any part of any private land for any other purpose but that of actual mining, or the performance of necessary operations connected with mining, except under the terms of a contract entered into by himself and the owner of such private land.

52. If there be no contract entered into by the miner with the owner of the land intended to be occupied for mining purposes, and the land be not such as is mentioned in clause 50 of these Regulations, the matter shall be referred to arbitration in the following manner:

53. The miner shall first of all give written notice in the form in Schedule F. to the owner of the property, or if after diligent inquiry no such owner can be found, then to the occupier of such property, and shall also give notice in the form contained in Schedule F. to the

Warden of the district, and shall also pay to the Warden a sum of five pounds to defray the expenses of survey.

54. Upon receiving such notice and such sums of money as provided in the last section, the Warden shall forthwith instruct the Mining Surveyor to survey the ground applied for. And the miner shall accompany the Mining Surveyor, and point out the boundaries of the claim for which he applies. And the Mining Surveyor shall furnish to the miner a plan of the claim and of the property within which it is situated, and shall also furnish to the Warden a tracing of such plan, and a report stating whether the claim applied for interferes with any building, garden, yard, enclosure, or any other property of a special nature.

55. Within fourteen clear days after the delivery of notices by the miner to the owner or occupier, and to the Warden as provided in section 53, the miner and owner shall each appoint in writing one person to act as arbitrator, and shall state in writing to the Warden the name of the person so appointed. And if the miner fail to appoint an arbitrator within fourteen clear days, his application shall be forfeited. And if the owner or occupier fail to appoint an arbitrator within fourteen clear days, then the Warden shall appoint an arbitrator in his behalf. The arbitrators so appointed shall forthwith appoint an umpire, and their award or the award of the umpire shall be given within twenty-one clear days from the delivery of the notice as provided in section 53. And if the arbitrators fail to appoint an umpire, or if the award of the arbitrators or umpire be not given within twenty-one clear days as aforesaid, the Warden shall act as sole arbitrator, or shall appoint some other person to act as sole arbitrator: Provided that the Warden may, upon good cause being shown, extend the time for making the award, but no such extension shall exceed seven days in addition to the twenty-one days fixed in this section.

56. The decision of the arbitrators or umpire, or of the Warden or other person appointed by him acting as sole arbitrator, shall be final and beyond any appeal, except on the ground of fraud, and every such decision shall be recorded in the Warden's Court, and shall be enforced in the same manner as a judgment of that Court.

57. The award shall state the value of the land to be used as a claim, the amount to be deposited to cover the costs of restoring the surface of the ground, the special compensation, if any, to be paid to the owner for

damages which cannot be made good, and the special conditions, if any, to be observed by the miner in working the ground; and the miner shall pay as rent to the owner or occupier a sum equal to twenty per cent. per annum on the value of the land as so determined: Provided that, in any case where the occupant is not the owner of the land, such rent may be made payable either wholly to the occupier or wholly to the owner, or partly to the owner and partly to the occupier, in such proportions as shall be determined by the award.

58. In estimating the value of the land, the arbitrators, or umpire, or the Warden, or other person appointed by him, acting as sole arbitrator, shall take into consideration not only the actual value of the soil, but all the circumstances which may in their opinion give a special value to that portion of the property, such as its position in relation to the remainder of the property, its proximity to a road, river, or other means of access, or to a building, and the use to which it has been put or is intended to be put by the owner.

59. A fee of two guineas shall be paid to the Warden by the miner for each of the arbitrators and the umpire, before they enter upon the reference, and, after the award shall have been made, shall by the Warden be paid over to them.

60. Before entering upon the ground for mining, the miner shall pay to the owner the first instalment of rent, and shall also deposit with the Warden the amount fixed by the arbitrators or umpire to cover the cost of restoring the surface of the ground, and shall, before entering upon the ground for mining, pay all other sums and do all other acts which the award shall order to be paid or done before entering upon the ground; and the payment of such sums, and the doing of all other such acts so ordered as aforesaid, shall be considered to be conditions precedent to the right of the miner to enter upon such private land, and no miner shall acquire any right of entry on private lands for the purpose of mining until all such sums shall have been paid, and all such acts shall have been done as the award shall order.

61. All rents shall be paid by the miner quarterly, in advance. And the claim shall be forfeited if the rent remain unpaid for seven days beyond the date when it becomes due.

62. As soon as the miner has ceased working the claim he shall forthwith restore the surface of the ground: and on proof being given to the satisfaction of the Warden

that the surface has been so restored, the Warden shall hand over to the miner the sum deposited to cover the cost of such restoration. But if the miner, after ceasing to work the claim, shall neglect to restore the surface of the ground, the Warden, upon proof being given to his satisfaction that the claim has ceased to be worked, shall, at the end of fourteen clear days after the claim has ceased to be worked, hand over the money deposited as aforesaid to the owner of the land on which such claim is situated.

63. In the foregoing Regulations words in the singular number shall be understood to import the plural number, and the word "owner" shall be understood to include the "occupier," and where the owner and occupier are not the same person, then a separate contract shall be made or award given in the case of each of them. The word "Warden" shall be understood to mean the Warden or other officer for the time being intrusted with the administration of justice on the Gold Field within which the land is, and the words "Mining Surveyor" shall be understood to mean Mining Surveyor or other officer whose duty it may be to furnish plans to the Warden.

64. All the Regulations in force for the time being relating to mining on Crown Lands, shall apply to mining on private property under these Regulations, excepting so far as they are affected by these Regulations.

XIII.—*Pasturage.*

65. All Waste Lands not declared open for sale, and not required as commonage for stock, may be occupied for pasturage purposes by persons holding annual licenses from the Waste Lands Board to occupy the same, in blocks of not less than 500 acres.

66. Any person applying for a pasturage license shall state to the Commissioners what are the boundaries and extent of the run applied for.

67. The fee to be paid for the license shall be at the rate of sixpence per acre per annum for the lands included in such license above 500 acres and under 1,500 acres in extent, and fourpence per acre when above 1,500 and under 3,000 acres in extent, and threepence per acre for all blocks above 3,000 acres in extent.

68. If upon the expiration of any annual pasturage license, it shall appear to the Waste Lands Board expedient to issue a further license to depasture the land included in such first-mentioned license, the Board shall grant such further annual license to the holder of

the license so expired upon payment of the rent provided in these Regulations.

69. Every annual pasturage license shall be in the form set forth in the Schedule D. to the Waste Lands Regulations, and shall be transferable by indorsement in the form set forth in such Schedule, and such transfer shall be deemed to be complete upon notice thereof being duly given to the Waste Lands Board, and not before. A pasturage license shall entitle the holder thereof to the exclusive right of pasturage over the land specified therein upon the terms herein stated. Such license shall give no right to the soil or to the timber, and shall immediately determine over any land which may be reserved or declared open for sale under these Regulations. A reasonable right-of-way may be allowed through all pasturage runs, as well as free right of entry to miners for the purpose of mining or searching for gold.

XIV.—*Timber.*

70. Upon the application of any person desirous of cutting and removing timber from Waste Lands of the Crown, it shall be lawful for the Waste Lands Board to issue a license authorising him to do so.

71. Every timber-cutting license for cutting or removing timber shall be issued for one month, or for one year, at the request of the person applying for the same; and a fee of ten shillings shall be paid upon every monthly license, and of five pounds upon every yearly license.

72. A license shall entitle no one but the person named thereon to cut down the standing timber, but it will authorise him to employ any number of persons, during the term of the license, to saw, split, or remove the timber so cut; and such license shall not be transferable.

73. A license to cut timber shall extend only to the district named therein.

74. If any person duly licensed shall have established a sawpit for the purpose of sawing timber, no other person shall cut timber within fifty yards of such pit without consent of the person first occupying such sawpit: Provided that if the person establishing such pit shall not use the same, and shall not cut timber within such distance as aforesaid from the pit for twenty-eight consecutive days, it shall be lawful to any other holder of a license to enter thereupon, and to cut timber as though such pit had not been established.

75. If any person shall, for the purpose of removing timber, have made a road upon land being the Waste Lands of the Crown and not

being a highway, it shall not be lawful for any other person to use the same without the permission of the person making the same first obtained; Provided that if such road shall not be used at any time for ninety consecutive days, it shall be lawful for any holder of a license at any time thereafter to use the same.

76. If any person holding a timber license shall be proved before the Waste Lands Board to have offended against any regulations herein contained respecting timber, or to have wilfully or negligently injured or destroyed by fire or otherwise any timber belonging to the Crown, such license shall be and shall be immediately declared to be forfeited, and it shall be at the discretion of the Board to refuse to issue another timber license to the same person.

SCHEDULE A.

COUNTY OF WESTLAND.

License to Occupy Town Lands.

WHEREAS of hath been duly declared the purchaser for the sum of pounds shillings and pence, of the section of the Waste Lands of the Crown hereinafter described, and hath this day paid to , the Receiver of Land Revenue for the County of Westland, the sum of pounds shillings and pence, the receipt whereof is hereby acknowledged: Now know all men, and these presents witness, that We, in pursuance of the powers vested in us as Commissioners of the Waste Lands Board for the said County, do hereby authorise and empower the said , his heirs or assigns, at any time after the date hereof, to enter upon all that section of land situated in Street, in the town of marked No. in the authenticated map of the said town, in the Land Office at Hokitika, and containing acres, or thereabouts, being the section of land so purchased as aforesaid, and to hold and enjoy the same for his and their absolute use and benefit.

Given under our hands at the Sitting of the Waste Lands Board held at on the day of 18 .

SCHEDULE B.

COUNTY OF WESTLAND.

License to Occupy Suburban Land.

WHEREAS of hath been duly declared the purchaser for the sum of pounds shillings and pence, of the section of the Waste Lands of the Crown hereinafter described, and hath this day paid to , the Receiver of Land Revenue for the County of Westland, the said sum of pounds shillings and pence, the receipt whereof is hereby acknowledged: Now know all men, and these presents witness, that We, in pursuance of the powers vested in us as Commissioners of the Waste Lands Board for the said County, do hereby authorise and empower the said , his heirs or assigns, at any time after the date hereof, to enter upon all that section of land situate and bounded as hereinafter described, that is to say, and to hold and enjoy the same for his and their absolute use and benefit, subject nevertheless to the Regulations now in force for the sale, letting, disposal, and occupation of the Waste Lands of the Crown within the County of Westland.

Given under our hands at the Sitting of the Waste Lands Board held at on the day of 18 .

SCHEDULE C.

COUNTY OF WESTLAND.

License to Occupy Rural Land.

WHEREAS of hath been duly declared the purchaser for the sum of pounds shillings and pence, of the section of the Waste Lands of the Crown hereinafter described, and hath this day paid to the Receiver of Land Revenue for the County of Westland, the said sum of pounds shillings and pence, the receipt whereof is hereby acknowledged: Now know all men, and these presents witness, that We, in pursuance of the powers vested in us as Commissioners of the Waste Lands Board for the said County, do hereby authorise and empower the said his heirs, or assigns, at any time after the date hereof, to enter upon all that section of land situate and bounded as hereinafter described, that is to say, and to hold and to enjoy the same for his and their absolute use and benefit, subject nevertheless to the Regulations now in force for the sale, letting, disposal, and occupation of the Waste Lands of the Crown within the County of Westland.

Given under our hands at the Sitting of the Waste Lands Board held at on the day of 18

SCHEDULE D.

COUNTY OF WESTLAND.

License to Depasture Stock.

WHEREAS of hath been duly declared to be entitled to a license to depasture stock upon the Waste Lands of the Crown within the County of Westland, hereinafter specified, upon the terms and upon the conditions hereinafter mentioned: Now therefore, We, in pursuance of the powers vested in us as Commissioners of the Waste Lands Board for the said County, do hereby grant to the said the exclusive license, from and after the date hereof, until the day of next, to depasture stock upon the land situate and bounded as hereinafter described, that is to say, and containing acres or thereabouts, subject nevertheless to all the provisions and conditions contained in the Waste Lands Regulations now in force within the County of Westland.

Given under our hands at the sitting of the Waste Lands Board, held at on the day of 18

ENDORSEMENT.

I, the within named, for valuable consideration to me paid by, of, do hereby transfer to the said the within written Pasturage License, and all my estate and interest therein. Witness my hand this day of 18

Witness—

SCHEDULE E.

Certificate of Registration.

PURSUANT to the Regulations for the sale, letting, occupation and management of the Waste Lands of the Crown in the County of Westland, and to the Regulations for Mining on Private Lands in the County of Westland, I hereby certify that a mining claim, No. on section in the Westland Gold Fields, has been registered this day in favor of A.B., &c., miner.

Dated this day of 18 C.D., Warden.

SCHEDULE F.

Notice to Warden.

PURSUANT to the Regulations for the sale, letting, occupation and management of the Waste Lands of the Crown in the County of Westland, and to the Regulations for Mining on Private Lands in the County of Westland, I hereby give you notice that I seek to obtain a mining claim on section owned by and in occupation of A.B., &c., miner.

To C.D.,-Esq., Warden District. Received this day of 18, the sum of five pounds sterling, to defray the expenses of survey in respect of the foregoing application. C.D., Warden.

Notice to Owner or Occupier.

PURSUANT to the Regulations for the sale, letting, occupation, and management of the Waste Lands of the Crown in the County of Westland, and to the Regulations for Mining on Private Lands in the County of Westland, I hereby give you notice that I seek to obtain a mining claim on section your property (or in your occupation), and that I have this day paid to the Warden five pounds to defray the expense of survey.

A.B., &c., miner.

To E.F., owner (or occupier) of section

Approved in Council.

EDRSTER GORING,

Clerk of Executive Council.

IN pursuance of the powers delegated to me under "The Diseased Cattle Act, 1866," I hereby appoint

JAMES PATRICK ALLARDYCE

to be a Sub-Inspector of Cattle for the County of Westland.

Given under my hand at Hokitika, this twentieth day of December, one thousand eight hundred and sixty-nine.

C. Hoos.