



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. XXII.

NELSON, MONDAY, AUGUST 11, 1873.

No. 26.

PROCLAMATION.

By his Honor OSWALD CURTIS, Superintendent of the Province of Nelson, in the Islands of New Zealand, &c. &c.

WHEREAS certain RULES and REGULATIONS have from time to time been proclaimed under the authority of "The Goldfields Act 1866" in force within the Goldfields of the Province of Nelson, known as "The Nelson South-west Goldfields," and "The Golden Bay Goldfield." AND WHEREAS it is expedient to alter and amend the said Rules and Regulations. NOW THEREFORE, I, OSWALD CURTIS, Superintendent of the Province of Nelson, in exercise of the power and authority in me vested in that behalf, do hereby proclaim and declare that all Rules and Regulations proclaimed, under the authority of "The Goldfields Act 1866," in force on the Nelson South-west Goldfields and Golden Bay Goldfield, shall continue in force until the First day of September next, and no longer.

And I do hereby further proclaim and declare that from and after the said First day of September next the following Rules and Regulations shall be in force on, and within the boundaries of, all proclaimed Goldfields in the Province of Nelson.

RULES AND REGULATIONS OF THE
NELSON GOLDFIELDS.

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, Commissioner, Resident Magistrate, or any other officer entrusted with the superintendence of the Goldfields,

or any portion thereof, and holding a commission duly empowering him to have charge thereof, 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, Business, or other License or Lease.

The word "claim" shall mean the portion of land which each person shall be lawfully entitled to mine in or occupy, or any share or interest in any claim, or registered right held or granted under these Regulations, or under the provisions of the "Goldfields Act 1866," or any amendment thereto.

The words "ordinary claim" shall mean all mining claims except river, quartz, wet, extended and prospecting, and tunnelling claims.

"River claims" shall mean all claims in the beds of rivers or permanent streams.

"Wet claims" shall mean claims in flooded ground, which cannot be worked without appliances for drainage, and defined as such by the Warden.

"Ordinary quartz claims" shall mean all quartz claims except prospecting areas, extended and prospecting quartz claims.

"Extended claims" shall mean claims surveyed and granted by certificate, as hereinafter provided.

"Prospecting claim" shall mean such portion of ground as may be granted and defined by the Warden, on gold being struck in new ground, as hereinafter provided.

"Prospecting area" shall mean such portion of ground as may be allowed and protected for the purpose of prospecting, as hereinafter provided.

"Race" shall mean any artificial channel or ditch for the conveyance of water, and also the natural bed of any creek or gully through which water is diverted for mining purposes.

"Sluice-head" shall mean twenty superficial inches of water gauged, as hereinafter directed.

"Quartz reefs" shall include all leaders and veins of quartz.

"Mining operations" shall include mining for gold, the erection of machinery, and the construction of works connected therewith, and the doing of all lawful acts incident or conducive thereto.

"Schedule hereto annexed" shall mean in the form or to the like effect as the "Schedule referred to."

"Frontage line or length" shall mean the length along or parallel to the reef.

"End line" shall mean the line or distance between the pegs at right angles to the reef.

Words importing the singular number shall include the plural number, and words importing the masculine gender shall include the feminine gender.

2. MINER'S RIGHT AND BUSINESS LICENSE.

Every person residing on a goldfield, and engaged in mining for gold, or holding any share in any mining interest except a gold-mining lease, shall be possessed of a Miner's Right; and every person residing on a goldfield, and engaged in vending or disposing of any goods, merchandise, or chattels, whether by hawking or in any other manner, shall be possessed of a Business License; and every Miner's Right and Business License shall be produced for inspection when demanded by the Warden, or by any person duly authorised in that behalf, in writing, by the Warden.

II.—CLAIMS.

1. SIZE OF CLAIMS.

Ordinary claims and wet claims shall not exceed 60 feet by 60 feet for each person.

For 1 man	. 60 feet x 60 feet	= 3,600 square feet
2 "	. 60 " x 120 "	= 7,200 "
3 "	. 73 " x 146 "	= 10,800 "
4 "	. 85 " x 170 "	= 14,400 "
5 "	. 95 " x 190 "	= 18,000 "
6 "	. 104 " x 208 "	= 21,600 "
7 "	. 112 " x 224 "	= 25,200 "
8 "	. 120 " x 240 "	= 28,800 "
9 "	. 127 " x 254 "	= 32,400 "
10 "	. 134 " x 268 "	= 36,000 "
11 "	. 140 " x 280 "	= 39,600 "
12 "	. 147 " x 294 "	= 43,200 "

2. FORM OF CLAIMS.

Claims may be of any form, provided that no ordinary, wet, or prospecting claim shall, except in the case of spare ground between claims, exceed in length twice the breadth thereof.

3. CLAIMS TO BE MARKED.

Claims shall be marked by substantial and conspicuous pegs standing not less than two feet above the surface of the ground, or by Γ trenches at least a yard long at each corner thereof; or in the case of river claims by Λ marks not less than one foot in length, to be cut upon the rocks above high flood mark, and such pegs, trenches, or marks shall be maintained during the occupancy of the ground, provided that when any corner cannot be marked on account of the nature of the ground, the peg, trench, or mark, may be placed at the nearest practicable point.

4. 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.

5. 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 X.

6. FRONTAGE CLAIMS.

It shall be lawful for the Warden to grant registration upon application and the posting of notices, as provided in section X., 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.

7. SHEPHERDING.

All persons, during the first seven days from the date of occupation, must be present on their claims for two consecutive hours, between nine a.m. and twelve noon; and 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. Any claim not represented as above provided, during the first seven days, or unworked at any time for twenty-four consecutive hours, shall be deemed to be forfeited, unless sufficient reason, such as sickness or other good cause, shall be proved to the satisfaction of the Warden.

8. AMALGAMATION.

The Warden may, upon sufficient cause being shown, permit the amalgamation of two or more adjoining claims; and persons desirous of amalgamating their claims shall give notice and otherwise proceed as directed by Section X. No permanently amalgamated quartz claim shall exceed 1920 feet measured along the course of the reef.

III.—WET CLAIMS.

1. TO WHAT DISTRICTS APPLICABLE.

The subjoined regulations for "wet claims" shall be declared by the Warden to be in force upon any portion of a goldfield, upon the receipt by him of a memorial signed by a majority of not less than three-fourths of the claim-holders affected thereby; and the boundaries of such districts shall be set forth in notices to be posted outside of the Warden's office, and in some newspaper circulated in the district; and it shall be lawful for the Warden, upon receipt of a further memorial, signed by a like proportion of claim-holders, to alter the boundaries of such district, or to suspend the operation of the regulations contained in this section.

2. DRAINAGE.

The owners of wet claims shall, whenever practicable, cut a sufficient drain to convey the water to a main channel, which channel shall be cut and kept clear by or at the proportionate expense of all parties interested.

3. BALING.

The owners of any wet claim refusing or neglecting to bale their fair proportion of water, shall render their claim liable to forfeiture.

4. CONTINUAL BALING.

When the quantity of water renders constant baling necessary, it shall be compulsory on all parties holding claims below a given point on the lead or reef (such point to be determined by the Warden and Assessors) to work in sinking and baling both day and night, until the claims are worked out or abandoned, or until baling is suspended by general consent.

5. COMPENSATION FOR DRAINAGE.

When any person shall drain any ground by any means whatever, such person shall be entitled to receive compensation from the holders of all claims benefitted thereby; and the amount of compensation to be paid by each party shall be determined by the Warden, or, if preferred by any party, by the Warden and Assessors, who shall determine in what manner such compensation shall be paid, whether in one sum or by instalments, weekly or otherwise, by way of rental, during such time as the benefit lasts, and the said amount may be re-adjusted from time to time as may be equitable.

IV.—QUARTZ CLAIMS.

1. MARKING OFF QUARTZ CLAIMS.

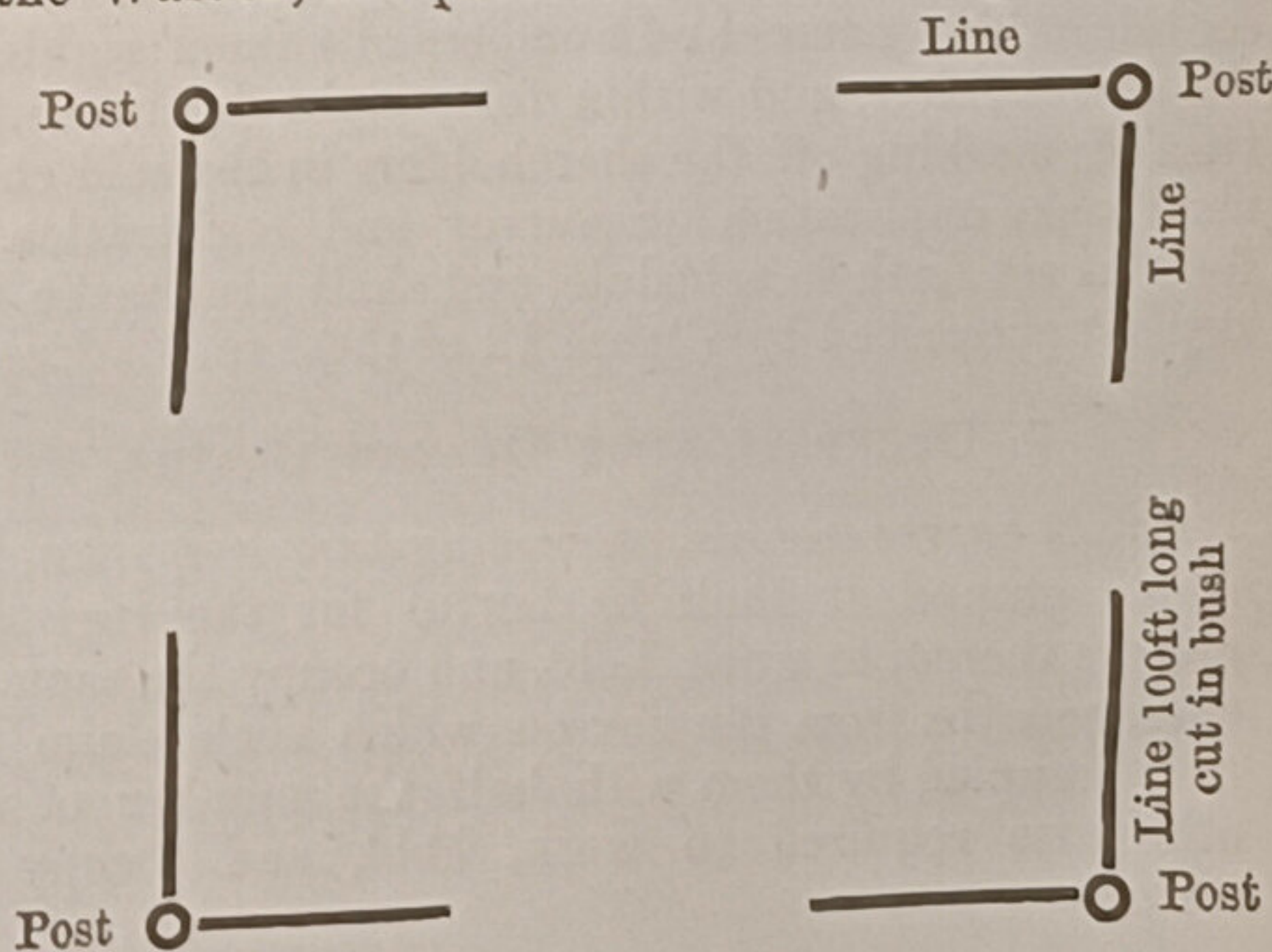
All quartz claims shall be marked by four substantial corner posts at least four inches square and standing three feet above the surface of the ground, one end line shall be cut, and the trees blazed on such line from peg to peg. And all such posts and lines shall be maintained free from rubbish, and clear so as to be readily observed. Prospecting claims must be marked both ends in a similar manner. The frontage length of all quartz claims shall be parallel 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, save as hereinafter provided.

2. PROSPECTING AREA.

The Warden, on application, may, if he think fit, grant protection for a prospecting area in ground not within half a mile of any other existing quartz workings, nor within half a mile of any other such area, not exceeding three hundred yards square, provided always that not less than two men be constantly employed thereon; and such protection shall continue in force until the reef be struck, or the ground abandoned for 48 hours; provided that the certificate of protection shall be brought to the Warden for renewal every three months.

3. PROSPECTING AREA TO BE MARKED.

All such areas shall be marked by posts, as in Clause 1 of this Section, and angle lines shall be cut 100 feet in length from each corner-post, and a notice, with the words, "Prospecting area" legibly written upon a board, shall be maintained upon two of the corner-posts, and upon the reef being struck, the party may mark off a prospecting claim and apply for the same to the Warden, and proceed as hereinafter provided.



4. PROSPECTING CLAIM.

Any person discovering a new reef and being desirous of obtaining an increased area thereon, shall mark off a claim, according to the subjoined scale, and shall immediately report such discovery to the Warden, and the ground so marked off and applied for shall be protected until the Warden or Mining Surveyor shall have visited the ground, and the application finally dealt with. Provided always that the increased grant be not given to more than six persons comprising the party.

SCALE.

Distance—Half a mile from any quartz workings, 100 feet along the reef x 600 feet.
 „ One mile from any quartz workings, 110 feet along the reef x 600 feet.
 „ Two miles from any quartz workings, 120 feet along the reef x 600 feet.
 Ten feet per man along course of reef shall be added for every additional mile up to 10 miles.

5. OCCUPATION.

All prospecting claims shall be held by one man remaining on the ground during working hours until the application is dealt with, three days after which the claim must be fully occupied.

6. ASSISTED PROSPECTING.

The Warden may, if he think fit, grant a prospecting claim to the actual discoverers of a reef, conjointly with persons who have assisted them in prospecting either with contributions or otherwise, although the said persons may not have been on the ground prior to the granting thereof.

7. NAMES OF CLAIMS.

Every quartz claim surveyed and registered shall have a name by which such claim shall be distinguished.

8. ORDINARY QUARTZ CLAIMS.

In ordinary quartz claims each holder of a Miner's Right shall be allowed to hold 80 feet along the course or supposed course of any reef by a width of 600 feet, and no claim shall exceed 960 feet x 600 feet, or twelve men's ground. In marking off such claims no miner shall be allowed to mark off more than two men's ground, and such ground shall be fully occupied between the hours of twelve and two on the day following the marking off, after which, until registration is granted, at least one man shall remain on the claim during working hours, and there shall also be maintained upon one of the corner posts a list containing the names and numbers of miners' rights of the shareholders, and within forty-eight hours of the time of marking off the shareholders in the said claim shall make application for survey and registration in form as set forth in schedule, and shall also make the deposit prescribed by Clause 12 of these regulations.

9. OCCUPATION OF QUARTZ CLAIMS.

In all quartz claims containing not less than four men's ground it shall be lawful for the registered owners thereof to work, hold, and occupy the same for three months from the day on which such claim was first occupied by them with half the number of men otherwise required to work, hold, and occupy the same.

10. EXTENDED QUARTZ CLAIMS.

Where ground has been fairly tested, and abandoned for a period of three months, the Warden may, upon application, grant an extended claim, and allow for each miner a length of 100 feet along the line of reef by a width of 600 feet, provided always that no such claim shall exceed 12 men's ground. All extended claims must be occupied in the same manner as that prescribed for the occupation of ordinary quartz claims.

11. TEMPORARY AMALGAMATION.

It shall be lawful for the shareholders in any two or more adjoining claims, the area of which shall not in the aggregate exceed 1920 feet along the course or supposed course of the reef, not having found the reef to amalgamate such claims temporarily for the purpose of mining for any reef or supposed reef at their joint expense and under their joint management until the discovery of a payable auriferous reef shall be effected, and under the aforesaid circumstances, and until such discovery, the *bona fide* working of any one of such amalgamated claims shall be deemed a legal working of the whole of them. The claim selected for work must be worked night and day until the reef is discovered or amalgamation ceases. Amalgamation shall cease when the reef is intersected, or if the "working claim" be idle three consecutive days, or if the parties withdraw by mutual consent. The claims must be fully occupied six days after amalgamation ceases. During amalgamation each claim so amalgamated shall post and maintain a notice having the word "Amalgamated" legibly written upon a board on some conspicuous place on the claim, shaft, or tunnel.

Upon such temporary amalgamation being effected, notice in writing thereof shall be given to the Warden, who shall thereupon issue a certificate to the applicants.

12. SURVEY.

All quartz claims taken up under these regulations (excepting prospecting areas) must be surveyed and registered in the Warden's Court, and a deposit of £5 to cover costs of survey shall be lodged with the Warden within seven days of date of application, who shall, after deducting the costs of survey and registration, return to the applicants for the claim the balance, if any, of the deposit.

Upon an application for survey being lodged with the Warden he shall direct the Surveyor to survey the claim applied for, and the Surveyor shall, within 14 days from the date of the said application, survey the same, and he shall make and maintain for inspection in the Warden's office a plan of the several lines of reef within his district, and shall define upon such plan the position of each claim surveyed, and, upon the receipt of a fee of 10s., shall supply to any person requiring the same a plan of the claim with a tracing of so much of the general map of the district as will be sufficient to connect the said plan with at least one trigonometrical station, or in absence of any such station, with some fixed point, the same to be on a scale not less than five chains to the inch.

SCALE OF FEES.

Survey fee for any quartz claim, £2.
 Cutting lines, 2s. per chain.
 Travelling, 1s. 6d. per mile one way.

13. VACANT SHARES.

In the event of any claim or share not being occupied as directed by these regulations, for the first 24 hours, any person may occupy the same by occupation during the hours and at the time set forth, and he shall be entitled to have his name placed upon the certificate upon proving to the satisfaction of the Warden that the share was vacant, and that he has complied with the regulations.

14. OCCUPATION AFTER REGISTRATION.

In all ordinary and extended quartz claims half the number of men shall be entitled to hold the ground during the first six months, after which date the claim must be fully manned, but it shall be lawful for the Warden from time to time on application to grant the privileges of half occupation for such an extended period as he may deem fit.

15. PROTECTION FOR LABOR DONE.

The owner of any quartz claim which shall have been fully occupied and worked for a period of six months shall be entitled to be exempted from working the same for a period of three months from the date on which such work ceased, provided that the said owner shall, within three days of the commencement of such period of exemption, lodge at the Warden's office an application in the form of Schedule hereunto annexed, and the Warden may thereupon issue to the said owner a certificate.

16. SLUDGE.

Where machinery is employed, an embankment for the purpose of retaining the sludge must be constructed, except the sludge can be more conveniently carried off by drainage without injury to any other person.

17. WALL TO BE LEFT.

A wall of six (6) feet shall be left between quartz claims. Should any party neglect to leave a full wall, it shall be competent to deduct the length necessary for such wall from his claim, and assign it for a wall where omitted; and should more ground than sufficient be left for the wall at the marking of the claim, the Warden shall curtail such excess, and deal with it in such manner as shall be most equitable and just. Walls between quartz claims shall be the common property of the parties adjoining, and neither of them shall take down, mine into, damage, or endanger any wall, without first obtaining the consent in writing of the owner of the adjoining claim. Should openings be required through any wall for ventilation, and the parties interested cannot agree upon the terms, the Warden shall give the necessary order for making the said openings, and also for the division of any auriferous deposit found therein, or removed therefrom.

18. 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 he is lawfully entitled to, 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 which ever 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.

V.—RIVER CLAIMS.

1. SIZE OF RIVER CLAIMS.

River claims shall not exceed sixty (60) feet in length for each person, to be measured in the direction of the course of any stream, by a width of not less than thirty (30) feet; but when the stream exceeds thirty (30) feet in width, the width of the claims shall be taken from bank to bank, the banks to be defined, when necessary, by the Warden.

2. NOTICE OF DIVERSION TO BE GIVEN.

Any person desirous of diverting the course of a permanent stream for the purpose of working the bed thereof, shall give notice to the Warden, and proceed as directed by Section X.

3. WALL TO BE ALLOWED.

Holders of river claims shall be allowed a sufficient wall between the channel of diversion and the bed of the stream, and the width of such wall shall be defined by the Warden.

DREDGING CLAIMS.

1. SIZE OF CLAIMS.

In Dredging Claims each holder of a Miner's Right shall be entitled to an area of 150 feet along the course of the river or stream, by a width bounded by the ordinary high water mark.

2. HOW TO BE MARKED OUT.

Dredging Claims must be marked out at right angles to the course of the river or stream and by a peg or post, standing not less than three feet above the surface of the ground, at each of the four corners thereof.

3. REGISTRATION.

All Dredging Claims must be applied for and registered in accordance with the provisions of Section X. of the Regulations now in force.

4. SURVEY.

The Warden may require the applicant or applicants for a Dredging Claim to have the same surveyed, and to deposit a plan thereof with the Mining Registrar.

VI.—BEACH CLAIMS.

Beach claims shall mean all claims extending below highwater mark on the sea beach.

Such claims shall in all cases be deemed to be extended to the sea, although their boundaries in that direction be not marked by pegs, and although the area so held be greater than could be held without this Regulation, and this Regulation shall not interfere with any power which the Warden may otherwise have to grant extended claims of any kind upon the beach.

The Warden shall have power at any time to rectify the boundaries of beach claims, or to define a base line to which the side boundaries shall be at right angles as nearly as circumstances permit.

Beach claims shall not interfere with any traffic along the beach, nor with the discharge of water, tailings, or other matters thereon, provided that the Warden shall have power to prevent or regulate the discharge of such water, tailings, or other matters.

VII. EXTENDED ALLUVIAL CLAIMS.

1. 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 claim shall be, for the first half an acre or part of half an acre, two men, and one man for each additional half acre or part of half an acre.

2. FORM OF APPLICATION.

Application for extended claims shall be made to the Warden in the form of Schedule C, and be accompanied by a deposit of £5; and upon receipt of such application and deposit, or as soon thereafter as may be, the Warden shall direct a Surveyor to proceed to the land applied for, and to survey the same, and to report as to the area, boundaries, and description thereof; the character of the ground, the likelihood of any river, creek, or permanent water-spring, or artificial reservoir, which may be included within the boundaries of the said land, being required for, or the feasibility of the same, being applied to, public purposes, or for the use of the miners generally; and also as to any claims to prior occupancy which shall come to his knowledge, inquiry as to which it shall be his duty to make while making the survey; and to furnish a plan of such land on a scale of *not less* than five chains to the inch, and connect the same with some fixed point; and such plan shall be lodged in the Warden's office, and a copy or tracing supplied to the applicants.

3. SURVEYOR TO POST NOTICES.

The Surveyor shall, at the time of making the survey hereinbefore directed, post a notice in the form D in the Schedule, in some conspicuous place on the ground; and such notice shall be maintained by and at the expense of the applicants until the application has been heard and determined; and if no valid objection is offered, the Warden, upon hearing the application, may issue a Certificate of Registration specifying all necessary particulars, 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 Miners' Rights shall not be employed or occupied upon any such "Extended Claim," the Warden may, upon proof thereof being produced before him, in the presence of all parties interested, cancel the Certificate of Registration, either in the whole or in part, as may be equitable.

VIII. PROSPECTING.

1. DISCOVERY TO BE REPORTED.

Any person discovering new gold workings, and being desirous of obtaining an increased area thereon, shall mark off an area of ground according to the subjoined scale, and shall immediately report such discovery, with full particulars, to the Warden, and the ground so marked off shall be protected until the Warden, or Mining Surveyor, shall have visited the ground, and the Warden shall have finally refused or granted the claim. The claim so to be marked off shall not exceed a double area where the ground is distant not more than three miles from existing workings, and shall not exceed a treble area where the distance is more than three miles, provided that the increased grant be not given to more than six persons comprising the party.

DOUBLE AREA.

For 1 man	. 7,200 square feet	= 120 feet x	60 feet.
2 men	. 14,400	" = 170	" x 85 "
3 "	. 21,600	" = 208	" x 104 "
4 "	. 28,800	" = 240	" x 120 "
5 "	. 36,000	" = 268	" x 134 1/2 "
6 "	. 43,200	" = 294	" x 147 "

TREBLE AREA.

For 1 man	. 10,800 square feet	= 147 feet x	73 1/2 feet.
For 2 men	. 21,600	" = 208	" x 104 "
3 "	. 32,400	" = 255	" x 127 1/2 "
4 "	. 43,200	" = 294	" x 147 "
5 "	. 54,000	" = 328	" x 165 "
6 "	. 64,800	" = 360	" x 180 "

2. PROSPECTING AREA.

The Warden may, if he shall think fit, grant protection for a prospecting area, in ground not within one mile of existing workings, or within half a mile of any other such protected area, not exceeding 100 feet per man frontage by a depth of 400 yards; and such protection shall continue in force until gold be struck or the ground abandoned for twenty-four hours, provided that such certificate of protection shall be brought to the warden for renewal monthly.

3. PROSPECTING AREAS TO BE MARKED.

All such areas shall be marked at each corner by posts, six inches through and four feet above the surface of the ground, and a notice shall be maintained upon each post with the words "Prospecting Area" legibly written upon a board; and upon payable gold being struck, the party shall mark off a prospecting claim, and proceed as directed by Clause 1 of this Section.

4. NOTICES TO BE POSTED BY THE WARDEN.

Notices of all prospecting claims and areas 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.

IX. TUNNELLING.

1. WALLS.

A wall of not less than ten feet shall be maintained on each side of any main tunnel, or between two main tunnels.

2. 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.

3. REGISTRATION.

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

4. 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.

5. VENTILATION.

When cross drives or openings are required for ventilation, and the various parties concerned cannot agree thereon, 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.

X. APPLICATIONS, REGISTRATIONS, AND TRANSFERS.

1. NOTICES TO BE POSTED ON APPLICATION.

- Head Race.
- Tail Race.
- Branch Race.
- Flood Race.
- Alteration or extension of a Race.
- Diversion of the course of a Creek.
- Tramway or Shoot for Mining purposes.
- Dam or Puddling Machine.
- Amalgamation of Claims.
- Residence Area.
- Tunnel.
- Protection for more than seven days, and renewal.
- Protection for the site of a Hut or other property.
- Special Site for Machinery, or for any purpose.
- Quartz Prospecting Claim.
- Quartz Extended Claim.
- Quartz Prospecting Area.
- Ordinary Quartz Claims.

Any person desirous of obtaining a registered right to any of the above-mentioned privileges, shall give notice to the Warden and to all persons whose interests will obviously be affected, and shall obtain from the Warden's Office, and post and maintain for seven clear days, copies of such notices, in such conspicuous places as are hereinafter more particularly specified.

2. NOTICES TO CONTAIN PARTICULARS.

All notices must contain the name of each member of the party, together with the number of his Miners' Right; and there shall also be set forth in the notice a statement, signed by the Warden or his clerk, of the time and place at which the application and objections (if any) will be heard and decided.

3. WHERE NOTICES ARE TO BE POSTED.

Notices for application for races, or tramways, or diversion of a creek, must be posted at each end of the proposed corner of the race, tramway, or diversion, and at each separate source of a head-race; and the intended course must also be conspicuously indicated by pegs or flags placed not more than 100 yards apart, or if through bush, by a blazed line.

Notices of application for tunnels must be posted at the mouth of the tunnel, and also on the claim.

All other notices must be posted on the claim, right, or privilege to which the application refers; and in all cases one copy of each set of notices must be left with the Warden, to be posted in such places as he may think fit.

4. OBJECTIONS.

Any person objecting to the grant of any privilege for which application has been made, shall give notice to the applicant, and shall appear to substantiate his objection at the time and place appointed for the hearing.

5. HEARING.

At the time and place appointed for the hearing, the name of the applicant's party shall be called, and the application and objections heard; and if no valid objection is lodged, and if the Warden sees no valid objection, he may issue for any of the above-mentioned privileges a Certificate of Registration (containing the names of those whose Miners' Rights have been produced), upon such terms as he may think necessary or desirable for the public good.

6. COSTS.

The Warden may, when he considers that any applicant or objector, either by failing to appear, or by the frivolous or vexatious nature of his application or objection, has caused any person unnecessarily to incur expense, allow such expenses as he may consider just and equitable.

7. CERTIFICATE TO BE CANCELLED.

If any certificate of Registration shall have been obtained by misrepresentation, or if any of the prescribed conditions have not been duly complied with, or if, after the issue of any certificate any objector shall appear and show to the satisfaction of the Warden that he has a valid objection, and shall also show good cause for not having appeared at the time and place appointed for the hearing, the Warden may, upon proof thereof, cancel such certificate, or make such other order therein as may be just and equitable: provided that no certificate shall be invalidated by reason of any technical informality in any of the proceedings.

8. REGISTRATION.

All claims, rights, and privileges, mining partnerships and agreements between holders of Miners' Rights or Business Licenses may be registered; but all privileges for which it is necessary to post notices of application, and all quartz claims, prospecting claims, and tunnelling claims must be registered.

9. TRANSFERS.

Any claim, right, or privilege held under these Regulations may be transferred or assigned; but in all cases where it is provided that any such claim, right, or privilege must originally be registered, the transfer or assignment thereof must also be registered and noted on the back of the original certificate.

10. CERTIFICATE RENEWABLE ANNUALLY.

Every Certificate of Registration shall be brought to the Warden for renewal annually, and if any such grant or certificate is not so brought within thirty days after the expiration of twelve months from the date at which it has been granted, it may be deemed to be forfeited, and the registration thereof may be cancelled, unless good cause to the contrary be shown to the satisfaction of the Warden.

11. REGISTRATION FEES.

The fees payable in respect of the registration of extended claims and prospecting claims shall be ten shillings; residence areas, special sites, and protection for hut or building, five shillings; and all other registrations not elsewhere specified, two shillings and sixpence: and such fees shall include payment for copies of notices, but not for any survey or other expenses.

12. INFORMATION TO BE OBTAINED FROM REGISTRAR.

Any person requiring any information from the mining registers, may obtain the same on payment of one shilling, and it shall be the duty of the Mining Registrar, or, if there is no Mining Registrar, of the Warden's Clerk, to furnish such information.

XI.—WATER RIGHTS AND RACES.

1. APPLICATION.

Any person desirous to obtain a registered water-right, or to construct a head-race, tail-race, or flood-race, or a branch-race for the distribution of water, or to alter or extend a race, shall proceed as directed by Section X.

2. GROUND ALLOWED ON EACH SIDE OF A RACE.

The holder of a certificate of registration for a race shall be entitled to occupy, as a site for such race, five feet on each side of its central line; provided that this regulation shall not apply to such portions of a race as may be flumed, or to branch races.

3. SUPERIORITY OF RIGHT.

Superiority of right to a supply of water shall be determined by priority of occupation, the earlier occupant having the superior right. In all cases when the occupier claims, under a certificate or other authority in writing, granted by a Warden or Commissioner, occupation shall be taken to have commenced at the date of such certificate or authority.

4. RACES TO BE COMMENCED WITHIN ONE MONTH.

The cutting and formation of races must be commenced within one calendar month from the date of

registration, and the occupiers shall continue cutting and forming the same until the work is completed, otherwise any superiority of right to which they may be entitled by virtue of such registration shall be deemed to be forfeited.

5. ABANDONMENT OF RACES.

All right to any race shall become forfeited if abandoned for the space of one calendar month, unless in case of sickness or unavoidable absence, or in consequence of failure of water; but it shall be lawful for the Warden, in his discretion, upon sufficient cause being shown, to suspend the operation of this regulation for a further period; and a certificate of such suspension shall be given in writing to the occupiers, who shall post a copy of such certificate at the head and termination of the race; and no such suspension shall continue in force for more than one month at a time.

6. HEADS OF RACES.

All races that may hereafter be cut shall have a point specified at which they shall be taken from the creek or river. In races already cut, this point shall be taken to be the spot from which the race now heads. No person shall shift or alter the head of any race without the written sanction of the Warden, nor to the prejudice of any existing right.

7. INSUFFICIENT SUPPLY OF WATER.

If the water flowing in any creek or river is insufficient to supply all the races connected therewith, the owner of any right shall, on receipt of a written notice from the owner of a superior right, stating that the supply of such superior right is less than he is entitled to, immediately cease to use the water, or such portion thereof as may be necessary to make up the supply of the superior right.

8. WATER TO BE LEFT RUNNING IN CREEKS.

The holders of water-rights shall not be entitled to take water from any river or permanent stream, when by so doing they will reduce the quantity of water in such stream to less than one sluice-head.

9. WATER GAUGE.

A sluice-head of water shall be twenty superficial inches, with a pressure of seven inches above the centre of the aperture from which it flows.

Water shall be gauged by a box twelve feet long, and of the depth and width shown in the annexed tables and diagram, all measured in the clear.

The box shall be placed on a level, and must not be covered, but must be kept full without overflowing. The entrance end of such box must be left entirely open, but the exit end must be fitted with a bar two inches high, affixed to the floor of the box, and with a pressure-board affixed to the top of the box, leaving an aperture of twenty square inches for each sluice-head allowed.

When more than one sluice-head is to be gauged, the box may be enlarged either horizontally or vertically, but there must always be a depth of seven inches from the top of the box to the centre of the aperture; and this object must be obtained by making such alterations in the dimensions of the pressure-

board and box as are shown in the accompanying tables and diagram :—

WIDTH OF BOX TEN INCHES.				
No. of Heads.	Pressure Board.	Opening.	Bar.	Total depth of Box.
1	6 inches	2 inches	Two inches in all cases.	10 inches.
2	5 "	4 "		11 "
3	4 "	6 "		12 "
4	3 "	8 "		13 "
5	2 "	10 "		14 "
6	1 "	12 "		15 "
7	Nil.	14 "		16 "

WIDTH OF BOX TWENTY INCHES.				
No. of Heads.	Pressure Board.	Opening.	Bar.	Total depth of Box.
1	6½ inches	1 inch	Two inches in all cases.	9½ inches
2	6 "	2 inches		10 "
3	5½ "	3 "		10½ "
4	5 "	4 "		11 "
5	4½ "	5 "		11½ "
6	4 "	6 "		12 "
7	3½ "	7 "		12½ "
8	3 "	8 "		13 "
9	2½ "	9 "		13½ "
10	2 "	10 "		14 "
11	1½ "	11 "		14½ "
12	1 "	12 "		15 "
13	0½ "	13 "		15½ "
14	Nil.	14 "		16 "

NOTE—When not more than seven sluice-heads are to be gauged, either of the above scales may be used.

10. WATER TO BE GAUGED WHEN DEMANDED.

All holders of water rights shall place a gauge-box in their respective races, within seven days after receiving a written notice from any person entitled to receive a supply of water from the same source; but when the sluice-head of water allowed by Clause 8 is required in the natural course of a stream, it shall be the duty of the person requiring it to gauge it immediately above the point where the water is required.

When water is taken from one source only, the supply shall be gauged at the source of supply; but if the race is fed or supplied in part by any side stream or streams, the gauge-box shall be placed immediately below the last of such side streams.

11. NUMBER OF SLUICE-HEADS ALLOWED.

The number of sluice-heads allowed for any race shall, in ordinary cases, be one head for each person; provided that in races not exceeding one mile in length, it shall not be lawful for the Warden to grant any water-right exceeding four sluice-heads, unless there shall appear to him to be extraordinary difficulties in the construction of the race; and that in races exceeding one mile in length where a large outlay is required, any larger number of sluice-heads may be allowed, due regard being had to the amount of water in the source from which the race heads, and to the probable requirements of the persons in the neighborhood thereof; and provided also, that there shall be engaged in making beneficial use of the water at least one person for each sluice-head.

12. 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.

13. KEEPING RACES IN REPAIR, BRIDGING, ETC.

The holder and occupier of any race shall keep the same in repair, and shall make an efficient bridge where any road in ordinary use is crossed by the race.

14. 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, and of any enlargement that may be rendered necessary by such use: provided that the person so using any tail-race shall bear an equal share in any labor or expense incurred in clearing the same, or such portion thereof as may be so used, whenever it shall be necessary to do so; and provided also, that in cases of ground-slucing, it shall be at the discretion of the Warden whether a party shall be entitled to use the tail-race of another claim, and if so, on what terms.

15. CONTROL OF TAIL-WATER.

All right or control over water shall continue in the holder of the water-right until the water leaves any claim, channel, or tail-race to which he is legally entitled.

XII. DAMS AND PUDDLING MACHINES.

1. NOTICE OF CONSTRUCTION TO BE GIVEN.

Any person intending to form a dam or erect a puddling machine, shall proceed as directed by Section X.

2. 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 person desirous of erecting such machine.

3. MAIN SLUDGE CHANNELS 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.

4. 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.

5. SLUDGE DRAINS AND CHANNELS TO BE KEPT CLEAR.

Main sludge channels shall be kept clear and in good repair by the joint labor 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.

6. FORFEITURES 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.

7. INJURY TO PROPERTY BY DAMS.

If any claim shall be flooded or property injured by the bursting or overflow of any dam or sludge channel, the owner of such dam or sludge channel shall be liable for any loss or damage occasioned thereby; provided that it is proved to the satisfaction of the Warden that such breaking away or overflow resulted from the faulty construction of such dam or sludge channel, or from the negligence of the holders thereof.

XIII.—ROADS AND TRAMWAYS.

1. RIGHT OF ROADWAY.

Every person holding a claim under these Regulations shall be entitled 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 in common use, nor drive underneath, nor in any way interfere with such road without first obtaining the authority of the Warden.

4. HOLES NEAR ROADS TO BE FENCED.

If any person shall sink a shaft or make any excavation within the distance of twenty feet from any road, footpath, or crossing-place in ordinary use, he shall properly protect such shaft or excavation by a sufficient barricade to the satisfaction of the Warden, and no person shall at any time remove or injure such barricade.

5. ROADWAY ALONG BANKS OF RIVERS, ETC.

A width of two chains, for the purposes of public roads and wharves, shall be reserved from occupation

along the banks of all rivers, lakes, and other water navigable for boats, provided that it shall be in the power of the Warden to allow mining thereon, subject to such conditions as he may deem necessary.

6. TRAMWAYS AND SHOOTS.

Any person desiring to construct a tramway or shoot for mining purposes, and to occupy an area of ground for such tramway or shoot, shall proceed as directed by Section X.

XIV.—PROTECTION.

1. PROTECTION FOR FOURTEEN DAYS.

The Warden may, without prior notice, grant protection to any claim for a period not exceeding fourteen days, and such protection shall be given in writing, in the form set forth in Schedule H, and a copy thereof shall be posted on the claim.

2. PROTECTION FOR AN EXTENDED PERIOD.

If any person shall be desirous of obtaining protection for a claim for a longer period than fourteen days, he shall give notice, and otherwise proceed as directed by Section X.

3. NOTICE OF PROTECTION TO BE POSTED.

When any claim is under protection for a longer period than seven days, the occupier thereof shall post, and at all times maintain on some conspicuous part of the said claim, a board not less than nine inches square, with the word "PROTECTED," and the number of his Certificate painted legibly thereon.

4. PROTECTION DURING NOTICE.

When any notice has been given and posted in conformity with these Regulations, the claim, right, or privilege to which such notice may refer, shall be protected during the currency thereof, and until the application has been finally dealt with by the Warden.

5. PROTECTION DURING OPERATION.

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 shall be actually engaged in operations connected therewith.

6. REGISTRATION OF HUTS.

The holder of a Miner's Right may, on application to the Warden, register his hut or place of abode; and any hut or place of abode so registered shall be protected during the absence of the owner for such a period, not exceeding six months, as may be assigned.

7. HOLIDAYS.

All claims, rights, and privileges shall be deemed to be protected while the holders thereof are attending elections of members of the House of Representatives, or of the Provincial Council, or of other public bodies, or attending any Court of Justice; and also during the following periods, viz., from Good Friday to

Easter Tuesday inclusive, on her Majesty's birthday, from the 22nd December to 5th January inclusive, and on any day proclaimed a public holiday.

8. LUNACY, ETC.

No claim, right, or privilege shall be deemed to be forfeited or abandoned in consequence of the death, lunacy, or bankruptcy of any person; but every such claim, right, or privilege shall be protected for the benefit of his heirs, executors, trustees, creditors, or representatives, as the case may be, provided that expenses incurred in working any claim shall be paid out of the proceeds thereof.

9. STACKING AURIFEROUS SUBSTANCES.

Any person wishing to retain possession of 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.

XV.—SPECIAL SITES.

Any person who may be desirous of obtaining a site for the erection of machinery, or for stacking tailings, headings, or other substance, or as a washing site, or for any other special purpose, shall give notice, and otherwise proceed as directed by Section X.

XVI.—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 land not exceeding half an acre, or 2240 square yards.

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 \square trenches, or substantial posts standing at least three feet above the surface, and shall give notice and otherwise proceed as directed by Section X.

3. SPACE TO BE LEFT BETWEEN RESIDENCE AREAS.

A space of seventeen feet shall at all times be left between residence areas for the purposes of a road, and no person shall be entitled to occupy more than one residence area.

4. TENT GROUND.

The holder of a Miners' Right shall be entitled to occupy for residence an area of twelve by twenty-four feet without registration: provided that such area shall not be taken up on known auriferous ground, nor in the line of any workings, nor on land set apart for business purposes.

XVII. BUSINESS SITES AND LICENSES.

1. BUSINESS LICENSE.

The fee for a Business License shall be £5 for an annual license, £3 for a half-yearly license, and £2 for a quarterly license; and the holder of any such license shall be entitled, subject to the ensuing regulations, to occupy in surveyed townships one surveyed allotment of an area not exceeding forty perches, or on land not surveyed an area of a frontage of thirty-three feet and a depth of ninety-nine feet; provided that such area shall not be taken up on any mining claim or in the line of any workings.

2. TOWNSHIPS MAY BE SURVEYED.

The Warden may, whenever it shall be necessary for the public convenience, set apart land to be occupied for business purposes, and direct a surveyor to lay out such land in the most convenient manner; and no person shall occupy any part of any land so set apart except under a Business License, and any site marked out previously to such survey shall be held merely on sufferance subject to such survey, and the whole or any portion of such site may be taken for streets or public reserves, if required for the public convenience; provided that such survey shall not affect the right of any holder of a business site to so much of a surveyed section as lies within the limits of his original site.

3. SITES TO BE MARKED BY PEGS.

Occupants of sites for business purposes shall place and maintain at each frontage corner of such site, in addition to any survey pegs which may be there, a peg not less than two inches square, standing at least one foot above the surface.

4. SPACE BETWEEN BUILDINGS.

In order that, if required, a right-of-way may be left between buildings, the owner of a single business site shall only be entitled to build upon twenty-seven feet of his frontage. The holder or occupier of two or more adjoining sites may build upon thirty-three feet frontage for each additional site.

5. STREETS.

A space of sixty-six feet shall at all times be left for a road or street between the frontages of business sites, and no person shall on any pretence whatever encroach upon such road or street.

6. OCCUPANCY OF SITES.

Business sites can only be held or occupied by holders of business licenses; and to constitute sufficient occupation to hold a business site, it shall be necessary either that the owner of a business license shall be actually residing thereon, or that such considerable business or operations be carried on upon the site, or in connection therewith, as shall in the opinion of the Warden amount to *bona fide* beneficial occupation; and any site unoccupied for more than twenty-four hours, if it be not protected, shall be deemed to be forfeited, unless sufficient reason, such as sickness or other urgent cause, be proved to the satisfaction of the Warden.

7. REGISTRATION.

All protections and renewals of protection of business sites shall be registered, and the fee for each registration or renewal shall be five shillings.

8. BUILDINGS ON ABANDONED SITES.

Any person taking possession of a forfeited or abandoned business site on which a building has been erected, may, if the building be not removed within seven days of such possession being taken, either remove it at the expense of the owner thereof, or take possession of it, and pay to him compensation, to be estimated by valuation.

XVIII. GENERAL REGULATIONS.

1. MACHINERY TO REPRESENT LABOR.

The erection of machinery for the working of claims shall be deemed equivalent to manual labor in the following manner, that is to say, each sum of £500 expended in machinery shall be equivalent to the labor of one man for twelve months.

2. INTERFERENCE PROHIBITED.

No person shall, under any pretence whatever, damage, destroy, or otherwise interfere with any race, dam, or water therein, or with any sludge-channel, drain, machine, or other appliance connected therewith, or with any claim, pegs, or notices, or other right or privilege lawfully held, unless the sanction of the owners thereof, or the authority of the Warden, shall first have been obtained for interference.

3. COMPENSATION IN CASE OF FORFEITURE.

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 performed, which may be of any actual benefit to the person to whom the claim or right that is forfeited may be awarded.

4. PERMISSION TO ENTER CLAIMS.

The Warden shall have power to authorise in writing the entry of any surveyor, assessor, or any other person 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, or for any other purpose.

5. POWER TO ENTER QUARTZ CLAIMS AND WORK ALLUVIAL GROUND.

Any quartz claim may include within its boundaries any river, permanent stream, or spring, provided always that in such case the bed of such river or stream, and a distance of one chain at right angles from each bank thereof, shall be reserved for the purpose of alluvial mining, and it shall be lawful for any person to work the said reserve for such purpose, provided he does not interfere with the original holder, nor shall any such alluvial workings be carried

on within a distance of fifty feet of where a quartz reef is visible, or within the same distance of any quartz workings.

6. NEGLIGENCE OF WARDEN'S ORDERS.

No person shall neglect or refuse to comply with any lawful notice or order given by the Warden.

7. RACES, ETC., MAY BE CARRIED THROUGH CLAIMS.

The Warden shall have power, when it shall be proved to his satisfaction to be necessary, to authorise any person to pass any race, tunnel, road, or tramway, over, under, or through any claim or right; provided that compensation shall be paid for estimated damage, if any, prior to the commencement of the construction of any such race, tunnel, road, or tramway; and provided also, that this shall not affect the right of the holders of any claim to any gold which may be in any ground over, under, or through which such race, tunnel, road, or tramway is taken.

8. SITE PROVING AURIFEROUS.

Any person desirous of mining for gold upon any business site, residence area, or special site, or upon any ground on which any race, tramway, shoot, dam, machine, or other right or privilege is situated, or upon any road or public reserve, may do so; provided that, before commencing work, an equally good road, race, tramway, or dam be constructed, or compensation be paid at a valuation for any estimated damage; and provided also, that the sanction of the Warden be first obtained; and the Warden may 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; and in the case of business sites and public roads and reserves, he may require that a sufficient sum be deposited in his office as security for the fulfilment of any conditions imposed.

9. PLURALITY OF SHARES.

No person can possess a title to more than one claim, unless he holds an additional Miner's Right for each additional claim. *Vide* Section VIII., "Gold-fields Act, 1866."

10. CLAIMS NOT TO BE FORFEITED BY NEGLIGENCE OF HIRED WORKMEN, CONTRACTOR, TRIBUTOR, OR TENANT.

No claim, right, or privilege shall be deemed to be forfeited through the neglect of any hired servant, contractor, tributor, or tenant thereon: provided that, if after seven days' notice in writing of such neglect or absence has been given to the owner or holder thereof (either personally or by leaving the same at his last known place of residence), such neglect or absence is continued, any such claim, right, or privilege shall be deemed to be absolutely relinquished.

11. WAGES MAN MAY BE PUT ON.

When any person is absent from a claim, the other shareholders may, if they think proper, put on a wages-man to supply his place, and such wages-man shall have a lien on the claim for the amount of wages due to him.

12. VENTILATIONS.

Where the underground works of two or more claims communicate with each other so as to afford the means of ventilation, such ventilation shall not be obstructed by the owners of any one of such claims without the written consent of the owners of all claims affected.

13. CAUSING CLAIMS TO BE FLOODED.

No person shall back the water of any creek, river, race, or watercourse upon any claim, to the injury of any person, or otherwise cause any claim to be flooded, either wilfully or by neglect.

14. OBSTRUCTIONS TO WATER-COURSES.

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

15. DISPOSAL OF TAILINGS.

In all creeks or watercourses used for general washing sites, the following regulations shall be observed :—

(a). No box shall be placed in the centre of a creek so as to impede the natural flow of water.

(b). All flood-gates shall be left open for one day in each week, at the convenience of the majority of the parties washing in the creek, for running off tailings.

(c). The Warden may order, if it be required, that all parties assist in making and keeping clear a good flood channel in the centre of the creek, or other convenient course, to be used by all parties for running down tailings, and such channel shall be properly secured.

16. GROUND TO BE SECURED.

The Warden may, whenever he may deem it necessary for the public good, make such order as may be required for the proper securing or safe working of any claim, or order the suspension of work in any claim until it can be worked without danger to others.

17. LOST MINERS' RIGHT.

When, in compliance with Section XLVII., of "The Goldfields Act, 1866," a Certificate is applied for on account of the loss of a Miner's Right, a parchment Miner's Right of the same date as the original one may, at the option of the applicant, be issued on payment of a fee of two shillings and sixpence, which shall include the fee for certificate provided by the Act and all other expenses.

18. NUISANCES.

The Warden may order the removal of any slaughter yard or piggeries, or any nuisance, at the expense of the owner, and may prohibit the exercise of any noisome or unwholesome trade.

19. FELLING TREES ACROSS ROADS OR CLAIMS.

Any person who may fell, or cause to be felled, any tree across or upon any road, foot-path, crossing-place, claim, water-race, or other right or privilege, shall cause the same to be removed within twelve hours after the felling of such tree, or notice of such obstruction being given.

20. REMOVAL OF SLABS OR PROPS.

No person shall remove slabs from any abandoned shaft without filling up such shaft as the slabs are removed; and no person shall remove any props or timber, the removal of which may endanger any claim, right, or privilege.

21. SUSPENSION OF REGULATIONS.

If any portion of the Rules and Regulations of the Nelson South-west Goldfields shall be deemed to be inapplicable to the requirements of any district, the Superintendent may, if he shall think fit, upon the receipt of a memorial to that effect, signed by holders of Miners' Rights and Business Licenses residing in such district, suspend the operation of any regulation, or section of a regulation, so far as such district is concerned, and may again annul such suspension, renew the operation of such regulation or section, or may substitute others in lieu thereof.

SCHEDULE OF FORMS.

SCHEDULE A.

NOTICE OF INTENTION TO AMALGAMATE CLAIMS.

To the Warden at

[District and date.]

We hereby apply to amalgamate our claims situate for the following reasons.

Names.	Number of Miner's Right.	Number of Claims to be amalgamated	Class of Claims.	Area of Claims held by each Party

Objections will be heard at _____ on the _____ day of _____ 187 _____ Warden.

SCHEDULE B.

NOTICE OF INTENTION TO DIVERT A CREEK.

To the Warden at

[District and date.]

No. _____ I hereby give notice, that I propose to divert the course of _____ and to form a new channel therefor, commencing at a point situate _____ and terminating at a point situate _____

[State names, and numbers of Miners' Rights.]

Objections will be heard at _____ on the _____ day of _____ 187 _____ Warden.

SCHEDULE C.

FORM OF APPLICATION FOR EXTENDED CLAIMS.

To the Warden at

[District and date]

I [or we] hereby give notice, that I [or we] desire to obtain an extended claim of situated at and I [or we] deposit herewith the sum of Five Pounds as security for the payment of any expenses connected therewith.

[Signature, with date and number of Miners' Right held by each member of the party.]

SCHEDULE D.

FORM OF NOTICE TO BE POSTED BY SURVEYOR.

To all Persons whom it may concern.

I hereby give notice that did on the day of 187 residing of apply to me for an "Extended Claim" of land, which the Mining Surveyor has this day marked out, and that any person desiring to object to such extending claim must, within seven clear days from the date of this notice, enter his objection at my office. And I further give notice, that I will hear and determine this application, and the objection (if any) lodged thereagainst, at my office aforesaid, on the day of 187.

Dated the day of 187 Warden.
Posted by me this day of 187 Mining Surveyor.

SCHEDULE E.

NOTICE OF APPLICATION FOR RACE, TUNNEL, OR TRAMWAY.

To the Warden at

No. [District and date.]
We hereby give notice that we intent to construct a for mining purposes, commencing at a point and terminating

The length of the is or thereabouts, and its intended course is
The number of sluice-heads which we desire to obtain is

[Names and numbers of Miners' Rights.]
Objections will be heard at 187 on the

Warden.

SCHEDULE F.

NOTICE OF APPLICATION FOR SPECIAL SITE FOR DAM OR MACHINE.

To the Warden at

No.

[District and date.]

We hereby apply for a certificate of Registration for an area of at

[Names, and numbers of Miners' Rights.]
Objections will be heard at 187 on the

Warden.

SCHEDULE G.

FORM OF NOTICE OF APPLICATION FOR PROTECTION.

No.

[District and date.]

I hereby give notice that I desire to obtain a Protection Certificate for my claim situate at and that the following particulars are true in all respects:—

1. Classification of Claim.
2. Date at which occupation commenced.
3. Time during which the Claim has been worked.
4. The Claim [has not, or has] been protected before.
5. Cause for which protection is required.

[Names, and numbers of Miners' Rights.]

Objections will be heard at 187 on the day of

Warden.

SCHEDULE H.

FORM OF PROTECTION.

No.

[District and date.]

I hereby give notice that I have granted protection for days to the claim occupied by and situate at

Warden.

SCHEDULE K.

RESIDENCE AREA.

No.

District of

186

I hereby give notice, that I desire to occupy for residence of land situate at and that I have this day marked the corners of such land with in conformity with the Regulations herein made and provided.

Signature of the Applicant, }
and the number and date }
of his Miner's Right.

GOLDMINING LEASE REGULATIONS.

1. INTERPRETATION.

Whenever the term "Warden" is used in these Rules or Regulations, it shall be taken to mean Commissioner, Warden, or Resident Magistrate, or any other officer entrusted with the superintendence of the Goldfield, or any portion of it, and holding a commission under the hand of the Governor, duly empowering him to have charge thereof.

2. WHAT LANDS MAY BE LEASED.

Auriferous Crown lands in the Province of Nelson may be leased under these Regulations, except—

- (1) The whole or any part of any land which any person other than the applicant is entitled to occupy, and actually does occupy, for mining purposes or for residence, by virtue of a Miner's Right or Business License.
- (2) The whole or any part of any land in or over which any person other than the applicant has any interest or authority other than those above-mentioned, which he may lawfully use and exercise for mining purposes, or for discovering the existence of gold or other metal or mineral.

3. BOUNDARIES OF LAND APPLIED FOR TO BE DEFINED.

Persons intending to apply for a lease of auriferous Crown lands shall, previous to making application as hereinafter directed, erect, or cause to be erected at each angle of the land proposed to be leased, a post three inches square, and standing at least three feet in height above the surface of the ground; and such posts shall be maintained at the expense of the applicant until the application shall have been granted or refused by the Governor.

4. MODE OF APPLICATION.

Application shall be made in the form in the Schedule hereunto annexed, marked A, and shall be addressed in duplicate to the Warden of the Goldfield within which the land so applied for is situate.

5. APPLICANT TO MAKE A DEPOSIT, ETC.

At the time of applying for such lease, the applicant must deposit with the Receiver of Gold Revenue a sum equal to one year's rent, not being more than twenty pounds (£20), of the said land so applied for, as a guarantee for the payment of any expenses which may be incurred by the survey of the land applied for, or by reason of any objection to such application being allowed; and such Receiver shall give to the applicant a receipt therefor in the form in the Schedule hereunto annexed, marked B, and any surplus will be held for the first year's rent if the application is approved; and if the application is disallowed or withdrawn, or if the applicant within one month after notice by the Warden that the lease is prepared, shall not accept the same, the amount will be returned to the applicant, after deducting all expenses incurred as aforesaid.

6. OFFICIAL SURVEY.

Upon receipt of such application and deposit, the Warden aforesaid shall, as soon as may be, direct a surveyor to proceed to the land applied for, and to survey the same, and to report as to the area, boundaries, and description thereof, the character of the ground, the likelihood of any river, creek, or permanent water spring, or artificial reservoir which may be included within the boundaries of the said land, being required for, or the feasibility of the same being applied to, public purposes, or for the use of the miners of the district generally; and also as to any claims of prior occupancy which shall come to his knowledge, inquiry as to which it shall be his duty to make while making the said survey; and to furnish a plan of such land, on a scale of sixteen inches to the mile, together with a tracing of so much of the general map of the district as will be sufficient to connect the particular area applied for with at least one trigonometrical station, or, in the absence of any such, with some fixed point.

7. SURVEYS MADE AT EXPENSE OF APPLICANT.

All surveys shall be made at the expense of the applicant.

8. SURVEYOR TO AFFIX NOTICE.

The surveyor shall at the time of making the survey hereinbefore directed, place a notice in the form in Schedule hereunto annexed, marked C, in some conspicuous place on the ground, and shall post a copy of such notice on the outside of the Warden's office.

9. PRIORITY OF APPLICATION.

In the event of more than one application being made for the same land, or any part thereof, such one of such applications as shall have been first left with the Warden shall be first considered; and in case any two or more of such applications shall be left with the Warden at the same time, it shall be in the discretion of the Governor to which of the applicants the lease shall be granted.

10. OBJECTORS TO GIVE NOTICE.

Any person objecting to the issue of a lease so applied for shall, within fourteen days after the posting of the notice by the Surveyor, forward to the Warden full notice of all such objections, and shall (except in cases of encroachment) deposit with the Receiver of Gold Revenue a sum, to be fixed by the Warden, not exceeding ten nor less than five pounds, and such Receiver shall give to the person making such deposit a receipt in the form in the Schedule annexed, marked D, as security for the due prosecution of his objections, and in satisfaction of any expense to which the applicant may be put by such objections if disallowed; and if such objections should not be prosecuted, or should fail, so much of such deposit shall be handed over to the applicant as may be necessary to repay the expenses of such applicant, and the balance (if any) shall be refunded to the person so objecting.

11. CASES OF ENCROACHMENT.

When applications shall have been made for a lease of any land, to the whole or any part of which any person other than the applicant shall claim to be entitled by virtue of prior occupation under a Miner's Right or Business License, the objection to the granting of such lease may be heard by the Warden in the same way as a case of encroachment under the Goldfields Act, and such Warden shall immediately report the hearing of any such objection, and the decision arrived at therein, to the Superintendent of the province.

12. INQUIRY INTO APPLICATION.

After the expiration of fourteen days allowed for objections, the Warden shall appoint a time and place for holding an inquiry into the truth of the particulars alleged by the applicants, and of the objections (if any) made by each objector, and two clear days' notice of the hearing of such inquiry shall be given to each of the parties interested therein.

13. PROCEEDINGS AT INQUIRY.

At such inquiry, the Warden shall take evidence in relation to the application and objections, and immediately thereafter he shall forward to the office of the Provincial Secretary the application and objections (if any) thereto, and the evidence taken by him as aforesaid, with his opinion thereon, together with the report, plan, and tracing furnished to him by the Surveyor as hereinbefore directed.

14. DATE OF LEASE.

Every lease shall bear date the day of execution thereof by the Governor, and shall within thirty days of the publication of the notice of the intention to grant the same, be executed and transmitted to the Warden, at whose office the same may be obtained; and the Warden shall deliver the same to the applicant, or such person as shall be duly authorised to receive and execute the same upon his application therefor, and execution thereof, within the time hereinafter prescribed, and upon delivery to the Warden of a receipt, showing that a fee of one pound, together with the first half-year's rent, has been paid to the Receiver of Gold Revenue for the district.

15. EXECUTION OF LEASE.

Upon receiving the lease, the Warden shall, within seven days, cause notice to be given to the lessee, or lessees, requesting his or their attendance at the Warden's office, or other convenient place, to execute and take delivery thereof within a reasonable time, not exceeding fourteen days from the date of such notice; and should the said lessee or lessees, or his or their lawful attorney, as hereinafter provided for, fail to comply therewith, or to show reasonable cause for an extension of the time allowed for the purpose, the Warden shall report the circumstances to the Provincial Secretary, and the Superintendent may thereupon declare the lease forfeited, or take such other action therein as he may think fit.

16. COSTS.

All costs and expenses incurred by, or on behalf of, or by direction of the Government, by reason of the withdrawal of any application for a mining lease, or of the non-execution of any such lease within the time aforesaid, shall be considered expenses within the meaning of the fourth clause of these Regulations.

17. TERM.

The term of the lease cannot in any case exceed fifteen years.

18. AREAS OF LEASES.

The extent of any lease on quartz lodes or veins shall be not more than 400 yards along the line of the lode by a width not exceeding 200 yards measured across the lode, and in alluvial workings an area not exceeding ten acres.

19. RENT.

The rent to be charged under these Regulations shall not exceed two pounds per acre per annum for every acre or portion of an acre comprised in the lease, and shall be payable half-yearly in advance.

20. PRIORITY OF RIGHT.

When an application for a lease shall be made by any person holding a quartz claim for the purpose only of obtaining a better title thereto and such application shall be refused, notice of such refusal shall be served upon such person who shall have the prior right to take up the land so applied for as an ordinary quartz claim, provided the same shall have been continuously worked and fully occupied between the time of application and refusal, and in the event of such claim not being pegged out by such person within seven days from the service of such notice, the same shall be open for occupation by any other person, provided always that where such priority of right is exercised, it shall not be necessary to have such claim re-surveyed.

21. POWER TO ENTER GROUND LEASED FOR QUARTZ-MINING, AND WORK ALLUVIAL GROUND.

Any ground leased for quartzmining may include within its boundaries any river, permanent stream, or spring: provided always that in such case the bed of such river or stream, and a distance of one chain at right angles from each bank thereof, shall be reserved for the purpose of alluvial mining, and it shall be lawful for any person to work the said reserve for such purpose, provided he does not interfere with the lessees, nor shall any such alluvial workings be carried on within a distance of fifty feet of where a quartz reef is visible, or within the same distance of any quartz workings.

22. TRANSFER.

Whenever any application for a lease shall be recommended, the Warden shall, upon payment of a fee of five shillings, issue to the applicant a certificate in the form or to the effect in Schedule E, hereto, and it shall be lawful for such applicant to substitute the

name of any other person in lieu of his own, such substitution to be endorsed on such certificate by the Warden, on payment of a fee of two shillings and sixpence, the name of such substitute shall be the name to be inserted in such lease as the lessee at the time of the execution thereof.

23. TRANSFER OR ASSIGNMENT OF LEASES TO BE REGISTERED.

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

24. 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.

25. ATTORNEY MAY BE APPOINTED.

In case of the inability of any lessee or lessees, by reason of absence, sickness, or any other lawful impediment, to execute a lease, the lawful attorney, or attorney of such lessee or lessees, shall be permitted to execute such lease for and on his or their behalf.

26. POWER-OF-ATTORNEY.

All such attorneys shall be appointed under power-of-attorney, in the form or to the effect set forth in the Schedule hereunto annexed, marked F, and the execution thereof shall be attested by a Justice of the Peace; and every such power-of-attorney shall be registered in the office of the Registrar of Deeds before it shall be acted upon.

SCHEDULE OF FORMS.

SCHEDULE A.—CLAUSE 4.

FORM OF APPLICATION FOR LEASE.

[Place and date.]

To

SIR—I herewith deposit the sum of twenty pounds, as required by the Mining Lease Regulations of Nelson; and I agree, if my application (the particulars of which are hereunder set forth) be investigated, that such sum shall in all respects be held subject to the terms of such Regulations, and that, upon the approval of this application, I will execute a lease upon the basis, therein stated, if the Governor or his delegate shall think fit to grant the same.

I have, &c.,

[Signature of applicant.]

Name and Address in full of Applicant.	Style under which it is intended to conduct the Business.	Extent of Land applied for.	Minimum Number of Men to be employed by the Lessee.	Amount of Capital proposed to be invested.	Proposed Mode of Working the Land.	Precise Locality.	Term for which Lease required.	Time of Commencing Operations.	General Remarks.

SCHEDULE B.—CLAUSE 5.

FORM OF RECEIPT FOR DEPOSIT.

In the matter of the Application for a Lease under the Mining Lease Regulations.

Received from the above-named parties, the sum of twenty pounds (£20), pursuant to the Regulations for leases of land for gold-mining.

[Receiver of Gold Revenue.]

Dated, &c.

SCHEDULE C.—CLAUSE 8.

FORM OF NOTICE TO BE POSTED BY THE SURVEYOR.

To all Persons whom it may concern.

I hereby give notice that residing at _____ did on the _____ day of _____ 187_____ apply to the Warden at _____ for a Gold-mining Lease of _____ of land, which I have this day marked out, and that any person desiring to object to the issue of such lease must, within twenty-one clear days from the date of this notice, forthwith enter his objection at the office of the said Warden. And I further give notice that the said land is exempted from occupation for any purpose whatsoever until the application of the aforesaid has been finally dealt with.

[Signature of Surveyor.]

Dated the _____ day of _____ 18_____

SCHEDULE D.—CLAUSE 10.

FORM OF RECEIPT FOR DEPOSIT.

In the matter of the application of _____ for a Lease under the Mining Lease Regulations, and of objections thereto, lodged by A.B., C.D., &c.

Received from _____ the sum of _____ pounds (£ _____), pursuant to the Regulations for Leases of Crown Land for Gold-mining.

Dated, &c.

(Signature)
Receiver of Gold Revenue.

J. K. } Names of applicants, and addresses.
L. M. }

SCHEDULE E.—CLAUSE 22.

Warden's Office

187

I hereby certify that _____ is an applicant
with _____ others for a Goldmining Lease of
_____ acres, _____ roods, and _____ perches, situate at

Warden.

I hereby request that the name of _____ may be
substituted for mine in the application for Goldmining
Lease above referred to. Dated this _____ day of
187

[Signature]

The above certificate is hereby transferred to

Warden.

Warden's Office,

187

SCHEDULE F.—CLAUSE 26.

Know all men by these presents, that I, A.B., [or
we, A.B. and C.D.] do hereby make, nominate, con-
stitute, and appoint, and in my [or our] place and
stead put E.F., of _____, to be my
[or our] true and lawful attorney, for me [or us] and
in my name [or our names] to accept the lease of
auriferous Crown land for mining purposes for which
I [or we] on the _____ day of
187, applied, and the deed of which was on the
_____ day of 187, executed by his Excellency
the Governor's delegate, and for me [or us]
and in my name [or our names], and as my [or our]
act and deed, to sign, seal, and deliver such deed of
lease, and for me [or us] and in my name [or our
names] to enter into all such covenants and agree-
ments as I [or we] shall be required to enter into in
and by said deed or otherwise, in the matter of said
lease, and generally for me [or us] and in my name
[or our names] to do, execute, and perform all such
other acts, deeds, and things as may be necessary, or
may be required to be done, executed, or performed in
and about the acceptance and execution respectively
for me [or us] and in my name [or our names] of
such lease and deed of lease respectively; and I [or
we] do hereby ratify and confirm and covenant that I
[or we] will ratify and confirm all and whatsoever the
said E.F. shall lawfully do or cause to be done in or
about the premises by virtue of this power.

In witness thereof, &c.

AGRICULTURAL LEASE
REGULATIONS.

1. MODE OF APPLICATION.

Every application for an agricultural lease of Crown
Land within the Nelson Goldfields must be made in
the form of the first Schedule hereto, or to the like
effect, to the Warden of the district wherein the land
is situate; and copies of such application must be posted
and maintained by the applicant for a period of four-
teen (14) days, on boards standing not less than three
(3) feet above the surface of the ground, and erected
one at each corner of the land so applied for.

2. APPLICATION TO BE ADVERTISED.

A notice of every such application, and of the date
fixed for the hearing thereof with full particulars of
the locality of the land applied for, shall be advertised,
by and at the expense of the applicant, in such news-
paper circulating in the district as the Warden shall
direct; and a copy of the newspaper containing such
notice shall be produced to the Warden before he shall
proceed to hear the application.

3. DEPOSIT TO BE PAID.

Before any such application shall be received by the
Warden, the applicant must pay to the Receiver of
Gold revenue for the district a fee of five pounds, and
also a deposit of two shillings an acre towards the
expense of survey for every acre of land applied for.

4. BOUNDARIES MUST BE MARKED.

The boundaries of the land applied for must be
marked on the ground by _____ trenches, and substantial
posts standing not less than three (3) feet above the
surface at each corner thereof.

5. AREAS MUST BE RECTANGULAR.

Every area of land so applied for must be rectangu-
lar in form, unless a creek or river, or other natural
obstacle renders a deviation from the rectangular form
necessary, and shall be laid out in accordance with
Rules 1, 2, and 4 of Section 14 of the Nelson Waste
Lands Act 1863, and road frontages shall not, as a
general rule, exceed one third of the depth of a
section, except where the road intersects a section.

6. HEARING.

Upon a day to be appointed by him, the Warden
shall proceed to hear the application, but such hearing
may be adjourned from time to time, if any sufficient
or reasonable cause shall be assigned or known to the
Warden.

7. OBJECTIONS.

Objections to the granting of any application may
be made either in writing prior to, or verbally upon
the day of the hearing thereof; but every such
objection must be sustained at such hearing by the
objector in person, or by counsel.

8. SURVEYOR TO REPORT.

Before or at such hearing a report and plan by the Chief Surveyor, or some person authorised by him, shall be furnished to the Warden, setting forth the probably auriferous nature, or otherwise of the land applied for; the prior existence or otherwise of any claim or mining privilege thereupon; and the desirability or otherwise of reserving the whole or any portion of such land for roads, water races, or other public or necessary purposes; and such Surveyor shall also (if so instructed by the Warden) attend at the hearing to render such information as may be required.

9. WARDEN TO REPORT.

The Warden shall forward the application, together with the Surveyor's report, and all other documents relating to the application, to the Superintendent. And therewith the Warden shall report any reason known to him, why such application should not be granted, and also whether the applicant is the holder of any other land under the Agricultural Lease Regulations; and if so, specifying the extent and area of any such former holding. And such report shall include the Warden's recommendation as to the granting or refusal of the application.

10. PROTECTION DURING APPLICATION.

All applications for Agricultural Leases will be reserved for the final decision of the Superintendent; and land for which application shall have been made in the manner aforesaid shall be "protected" from the date of such application until such decision shall have been made known to the Warden.

11. OCCUPATION CERTIFICATE.

After the approval by the Superintendent of any application, and pending the issue of a lease, a certificate in the form in the third Schedule hereto will be issued to the applicant, and such certificate will bear date from the first day of the month wherein the application shall have been granted.

12. FAILURE TO TAKE UP CERTIFICATE.

If any applicant fails or neglects to take up his certificate within thirty (30) days after notice by advertisement in a newspaper circulating in the District, from the Warden that such certificate is ready for issue, such certificate may be forthwith cancelled, and upon such cancellation the deposit paid upon the application will be forfeited.

13. TERM OF LEASE.

Leases will be dated from the first day of January, April, July, or October, which may be next ensuing the date of the certificate issued under regulation 11.

14. CERTIFICATES TO BE EXCHANGED FOR LEASES.

If the holder of such certificate shall neglect for the space of thirty (30) days from the time of notification by advertisement in a newspaper circulating in the

district that the lease is ready for execution, to execute such lease and a counterpart thereof, the said lease shall become void and the ground declared open for occupation.

15. RENT.

The rent charged shall not exceed two shillings (2s.) per acre, payable half-yearly in advance from the date of the lease, and every fractional part of an acre will be considered as an acre, and charged accordingly.

16. REFUSAL OF APPLICATIONS.

In the event of the refusal to grant any application, the applicant will be entitled to a refund of the amount of his deposit less any charges that may have been incurred by reason of such application.

17. LEASE TO BE MADE OUT.

Immediately after the hearing, if there be no objection to the lease being granted, and the Warden recommends the granting thereof, all the documents relating to the application with the Warden's recommendation endorsed thereon, shall be forwarded to the Survey Office for the district and the Chief Surveyor shall cause the plan and description of the land applied for to be put on the form of lease in duplicate and forwarded to the Superintendent's office, together with the documents relating to the application.

18. EXEMPTIONS.

Agricultural Leases will not, except in special cases, be granted for land within the boundaries of proclaimed townships, or of public reserves, nor for any area including a permanent water-course, or which may present auriferous indications; and in all cases a public roadway, not less than 1 chain in width, will be reserved along the banks of rivers.

19. SALE OF INTERESTS.

The sale or transfer of any right, title, or interest to or in any application for an Agricultural Lease will not be permitted nor recognised, without the sanction in writing of the Superintendent.

20. CANCELLATION OF CERTIFICATES OR LEASES.

Every certificate and lease shall be subject to the conditions following (that is to say), that if the land be transferred without the sanction and authority of the Superintendent; or if planting, cultivation, or other permanent improvement be not commenced within three months after the issue of such certificate or lease; or if one-eighth in acreage of the land be not planted, cultivated or otherwise improved within twelve months from the date of any such certificate or lease; or if at any time during the currency of the lease, the land shall be neglected for a period of six months; or if any rent be not paid on the days appointed for payment thereof, the certificate or lease may be cancelled, and the interest of the holder of the certificate, or the lessee, as the case may be, absolutely forfeited; and in every case where such conditions shall not be expressed in any certificate or lease the same shall be implied therein respectively.

21. TRANSFER.

Certificates or leases, will not be transferable without the special sanction and authority of the Superintendent; and for every such transfer, when sanctioned, a fee of one pound (£1) will be charged; and no such transfer will be sanctioned in any case, unless and until the conditions with respect to improvements, shall have been duly complied with by the holder of the certificate, or the lessee, as the case may be, and until all rent due shall have been paid.

22. LAND MAY BE TAKEN FOR ROADS.

The right to survey through any land, held under certificate, or lease, such roads as may be deemed essential for public convenience, will be reserved; and also the right to throw them open to public traffic, subject to the allowance of valuation for the improvements, and for any standing and growing crops which may be in or upon such line of road at the period when possession thereof is taken by the Superintendent.

23. CONSTRUCTION OF WATER RACES.

The right to permit the construction of water-races through land held under certificate or lease, and to grant free entry to such land for the purpose of cleansing or repairing such water-races will also be reserved; with or without compensation to the holders thereof, and upon such terms and conditions as the Superintendent may from time to time appoint and determine.

24. AREA TO BE WITHDRAWN TO BE DEDUCTED.

When any land held under certificate or lease shall have been withdrawn for any of the before mentioned purposes, the area so withdrawn shall be deducted from the acreage originally granted, and the rent thereafter payable under the lease shall be reduced in the same proportion as the deduction bears to the entire acreage.

25. CONDITIONS OF ENTRY TO SEARCH FOR GOLD.

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 Superintendent 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 Superintendent shall determine; and there is also reserved the right of granting permission to prospect without compensation upon any unimproved land subject to such regulations as the Superintendent shall from time to time appoint in this behalf.

SCHEDULE I.

No.	Place.	Date.
To Warden		
I hereby apply for a Lease of Land for Agricultural Purposes situate at _____ and comprising _____ acres or thereabouts; and I deposit herewith the Receiver's receipt for _____ pounds _____ shillings and _____ pence, in accordance with the Agricultural Lease Regulations of the _____ day of _____ 187, made under the Goldfields Act, 1866.		
Signature (Name in Full) Address		
The above application will be heard before me at _____ on _____ the _____ day of _____ 187.		
A.B., Warden.		

SCHEDULE II.

Received from	Place.	Date.	No.
and deposit for survey on account of application for _____ acres of land situate at _____ under application No. _____ under the Agricultural Leases Regulations of the _____ day of _____ the sum of _____ pounds _____ shillings and _____ pence.			
C.D., Receiver of Gold Revenue.			

SCHEDULE III.

(Not transferable without the consent of the Superintendent.)

PROVINCE OF NELSON.

District of _____ 187.

Whereas the application of _____ for an Agricultural Lease of Crown Lands, situate at _____ and containing _____ acres _____ perches, was heard before me on _____ 187, and whereas the Superintendent has approved of the said application: This is to certify that the said _____ is hereby authorised to take possession of the Land so applied for, and the same to hold, use, and enjoy, subject to the terms and conditions specified in the Agricultural Lease Regulations in force at the date of the issue hereof.

A.B., Warden.

N.B.—This certificate is to be exchanged for a lease when the said _____ is notified that such lease is ready for his acceptance.

Given under my hand, this Eleventh day of August, in the year of our Lord One thousand eight hundred and seventy-three.

OSWALD CURTIS,
Superintendent.

WARDENS' COURTS.

RULES FOR REGULATING THE PROCEDURE AND PRACTICE OF WARDENS' COURTS.

(Vide *New Zealand Gazettes* No. 14, 1868, and No. 4, 1869.)

1. The Schedule of Forms and Scale of Fees hereunto annexed shall form part of these Rules.
2. In construing these Rules and Forms, the following terms, in inverted commas, shall bear the several meanings set against them respectively:—
“The Act:” The Goldfields Act, 1866, as amended by The Goldfields Act Amendment Act, 1867.
“Clerk,” “Bailiff:” The clerk, bailiff, or person duly appointed and authorised to act as such respectively.
“Oath” shall include affirmation.
Words importing the masculine gender only shall include females, and importing the singular number shall be extended to the plural number.
3. Every Warden's Court shall be holden in such place and at such times as the Warden shall appoint, and he may from time to time adjourn the Court.
4. There shall be for every Warden's Court a clerk, who shall be appointed by, and hold office during the pleasure of the Governor, or the Superintendent, or other person or authority duly delegated by the Governor to exercise such power under the Act.
5. It shall be lawful for the Warden to appoint a deputy, to act for the clerk, as often as he shall be prevented by illness or other cause from acting in his office, and an entry of such appointment, and the cause of the clerk's absence, shall be made in the minute-book of the Court.
6. The Clerk of the Court shall issue all summonses, warrants, and writs of execution, keep an account of all proceedings, take charge of and keep an account, in a book to belong to the Court, of all fees and fines payable or paid into Court, and of all moneys paid into and out of Court, adjourn the Court to any day he may deem convenient when from any cause a Court cannot be held on the day appointed, and shall do and perform all other acts and duties properly incident to the office of clerk.
7. There shall also be a bailiff of the Court, who shall be appointed by and hold office during the pleasure of the Warden thereof.
8. The bailiff shall attend the sittings of the Court, unless when his absence shall be allowed by the Warden, and shall, when required, serve all summonses and orders, and execute all the warrants and writs issued out of the Court, and in other respects shall be subject to the directions of the Warden.

9. The parties in every complaint, action, and proceeding, shall appear and act personally, or by a barrister or solicitor of the Supreme Court, or in the absence of any barrister or solicitor, and by leave of the Warden, by an agent to be appointed by the plaintiff or defendant, in writing: Provided that the Warden of any Warden's Court may, on being satisfied that any person is a fit and proper person to be registered as an agent to act in such Court on behalf of parties in any such complaint, action, or proceeding, register such person as an agent to appear and act at that Court for any such parties; and any person so registered may, so long as his name shall be on the register kept at such Court, have the right, in the absence of a Barrister or Solicitor, to appear and act for any party without express or further permission from the Warden of the Court, but such registration may be cancelled at any time by the Warden acting at such Court, on it being made to appear to him that such person has been guilty of misconduct, or is otherwise unfit to act for parties in such Court.

10. No officer of the Court shall, either by himself or by any partner or person in his employment, be directly or indirectly engaged as counsel, attorney, or agent for any party in any proceeding in the Court.

11. Every action shall be commenced by a complaint and summons, in the form or to the effect in the Schedule hereto annexed.

12. In the complaint and summons there shall be set forth the christian and surname, and place of abode and calling, and description of the complainant, and likewise of the defendant; but where the christian and surname of the latter are not known, he may be designated by any name or names which he may have acquired by usage or reputation.

13. In every complaint and summons there shall be set forth briefly, but distinctly and explicitly, the ground or cause of complaint; and if there be more than one ground or cause of complaint, each shall be stated substantively, and consecutively numbered; and there shall also be set forth the relief claimed.

14. The service of any summons shall be by delivering a copy of the same to the defendant (or if more than one, to each of them) personally; or if he cannot be found, by leaving such copy at his place of abode; or in case of co-partners, at the claim, station, or other place of business of the firm, at least twenty-four hours before the time appointed for the hearing, unless the Warden shall otherwise direct at the time of issuing the summons.

15. The summons may be served by the bailiff, or by any other person whom the Court may authorise; and he shall, by a certificate under his hand, certify the time and mode of such service, to be endorsed on the summons, without prejudice to the Warden taking proof thereof by oath, if he think fit.

16. Either party may obtain from the clerk of the Court, summonses to witnesses, to be served at the option of such party, either by himself or his agent, or by the bailiff of the Court, with or without a clause requiring the production of books and writings in their possession or under their control.

17. The parties shall be heard in open Court upon the day appointed; but the Warden may adjourn the hearing of any cause in such manner, and on such terms as to payment of costs and otherwise, as to him may seem fit.

18. If the complainant do not appear at the time appointed, and good cause for his absence be not shown, the Warden shall dismiss the complaint, and award a sum to the defendant as costs, or adjourn the hearing of the same.

19. If the defendant do not appear, the Court may either hold him as confessed, and give judgment accordingly, or institute such inquiry into the cause of action as may be deemed necessary, and thereupon pronounce such decision as may be consistent with the ends of justice.

20. The costs for the summoning and attendance of assessors shall be paid into Court before they are summoned.

21. It shall not be necessary to summon more than eight assessors to attend any one sitting of the Court; and those summoned for the trial of any one cause shall be deemed to have been summoned for the trial of all causes to be tried at the same sittings of the Court, with the assistance of assessors.

22. It being competent to the Court, whenever it shall see fit, to order the working of any miner's claim affected by any matter in dispute brought before the Court, to be suspended until such matter shall have been investigated and adjudicated upon, if in any complaint there shall be set forth sufficient grounds, in the opinion of the Court, for the interim order or injunction on the person complained against to desist from working his claim, or from any act or proceeding in the working thereof likely to cause irreparable or serious injury; and if such relief or remedy be then claimed, the Warden may issue such order or injunction in the meantime; and afterwards, on hearing the parties, may recal the same, or otherwise decide as he may see fit.

23. All the costs of any complaint or proceeding shall be taxed by the Warden, and shall be paid or apportioned by or between the parties, or such of them, and in such manner as to the Warden shall seem fit; but in default of any special direction, such costs shall abide in the event of the action.

24. The Warden shall, in each case, direct what number of witnesses shall be allowed between party and party, and their allowance for attendance shall in no case exceed the highest rate of the allowance mentioned in the Schedule hereto annexed.

25. The costs of witnesses, whether they have been examined or not, may in the discretion of the Warden be allowed, although they may not have been summoned.

26. The Warden may make such order as he may think fit concerning the times, and by what instalments, any sums of money for which judgment shall be obtained, shall be paid; and all such money shall be paid into Court, unless the Warden shall otherwise direct.

27. The Warden may at all times amend all defects and errors in any proceedings of the Court.

28. In default of the payment of any fees, payment thereof, by order of the Warden, may be enforced by such means as may be employed to recover any sum of money adjudged by the Court to be paid.

29. The Warden, the Clerk, and any other officer, may refuse to do any act for which a fee shall be demandable, unless such fee shall first be paid.

30. The Judge may, in pursuance of Section XCVI. of the Act, prescribe such additional Regulations as may from time to time be necessary for the orderly transaction of the business of this Court.

SCHEDULE OF FORMS.

I.—COMPLAINT.

In the Warden's Court of _____ District, in the
of _____, New Zealand.

Be it remembered, that upon the _____ day of _____ 18____, cometh before me the undersigned, Judge of the _____ District Warden's Court, sitting at _____ in the said _____, A.B. [Address, description, &c.], and complains against C.D. [address description, &c.], defendant.

1. That [here set forth briefly, but distinctly and explicitly, the ground or cause of complaint; and if there be more than one ground or cause of complaint, state each substantively, numbering them 1, 2, 3, &c.]

Wherefore the complainant claims that the defendant be adjudged to [here state the nature of the claim or relief sought].

Stated before me at _____ aforesaid, this
day of _____ 18____.

Judge.

II.—SUMMONS.

In the Warden's Court of _____ District, in the
of _____, New Zealand, A.B. [address, description, &c.], complainant; and C.D. [address, description &c.], defendant.

Whereas complaint hath this day been made before me, the undersigned, the Judge of the said Court, by A.B. [address, description, &c.], complainant against C.D. [address, description &c.], defendant.

1. That [here set forth briefly, but distinctly and explicitly, the ground or cause of complaint; and if there be more than one ground or cause of complaint, state each substantively, numbering them 1, 2, 3, &c., as in complaint]. Wherefore complainant claims that the defendant be adjudged to [here state the nature of the claim or relief sought, as in the complaint]: These are therefore to command you, the said C.D., in her Majesty's name, to be and appear, on the _____ day of _____ 18____, at _____ o'clock in the _____ noon, at the Court-house, at _____

before me, to answer to the said complaint and demand [in any case falling under rule 22, in which in the complaint an interim injunction is claimed, here insert]. And in the meanwhile you are hereby enjoined to desist from [here state the matter of injunction distinctly] under the penalty, in case of disobedience of this injunction, contained in the Act.

Given under my hand and seal this _____ day of _____
in the _____ year of our Lord 18____,
in the district aforesaid.

[L.S.]

Judge.

III.—CERTIFICATE OF SERVICE.

I, _____, bailiff to the Warden's Court at _____ do hereby certify that I served _____, mentioned in the within summons, with a copy thereof, on the day of _____ 18____, between the hours of _____ and _____ noon.

E.F.

IV.—SUMMONS TO A WITNESS.

In the Warden's Court of _____, holden at _____ between A.B., plaintiff, and C.D., defendant.

You are hereby required to attend at the Court-house, in _____, on the _____ day of _____ 18____, at the hour of _____ in the _____, to give evidence in the above cause, on behalf of [plaintiff or defendant as the case may be], and then and there to have and produce [state any particular documents required], and all other books, papers, writings, and other documents relating to the said action which may be in your custody, possession, or power. In default of your attendance, you will be liable to a penalty of five pounds, under "The Goldfields Act 1866."

Dated this _____ day of _____ 18____.

C. D.

Clerk of the Court.

To A. B. [address, description, &c.]

V.—CLERK'S NOTICE TO ASSESSORS.

In the Warden's Court of _____, holden at _____ between A.B., plaintiff, and C.D., defendant.

Take notice that this case will be tried by assessors, the plaintiff, [or defendant, as the case may be] having demanded a trial by assessors.

Dated this _____ day of _____ 18____.

C. D.

Clerk of the Court.

To the plaintiff or defendant, as the case may be [address, description, &c.]

VI.—SUMMONS TO ASSESSOR.

In the Warden's Court of _____, holden at _____

You are hereby summoned to appear and serve as an assessor in this Court, at the [Courthouse,] on the _____ day of _____ 18____, at the hour of _____ in the _____ noon, upon the trial of the cause or causes to be taken and tried by assessors; and in default of attendance, you will be liable to a penalty of five pounds, under "The Goldfields Act 1866."

Dated this _____ day of _____ 18____.

C. D.,

Clerk of the Court.

To _____

VII. ORDER FINING AN ASSESSOR FOR NON-ATTENDANCE.

In the Warden's Court of _____, holden at _____

Whereas _____ was duly summoned to appear and serve this day as an assessor in this Court, upon the trial of the cause or causes to be tried by assessors at this Court; and whereas he has neglected, without sufficient cause shown, to appear and serve as an assessor at this Court: It is hereby ordered that he shall forthwith [or on the _____ day of _____ 18____] pay to the Clerk of this Court a fine of £ _____ for such neglect.

Dated the _____ day of _____, 187____.

C.D.,

Clerk of the Court.

Hours of attendance at the office of the Clerk [place of office], from _____ until _____, except on [here insert the days of the week on which the office will be closed], when the office will be closed.

VIII.—TABLE OF FEES.

	£	s.	d.
Summonses	0	2	0
Summonses to Witnesses	0	2	0
Service of Summonses (if within one mile of the Court-house)	0	3	0
For every extra mile, one way	0	1	0
Hearing	0	4	0
Adjournment of Hearing, when made on application of plaintiff or defendant	0	2	0
Swearing Witnesses, exceeding three on either side	0	2	0
Summoning Assessor	1	4	0
Payment for the Assessors, each day	2	0	0
Entering up Judgment	0	2	0
Filing Notice of Ground of Appeal	0	8	0
Writ of Execution against Goods	0	4	0
Writ of Execution against the Person	0	4	0
Issuing Warrant to Bailiff to deliver possession to a Plaintiff of premises recovered	0	8	0
Executing any Writ of Execution beyond one mile from the Court-house, for every extra mile, one way	0	1	0
Poundage on the sum levied or received, or for which the body is taken in execution, for every £1	0	1	0
Serving or executing any Writ of Arrest, Injunction, Writ of Attachment, or any Summons, Order, Warrant, Precept, Writ, or other process not hereinbefore provided for, if within one mile of the Court-house.	0	8	0
For every extra mile, one way	0	1	0
For keeping possession, per diem, any sum not exceeding	0	8	0
For every extra mile beyond one mile, one way	0	1	0
Auctioneers' Commission on goods sold, not exceeding five per cent.			

	£	s.	d.
Advertising—For three lines of space, not exceeding 3s.; and 3d. for every additional line.			
Bailiff's Fee for executing Writ against the goods, if satisfied within two hours of the levy	0	4	0
For every Search	0	1	0
For any document required in Proceedings, and not enumerated in the Schedule	0	2	0
For every complete Folio of ninety words, above one	0	1	0
Copy of any Proceedings (first folio)	0	1	0
For every complete Folio of ninety words	0	0	8

Cartage of goods seized in execution to Auction Room actually or place of security, reasonable expenses paid. £ s. d.

IX.—ALLOWANCES TO WITNESSES.

Professional men, merchants, and esquires, not exceeding, per diem	1	1	0
Tradesmen, mechanics, laborers, &c., ditto	0	10	0
Mileage, one way	0	0	1