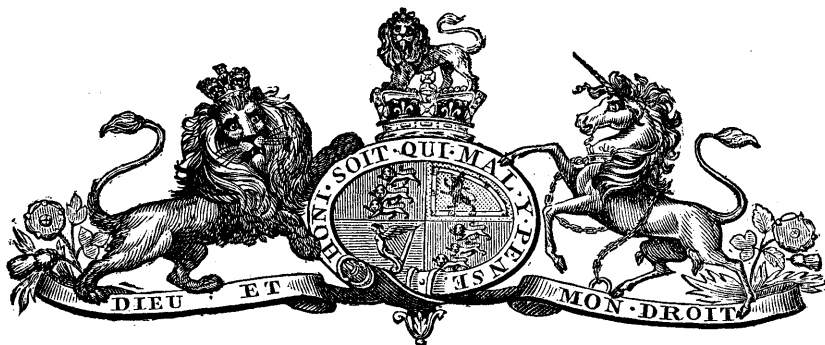


NEW ZEALAND.



TRICESIMO SECUNDO ET TRICESIMO TERTIO

VICTORIÆ REGINÆ.

No. XXV.

ANALYSIS.

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| <p>Title.</p> <p>Preamble.</p> <p>1. Short Title.</p> <p>2. Fifth Part may be extended to districts not in a Province without application of Superintendent and Provincial Council.</p> <p>3. Proclamations made before the passing of this Act to be valid.</p> <p>4. Alteration of section 8 of "Gold Fields Act 1866."</p> <p>5. Miner's right when to be valid.</p> <p>6. Power to make additional regulation under section 11.</p> | <p>7. Section 28 to apply only to private lands.</p> <p>8. Section 35 amended.</p> <p>9. Leaseholders miner's right to be issued.</p> <p>10. Must be taken out after 30th September 1869.</p> <p>11. Amount payable for a leaseholders miner's right.</p> <p>12. Penalty for mining without a leaseholders miner's right.</p> <p>13. Sections relating to leases to apply to Native lands only.</p> <p>14. Mode in which leases may be executed.</p> <p>15. This Act to be read as part of "Gold Fields Act 1866" &c.</p> |
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AN ACT to amend "The Gold Fields Act 1866" and
 "The Gold Fields Amendment Act 1868." Title.

[3rd September 1869.]

WHEREAS by "The Gold Fields Act 1866" it is enacted that Preamble.
 the fifth Part of the said Act including Sections thirty-three
 thirty-four thirty-five thirty-six thirty-seven thirty-eight and
 thirty-nine and in Section fifty-two and relating to agricultural leases
 shall have no force or effect until after the Governor shall by Procla-
 mation in the *New Zealand Gazette* have proclaimed and extended
 the operation of the said Part and Sections to the Province wherein
 such Gold Field shall be situate and that such Proclamation shall
 only be made upon the application of the Superintendent and Pro-
 vincial Council of a Province And whereas doubts have arisen as to
 the powers of the Governor to proclaim and extend the operation of
 the said Part and Sections to parts of the Colony not within any
 Province and it is expedient to remove the same and to amend the
 said Act in other respects

BE IT THEREFORE DECLARED AND ENACTED by the General Assem-
 bly of New Zealand in Parliament assembled and by the authority of
 the same as follows—

1. The Short Title of this Act shall be "The Gold Fields Act Short Title.
 Amendment Act 1869."

Gold Fields Act Amendment.

Fifth Part may be extended to districts not in a Province without application of Superintendent and Provincial Council.

2. The provision in the said in part recited Act requiring an application to be made by the Superintendent and Provincial Council of a Province before the making of a Proclamation extending the operation of the said Part and Sections of the said Act to a Province or district shall not be deemed applicable nor shall any such application be necessary in any case where the Proclamation purports to extend the same only to a district not being within any Province.

Proclamations made before the passing of this Act to be valid.

3. Every Proclamation made before the passing of this Act shall be and be deemed to have been from the making thereof as valid to all intents and purposes and to have had the same operation in all respects as if this Act had been passed before the making thereof.

Alteration of section 8 of "Gold Fields Act 1866."

4. Section eight of "The Gold Fields Act 1866" is hereby repealed and the following clause substituted—

It shall be lawful to issue any number of miners' rights to any person company or corporation applying for the same and the holders of such miners' rights shall be entitled to occupy or hold any number of claims or parts of or interests in claims Provided that the aggregate area so occupied or held does not exceed the quantity of land which can for the time being be lawfully held or occupied under such miners' rights Provided also that there shall be employed not less than after the rate of one man being the holder of a miners' right for every claim so held or occupied and in this section the word "claim" shall be taken to mean the greatest area which according to the regulations relating to the area of claims of each respective kind for the time being in force on the Gold Field where such claims are situate can be lawfully occupied by one holder of one miner's right.

Miner's right when to be valid.

5. Provided also that every miner's right taken out or issued before the first day of October one thousand eight hundred and sixty-nine shall if the applicant for the same so require be dated on the day of the passing of this Act and shall be deemed and taken for all purposes whatever to have been and to be in force and valid on and after the date thereof and no claim or share of or right or interest in or to any claim of any company or corporation shall be deemed to have been or to be forfeited or prejudicially affected by reason of such company or corporation not being the holder of a miner's right prior to the passing of this Act but every such claim share right and interest shall be deemed and taken to have been and to be good and valid notwithstanding that the owner thereof may not have been the holder of a miner's right prior to the passing of this Act.

Power to make additional regulation under section 11.

6. In addition to the purposes for which the Governor in Council may make regulations under section eleven of "The Gold Fields Act 1866" it shall be lawful for the Governor in Council subject to the provisions of the said Act from time to time to make regulations for any Gold Field or for any portion of a Gold Field and to alter amend or revoke the same for the following purpose To enable owners of claims held under miners' rights and leases of auriferous Crown Lands to make levels adits drives or tunnels through other Crown Lands whether held by virtue of miners' rights or otherwise and to prescribe the mode in and the terms and conditions on which such levels adits drives or tunnels may be made and on which compensation shall be ascertained and paid to persons injured thereby.

Section 28 to apply only to private lands.

7. Section twenty-eight of "The Gold Fields Act 1866" shall apply to private lands only and not to lands of the Crown except such Crown Lands shall be situate outside the limits of any proclaimed Gold Field.

Section 35 amended.

8. The word "fifty" in the proviso to section thirty-five of the said Act is hereby repealed and the said proviso shall hereafter be read

Gold Fields Act Amendment.

and construed as though the words "two hundred" had been inserted therein in lieu of and substitution for the word "fifty."

9. It shall be lawful for the Governor to cause documents to be issued each to be called a "Leaseholders Miner's Right" which shall be dated on the day of issue and shall be in force for one year from such day. Leaseholders miner's right to be issued.

10. After the thirtieth day of September one thousand eight hundred and sixty-nine a leaseholders miner's right shall be taken out in respect of every lease heretofore granted or hereafter to be granted under "The Gold Fields Act 1866" or "The Gold Fields Act Amendment Act 1868" and any regulations made or to be made in pursuance of the said Acts or either of them but it shall not be necessary for any person company or corporation to take out or be the holder of any other miner's right in respect of the land comprised in such lease. Must be taken out after 30th September 1869.

11. There shall be payable for a leaseholders miner's right a sum after the rate of one pound for every fifteen thousand square feet of land comprised in the lease in respect of which such leaseholders miner's right is granted. Amount payable for a leaseholders miner's right.

12. Every leaseholder whether person company or corporation that shall mine or employ any person to mine on any land held under any lease without such leaseholder being the holder of a leaseholders miner's right for the time being in force shall forfeit any sum not exceeding five pounds for every day such mining is carried on. Penalty for mining without a leaseholders miner's right.

13. Provided that the above sections numbered eight nine ten and eleven shall apply only to leases in respect of land over which the Governor has obtained or shall hereafter obtain power to authorize mining under "The Gold Fields Act 1866" and "The Gold Fields Act Amendment Act 1868" by lease agreement or otherwise by consent of the Native owners of such land. Sections relating to leases to apply to Native Lands only.

14. Every lease heretofore or hereafter to be respectively signed by the Governor or by the Superintendent or other person in virtue of a delegation under section one hundred and nine of the said Act shall be deemed to be lawfully executed and such mode of execution shall be deemed to be authorized by the said Act and to be a good and efficient execution without any other formality. Mode in which leases may be executed.

15. This Act shall be read and construed in connection with and as part of "The Gold Fields Act 1866" and "The Gold Fields Act 1866 Amendment Act 1868." This Act to be read as part of "Gold Fields Act 1866" &c.

WELLINGTON, NEW ZEALAND:

Printed under the authority of the New Zealand Government, by GEORGE DIDSBUY, Government Printer.