



THE  
NEW ZEALAND  
GOVERNMENT GAZETTE,  
(PROVINCE OF NELSON).

Published by Authority.

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

ALFRED GREENFIELD, Provincial Secretary.

VOL. XIX.

NELSON, MONDAY, DECEMBER 5, 1870.

No. 37.

PROCLAMATION.

By his Honor OSWALD CURTIS, Esquire, Superintendent of the Province of Nelson, in the Colony of New Zealand.

WHEREAS, by certain Proclamations bearing date the Eighth day of June, 1868, and the Twelfth day of June, 1869, respectively, issued under my hand as Superintendent of the Province of Nelson, certain Mining Rules and Mining and Agricultural Lease Regulations were made and declared to be in force on the Nelson South-west Goldfields: And by a certain other proclamation, bearing date the Twentieth day of November, 1869, issued under my hand as Superintendent of the said Province, the aforesaid Rules and Regulations were declared to be in force on the Golden Bay Goldfields: And whereas it is desirable to alter and amend the said Rules and Regulations, and make further additions thereto.

Now therefore I, Oswald Curtis, Superintendent of the Province of Nelson, in exercise of the power and authority in me vested on that behalf, do hereby proclaim and declare that the following clauses of the above-mentioned Rules and Regulations are hereby revoked, viz.:—

MINING RULES.

Clause 4 of Section II. Clauses 1, 2, and 3, of Section IV. Clause 1 of Section VI. Clauses 1, 2, 3, 4, 5, 7, and 8 of Section VIII. Clause 14 of Section X. Clauses 4 and 5 of Section XIII. Clauses 7, 8, and 9, of Section XVI.

AGRICULTURAL LEASE REGULATIONS.

Clause 18—Conditions of Entry to search for Gold, &c.

GOLDMINING LEASE REGULATIONS.

Clause 21—Areas of Leases.

And I do hereby further proclaim and declare that the undermentioned Rules and Regulations shall come into operation on the Nelson South-west Goldfields, and on the Golden Bay Goldfields, from and after the date hereof, viz.:—

MINING RULES.

CLAIMS.

*Surplus Ground to be forfeited.*

If any person shall occupy a larger area of *alluvial* ground than that to which he is entitled under these Regulations, he shall forfeit the surplus measured from any two pegs along a boundary line of the original claim, at the option of the party claiming the surplus, unless in any special case such good cause shall be shown as shall, in the opinion of the Warden, entitle the prior occupant to the choice of ground; provided that if any shaft, face, or works, shall come within the area of the surplus ground so forfeited, the party claiming the ground shall pay compensation to the original holder.

QUARTZ CLAIMS.

*Marking off Quartz Claims.*

All quartz claims must be marked off at each corner by a post, and by centre pegs not more than 60 feet apart, along the course or supposed course of the reef, and the boundary lines meeting at each corner post shall be as near as practicable at right angles to each other. The length of all quartz claims shall be with the course or supposed course of the reef, and all veins, leaders, and alluvial deposits within the said claims shall be the property of the holders thereof.

*Prospecting Quartz Claims.*

Any miner or miners prospecting or discovering a quartz reef shall be entitled to hold in length along the reef or supposed course of the reef, one hundred feet by a breadth of one hundred and fifty feet on each side of the course or supposed course of the reef, as defined by the centre pegs, for each holder of a miner's right.

*Ordinary Quartz Claims.*

In ordinary quartz claims each miner shall be entitled to hold in length sixty feet along the course or supposed course of the reef, by a breadth of one hundred and fifty feet on each side of the course or supposed course of the reef, as defined by the centre pegs.

*Surplus Ground in Quartz Claims.*

Whenever complaint shall be made to the Warden that any person is occupying more ground as a quartz claim than that to which he is lawfully entitled, the Warden may forthwith direct a survey to be made of the claim, and should there be any surplus ground, the Warden may declare it forfeited, and it shall be marked off from whichever end of the claim the Warden shall think fit. The cost of survey shall be cost in the cause, but must in the first instance be deposited with the Warden by the applicant for the surplus ground.

EXTENDED CLAIMS.

When any extraordinary expenditure of capital or labor is requisite, or when ground has been fairly tested, and has been abandoned for three months, extended mining claims may be granted by the Warden upon application being made as hereinafter directed, subject to the condition that the number of men to be employed upon such extended claims shall be, for the first half of an acre or part of half an acre, two men, and one man for each additional half acre or part of half an acre.

*Double Ground.*

The Warden may, in his discretion, grant claims of *alluvial* ground not exceeding twice the ordinary size on being satisfied that, either from the quality of the ground or any difficulty in working it, such extension of area is necessary; but no such grant shall be made until after application and the posting of notices, in manner provided by section IX.

FRONTAGE CLAIMS.

It shall be lawful for the Warden to grant registration upon application and the posting of notices, as provided in section IX., for frontage claims, having the customary frontage prescribed by the regulations relating to the size of claims, and a depth not exceeding 1000 feet. The side boundaries of such claims shall be marked by pegs placed not more than 50 feet apart. The holders of such claims shall be required, within a reasonable time after the discovery of gold within their parallels, to mark off a claim of the ordinary size, the boundaries of which shall correspond with the parallels of the frontage claim.

TUNNELLING.

*Removal of Walls.*

If any person is desirous of removing any wall, he can do so on obtaining, in writing, the consent of the holder of the adjacent claim or the authority of the Warden.

REGISTRATIONS.

Upon the renewal of any certificate of registration the Warden may impose any fresh conditions which circumstances may have rendered necessary.

TRANSFERS.

The neglect or failure to register any right or interest, or assignment of any right or interest, in cases in which registration is required by the regulations, shall be held to involve a forfeiture of the right or interest concerned.

AGRICULTURAL LEASE REGULATIONS.

*Clause 18.*

The right of free entry is reserved to the Superintendent upon any land so leased as aforesaid, for the purpose of searching for gold or any other metal or mineral, and of determining any lease when such gold, metals, or minerals shall have been discovered therein; and further, when any ground held under an agricultural lease is supposed to be auriferous, it shall be lawful for the Warden to authorise any person to prospect the said ground, upon giving sufficient security

for compensation for any actual damage that may be caused thereby; and when any agricultural lease shall be determined on account of the auriferous character of the ground, the compensation to which the lessee is by law entitled shall be paid by the persons desirous of mining thereon, in such manner and proportion as the Warden shall determine.

**GOLDMINING LEASE REGULATIONS.**

*Clause 21.—Areas of Leases.*

The extent of any lease granted under these regulations shall be, except in special cases hereinafter provided for, on quartz lodes or veins, not less than one hundred (100) yards nor more than four hundred (400) yards in length along the line of the lode, by a width of not less than fifty (50) yards nor more than two hundred (200) yards, measured across the lode; and in alluvial workings an area not exceeding ten (10) acres.

*Clause 26.—Transfer or Assignment of Leases.*

All transfers or assignments of goldmining leases, or shares in goldmining leases, shall be registered in the Warden's office.

*Clause 27.—Leases may be cancelled.*

If any applicant fails or neglects to execute his lease within one month after service of notice from the Warden that such lease is ready for execution, or if the rent upon any lease shall not be paid within twenty-one days from the day it becomes due, or if any of the conditions of the lease shall not have been complied with, it shall be lawful for the Superintendent to declare the lease cancelled, and the ground shall thereupon become open for occupation to the holders of miners' rights and business licenses.

Given under my hand, and issued under the Public Seal of the Province of Nelson, this Fifth day of December, One thousand eight hundred and seventy.

OSWALD CURTIS,  
*Superintendent.*

Attested—

ALFRED GREENFIELD,  
*Provincial Secretary.*