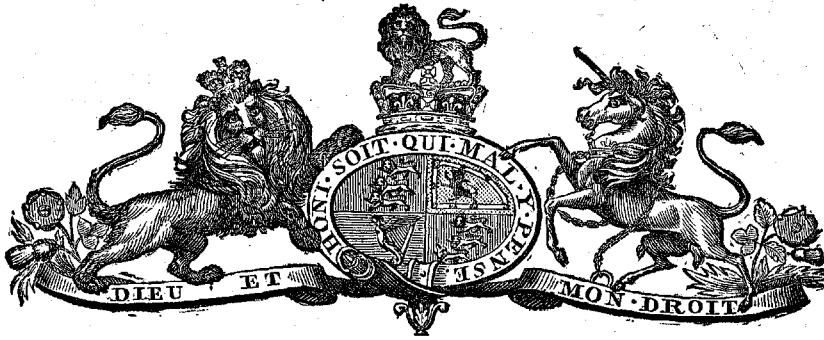


NEW ZEALAND.



TRICESIMO SEPTIMO

VICTORIÆ REGINÆ.

No. XLVIII.

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AN ACT to consolidate and amend the Laws relating to Gold Mining. [29th September, 1873.] Title.

WHEREAS it is expedient that the laws relating to gold mining should be consolidated and amended: Preamble.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

PRELIMINARY.

1. The Short Title of this Act shall be "The Gold Mining Districts Act, 1873." Short Title.

2. Proclamations under this Act may be published in the General Government Gazette or the Government Gazette of the Province in which the Gold Mining District is situate to which they refer. Proclamations to be published.

3. In the construction of this Act, the words and expressions following shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction:— Interpretation.

"Person" shall include corporations and incorporated companies.

"Claim" shall mean that portion of land which is taken up for mining purposes under the eighteenth and nineteenth sections of this Act.

"Licensed holding" shall mean that portion of land for which a license is granted for mining purposes under this Act.

"Licensee" shall include executors administrators and assigns, and in the case of a corporation successors and assigns.

"Gold" shall include any earth clay quartz stone mineral or other substance containing gold or having gold mixed therein, or set apart for the purpose of extracting gold therefrom.

The verb "mine" shall include any mode or method of working whereby the soil or earth or any rock or stone may be removed or otherwise dealt with, for the purpose of obtaining gold.

The substantive "mine" shall mean any shaft or excavation

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sunk or worked for the purpose of obtaining gold thereby or therefrom.

“Machine” shall include any appliance whatever for raising or lifting water from mines.

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

“Business” shall mean and include vending or disposing of goods wares and merchandise, whether in shops or by hawking or otherwise.

“Inspector” shall mean the officer appointed under this Act to perform certain duties specified herein.

“Judge” shall mean a Judge of the Supreme Court.

“Court” shall mean a Warden’s Court constituted under this Act.

“District” and “Gold Mining District” shall mean a Gold Mining District constituted under this Act.

“Crown land” shall mean and include demesne and waste lands of the Crown, and all other land whereof the title is vested in the Crown, or over which the Governor shall by lease agreement or otherwise have obtained power to authorize mining for gold.

“Water race” shall include any artificial channel or ditch for the conveyance of water, howsoever constructed, and also the natural bed of any creek or gully through which water is diverted for mining purposes.

“Dam” and “reservoir” shall mean any natural or artificial depository for water.

“Revenue” shall include all rents and fees received in any district under this Act.

4. This Act is divided into fourteen Parts relating to the following subject-matters :—

Part I. to repeal of Acts.

Part II. to the Constitution of Mining Districts.

Part III. to the Appointment and Duties of Inspectors.

Part IV. to the Occupation of Land for Gold Mining Purposes.

Part V. to Drainage of Mines.

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Part IX. to Miners’ Rights and Business Licenses.

Part X. to the Administration of Justice.

Part XI. to Rules and Regulations.

Part XII. to Revenue.

Part XIII. to Mining outside Districts.

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PART I.

REPEAL OF ACTS.

5. Whenever any district shall be proclaimed under this Act, the several Acts set forth in the First Schedule to this Act annexed, and any other Act and such part of any other Act as are inconsistent with this Act, shall be and are hereby repealed so far as regards such district,

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6. No repeal hereby enacted shall affect—

- (1.) Anything duly done under any Act or part of any Act hereby repealed.
- (2.) Any right title interest or privilege acquired, or any liability incurred, under any Act or part of any Act hereby repealed, or any regulations made thereunder.
- (3.) Any penalty forfeiture or other punishment incurred in respect of any offence against any Act or part of any Act hereby repealed, or any regulations made thereunder.

Repeal not to affect acts done, &c.

7. All questions arising in relation to any Act or part of any Act hereby repealed shall be determined under the said Acts or parts of Acts hereby repealed, and not under this Act; and the said Acts and parts of Acts, so far as may be necessary for the determination of such questions, shall be deemed to be unrepealed and in full force.

Questions arising on repealed Acts to be determined thereunder.

PART II.

CONSTITUTION OF GOLD MINING DISTRICTS.

8. It shall be lawful for the Governor from time to time by Proclamation in the General Government *Gazette* to constitute and appoint any district to be a Gold Mining District under this Act to assign boundaries to such district, to enlarge contract or otherwise alter such boundaries and to declare by what local name every such district shall be designated.

Governor may constitute mining districts.

9. It shall be lawful for the Governor, in the Proclamation by which a Gold Mining District may be constituted, and from time to time, by Proclamation subsequently issued, either by general or particular description, to exempt from occupation for mining purposes, or for water races dams or reservoirs or for machine business or residence sites, any land within the boundaries of any Gold Mining District, and from time to time any such exemption to revoke and the limits and extent of the land in any such district comprised to alter as he may think fit.

Land may be exempted.

10. The Governor may also, if he think fit, by Proclamation from time to time abolish any such district, and thereupon the same shall cease to be a Gold Mining District under this Act, provided that all rights titles and interests existing at the time of any such abolition shall be unaffected thereby, and shall remain exist and continue as though such abolition had not been proclaimed.

Governor may abolish districts.

11. Subject to the provisions hereinafter contained, and to such regulations as may be made as hereinafter provided, all Crown lands within any such district, not exempted from occupation as aforesaid, shall be free and open to all persons for exploration and occupation.

Lands within districts open to exploration and occupation.

PART III.

APPOINTMENT AND DUTIES OF INSPECTORS.

12. For every district constituted under this Act the Governor shall appoint some fit and competent person to be Inspector, whose duty it shall be from time to time to visit and inspect the mines within his district, and generally to see that the provisions of this Act, and any regulations made thereunder, are complied with and carried out.

Inspectors to inspect mines.

13. It shall be lawful for the Inspector, or any person whom he may appoint in writing, at all convenient times to inspect any mine

Inspectors to be appointed.

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and any workings connected therewith, and for that purpose to use all convenient means and appliances belonging to the mine by which such inspection may be facilitated; and the owner and manager of the mine, and all miners workmen and others employed by such manager or owner, shall afford such assistance as may be reasonably required for facilitating such inspection.

14. Every person who shall refuse to permit the use of such means and appliances, or shall refuse to render such assistance, or shall obstruct the Inspector or the person so appointed by him as aforesaid, in making such inspection, shall forfeit and pay for every such offence a penalty not exceeding fifty pounds.

15. All costs incurred by the Inspector, or which may be awarded against him in any proceedings under this Act, shall be paid out of the revenue of the district in which the land the subject of the proceedings is situate, and the Inspector shall not be personally liable for the same.

16. The Governor may, if he think fit, appoint two or more Inspectors for any district, and in such case all the provisions herein contained relating to the office duties and powers of an Inspector shall apply to every Inspector so appointed.

PART IV.

OCCUPATION OF LAND FOR GOLD MINING PURPOSES.

Claims—General.

17. Any person desiring the exclusive occupation of land for mining purposes within any district shall mark out the same by causing to be erected at every angle thereof a post not less than three inches square or three inches in diameter, standing not less than two feet above the surface of the ground and having thereupon some distinguishing mark, and any piece of land so marked out shall be called a claim: Provided that when an angle cannot be so marked on account of the nature of the ground, the post may be placed at the nearest practicable point.

18. A claim may be of any form, provided that it shall not exceed in length twice its breadth; but unoccupied land of irregular shape between two or more claims or licensed holdings may be taken up irrespective of length or breadth.

19. Claims are divided into three classes—

- (1.) Class number one comprises shallow alluvial deposits.
- (2.) Class number two comprises quartz lodes reefs and leaders.
- (3.) Class number three comprises deep alluvial deposits, river beds, and all other claims not comprised in classes one and two.

20. Claims comprised in classes numbered one and three shall not respectively exceed an area to be prescribed by regulations to be made under this Act in that behalf; and claims comprised in class number two shall not exceed in area thirty acres.

21. When a claim is so marked out as aforesaid, the owner thereof shall, except as against any person who may then be in lawful occupation of the same, be entitled, subject to the provisions hereinafter contained, to the exclusive possession of the said claim for gold mining purposes for so long as he shall require the same, not exceeding twenty-one years.

22. Every claim shall be *bona fide* and continuously worked from day to day by the number of men to be prescribed in respect of such

Persons refusing assistance liable to penalty.

How Inspector's costs to be paid.

Governor may appoint more than one Inspector for any district.

Claims may be marked out.

Form of claim.

Division of claims.

Area of claims.

Tenure of claims.

Claims to be *bona fide* worked.

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description of claim by regulations to be made under this Act in that behalf.

23. Necessary preparations for working any claim, or any work in connection therewith or in the erection of machinery for the same, shall be deemed to be work in respect of such claim. Preparations to be deemed work.

24. No owner of any claim comprised in class number two shall be required to employ any men on his claim until the expiration of ten days after the claim has been marked off. When men to be employed on claims in Class II.

25. If during such ten days he shall make application for a license as hereinafter provided, he shall not be required to employ any men thereon until such application has been disposed of by the Warden. When after application for license.

26. If the owner of any claim shall fail to comply with the foregoing sections numbered twenty-two and twenty-three, it shall be lawful for the Inspector or any other person to apply to the Warden in writing to declare such claim forfeited. Application may be made for forfeiture.

27. The Warden shall thereupon issue a summons requiring the owner to appear at the Court on a day to be appointed by the summons. Warden shall issue summons.

28. Such summons may be served personally on the owner, or some one of the owners if there be more than one, if he or they can conveniently be found; and if not, a copy of the summons shall be posted upon some conspicuous part of the land comprised in the claim. How summons may be served.

29. On the day appointed as aforesaid, the applicant appearing, the Court shall, whether the owner appear or not, proceed to investigate the case and decide the same. Court to investigate and decide case.

30. If it shall be proved to the satisfaction of the Court that the required number of men have not been employed, the Court shall declare the claim, or any part thereof, to be forfeited, and shall award costs to the applicant. Court may declare claim forfeited.

31. If the owner shall then and there apply to the Court to substitute a monetary fine for such forfeiture, it shall be competent for the Court to do so. Owner may apply for substitution of fine.

32. Such fine for a first breach in respect of the non-employment of the required number of men shall not exceed twenty pounds, and for a second breach shall not exceed fifty pounds nor be less than twenty pounds. Amount of fine.

33. No monetary fine shall be substituted more than twice in respect of the same owner and the same claim; and in no case shall a monetary fine be substituted when there has been a wilful and continuous neglect to employ the required number of men. No fine in certain cases.

34. If the claim or any part thereof be declared forfeited and no fine substituted on the application of any other person than the Inspector, the Court shall, on the request of the applicant, grant an order authorizing him to take possession of the same as the owner thereof under this Act. Court to give possession to applicant.

35. If the claim or any part thereof be declared forfeited on the application of the Inspector, sections from one hundred and seven to one hundred and twelve, both inclusive, of this Act, shall apply thereto, and the said claim or part thereof shall be dealt with accordingly. How claim dealt with when application by Inspector.

36. No person shall take possession of any ground comprised in any claim without the authority of the Warden as herein provided, unless the Mining Inspector shall certify that the same has been surrendered or abandoned, and shall give an authority in writing to take possession. When ground may be taken possession of.

37. No forfeiture of any claim or any part thereof, or any share or interest therein, through the neglect absence or omission of any No forfeiture for neglect of workmen.

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workman employed thereon, or of any tributer, shall be incurred by reason of non-employment of the required number of men, provided that the owner shall without undue delay, after notice by the Inspector, employ the required number of men.

Notice.

How notice may be served.

38. Such notice shall be in writing, and may be served personally on the owner or one of the owners of the claim, if he or they can conveniently be found, and if not may be posted upon a conspicuous part of the claim.

Licensed Holdings—Class II.

Claimholder may apply for license.

39. The owner of any claim comprised in class number two desiring to obtain a license under this Act shall lodge an application for the same, together with a plan of the land applied for, at the Warden's office, where every such application shall be recorded in the order in which it is received in a book to be kept for that purpose, together with the day and hour of the receipt thereof.

Deposit of money to be made.

40. The applicant shall at the same time deposit with the Receiver of Revenue a sum after the rate of one pound sterling for every fifteen thousand square feet of land comprised in the application, and a further sum of five pounds in respect of each application; the balance of which sums, after deducting therefrom the first year's rent and the expenses incurred in advertising and otherwise, will be returned to the applicant.

Notice of application to be given.

41. The Warden shall give ten clear days' notice of the application by advertisement in one or more newspapers published in the district, and shall therein name a day on which the application may be granted if no valid objection be in the meantime made, such day not being less than thirty or more than sixty days after the day on which the application is lodged.

Objections, how made.

42. All objections shall be made in writing, stating the grounds of objection, and shall be lodged at the Warden's office not less than seven clear days before the day on which it is notified that the application may be granted as aforesaid.

Warden to appoint day of hearing.

43. If any objection be made, the Warden shall appoint a day for hearing the applicant and the objector, of which not less than five days' notice shall be given to each party.

Warden to decide.

44. On that day, or if the case cannot be then heard then on a subsequent day to be fixed by the Warden, the Court shall proceed to investigate and decide on the validity of the objection.

No objection made or sustained, license to be granted.

45. If there be no objection, or if no objection made be substantiated, the Warden may grant to the applicant, or to a person appointed by him, a license in the form set forth in the Second Schedule to this Act.

Conditions of license.

46. The conditions upon which every license shall be held are as follows:—

- (1.) That the licensee pay to the Receiver of Revenue every year during which he shall occupy the land comprised in the license a rent after the rate of one pound sterling for every fifteen thousand square feet of land comprised in the license.
- (2.) That the first payment is due on the day on which the license is granted by the Warden, and every subsequent payment on the same day in every subsequent year.
- (3.) That the licensee shall carry on mining operations in an efficient and workmanlike manner, and shall employ in such operations after the rate of one man at least, being an able and competent workman or miner, for every fifteen thousand square feet of land comprised in his license:

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Provided that if, in the opinion of the Inspector, the full number of men cannot be reasonably and advantageously employed, a fewer number shall be sufficient if such fewer number be the greatest that can be reasonably and advantageously employed.

- (4.) That the licensee may at any time, by writing under his hand addressed to the Warden, surrender the whole or any part of the land comprised in his license, and such surrender shall be indorsed by the Warden on such license, and therefrom the rental payable shall be proportionately reduced: Provided that a licensee shall not be entitled to make such surrender in part more than twice during the currency of his license.
- (5.) Such other conditions for the protection of the equitable rights or interests of third parties as shall be inserted by the Warden in such license.

Licensed Holdings—Class III.

47. The owner of any claim comprised under class three desiring to obtain a license under this Act shall lodge an application for the same, together with a plan of the land applied for, at the Warden's office, where every such application shall be recorded in the order in which it is received in a book to be kept for that purpose, together with the day and hour of the receipt thereof.

Claimholder may apply for license.

48. The applicant shall at the same time deposit with the Receiver of Revenue such sum as shall be prescribed by regulations to be made in that behalf, and a further sum of five pounds in respect of each application; the balance of which sums, after deducting therefrom the first year's rent and the expense incurred in advertising and otherwise, will be returned to the applicant.

Deposit of money to be made.

49. The Warden shall give ten clear days' notice of the application by advertisement in one or more newspapers published in the district, and shall therein name a day on which the application will be granted, if no valid objection be in the meantime made, and the Court be satisfied as hereinafter provided.

Notice to be given.

50. Such day shall not be less than thirty or more than sixty days after the day on which the application is lodged.

Length of notice.

51. All objections shall be made in writing, stating the grounds of objection, and shall be lodged at the Warden's office not less than seven clear days before the day appointed for hearing.

How objections to be made.

52. If any objection be made, the Warden shall appoint a day for hearing the applicant and the objector.

Warden to appoint day of hearing.

53. If there be no objection, or if no objection made be substantiated, and if the Court shall be fully satisfied that the working of the claim from any cause involves more than ordinary difficulties and expense, the Court may grant to the applicant or to a person appointed by him a license in the form set forth in the Second Schedule to this Act.

When Warden may grant license.

54. The conditions upon which every license shall be held are as follows:—

Conditions of license.

- (1.) That the licensee pay to the Receiver of Revenue every year during which he shall occupy the land comprised in the license a rent after a rate to be fixed by regulations to be made under this Act in that behalf.
- (2.) That the first payment is due on the day on which the license is granted by the Warden, and every subsequent payment on the same day in every subsequent year.
- (3.) That the licensee shall carry on mining operations in an

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efficient and workmanlike manner, and shall employ in such operations at least so many men, being able and competent workmen or miners as shall be prescribed by regulations to be made under this Act in that behalf: Provided that if in the opinion of the Inspector the full number of men cannot be reasonably and advantageously employed, a fewer number shall be sufficient, if such fewer number be the greatest that can be reasonably and advantageously employed.

- (4.) That the licensee may at any time, by writing under his hand addressed to the Warden, surrender the whole or any part of the land comprised in his license, and such surrender shall be indorsed by the Warden on such license, and therefrom the rental payable shall be proportionately reduced: Provided that a licensee shall not be entitled to make such surrender in part more than twice during the currency of his license.

Licensed Holdings—Classes II. and III.

Form of applications, &c.

55. Applications for licenses and objections thereto shall be made and notice given in such form and manner as shall be prescribed in that behalf by regulations to be made under this Act; and if no such regulations be made and in operation, then in such form and manner as the Warden shall from time to time require.

License to be signed and sealed.

56. Every license issued under the authority of this Act shall be signed by the Warden, and he shall affix thereto the seal of the Warden's Court. Such signing and affixing shall be in the presence of one witness, who shall attest the same.

Effect of license.

57. Subject to the provisions of clause one hundred and ninety-two of this Act, and to the provisions in respect of forfeiture hereinafter contained, every license to work a gold mine issued under this Act shall give to the licensee, for a time not exceeding twenty-one years, an indefeasible right to all gold within the boundaries of the land therein comprised, and an indefeasible and exclusive right to dig and mine for gold therein and thereon and dispose of the same, to erect machinery on such land and to construct works connected therewith, and to do all lawful acts incident or conducive to the carrying out of those objects.

Two holdings may be surrendered.

58. If any holder of two or more adjacent licensed holdings shall desire to have the same included in one license, he shall surrender the same in a form to be prescribed by the Warden in that behalf.

And one license granted.

59. On such surrender being made, the Warden shall grant one license for the several holdings so surrendered for the unexpired portion of the term for which the last dated of the surrendered licenses was originally granted.

Extent of holding.

60. No licensed holding held under one license shall exceed in area thirty acres.

Claims and Licensed Holdings.

Permission to hold claim or holding unworked may be given.

61. Subject to any regulations to be made in that behalf, permission to hold a claim or licensed holding without working the same may be granted by the Warden for such time as may be shown to be reasonable, having due regard to the grounds on which such permission is applied for and all the circumstances of the case: Provided that if such permission be obtained by false representation, it may be cancelled by the Warden.

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62. If the owner of any claim or licensed holding shall fail to maintain the posts as hereinbefore required, he shall forfeit and pay for every such omission any sum not exceeding ten pounds.

Penalty for not maintaining posts.

63. If posts are not so maintained, and any person shall commence to work or mine on any land held as a claim or under license, he shall not be liable to damages, provided that he cease to work and mine as soon as the posts are replaced and notice given to him not to trespass; and in such case he shall be entitled to recover from the owner of the claim or licensed holding the value to such owner of the work done by suit in the Warden's Court.

If posts not maintained, no damages for trespass.

64. The surface of any Crown land upon which any house or other building shall be lawfully standing and in actual use or occupation, or which shall be lawfully and *bonâ fide* used as a yard garden orchard cultivated field water race dam or reservoir, shall not be taken possession of or interfered with by the owner of any claim or licensed holding without first obtaining an order from the Warden authorizing the same, and such order shall not be granted unless it be first proved to the satisfaction of the Warden that the land is *bonâ fide* required for mining purposes, and that the compensation to be fixed as hereinafter provided has been paid.

Houses, &c., not to be interfered with without Warden's order and compensation paid.

65. Such compensation shall be granted for improvements only and not in respect of the value of the land, and the amount thereof shall be ascertained and fixed by arbitration, provided that the parties can agree on the terms of such arbitration; and if not, such compensation shall be fixed by a suit in the ordinary form in the Warden's Court.

Compensation for improvements only.

66. The cost of ascertaining and fixing the amount of compensation shall be in the discretion of the arbitrators or Court, as the case may be.

Discretion as to costs.

67. Every person lawfully occupying the surface of land whose property shall be damaged by mining operations carried on thereunder shall be entitled to recover compensation for such damage.

Compensation for damage by mining.

PART V.

DRAINAGE OF MINES.

68. The owner of any machine which is employed in draining water from any mine shall be entitled to receive from the holders of or persons working adjacent mines benefited by such machine contribution towards the expense thereof.

Machine owner entitled to contribution for drainage.

69. Such owner intending to claim contribution as aforesaid shall serve upon one of the holders of or persons working any mine in respect of which contribution is required a notice in writing stating that he claims contribution and the amount claimed, and that if such contribution is not agreed to an application will be made to the Warden's Court to enforce the same.

Notice to be given if intended to require contribution.

70. If the persons from whom contribution is so required refuse to contribute to the amount stated in the notice, or for twenty-one days shall neglect to signify their assent thereto, it shall be lawful for the owner of the machine to commence an action in the Warden's Court.

If contribution refused, action may be commenced.

71. A summons shall thereupon be issued, and all proceedings shall be conducted and carried on in like manner as in ordinary actions in the Warden's Court; and the provisions of any Act in force under which such Court is constituted, and all rules and regulations applicable thereto, shall apply to such proceedings.

Proceedings in Warden's Court.

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Court first to determine liability and then amount.

72. On hearing the case the Court shall first determine whether the defendant is benefited by the machinery of the plaintiff; and if so, the Court shall forthwith or at some adjournment proceed to determine the amount of contribution which it would be reasonable under all the circumstances of the case for the defendant to pay to the plaintiff, and the time mode and conditions of payment, and the period not exceeding twelve months during which such contribution shall be continued.

Order to be made.

73. An order of Court shall be drawn up in conformity with such determination, and shall be served on the defendant, or left with the manager of the mine in respect of which contribution is required.

If not obeyed, execution to issue.

74. If at any time any sum due in respect of such contribution is not paid as directed by such order, the plaintiff may issue execution from the Warden's Court to enforce payment in the form applicable to ordinary proceedings.

At end of time fixed, another notice may be given.

75. At any time after the termination of the period fixed for payment of any contribution, it shall be lawful for the machine owner to give another notice as aforesaid, whereupon the like proceedings shall be taken as are herein provided in respect of the first notice.

When contribution to commence.

76. If a further order for contribution is made by the Court, such contribution shall commence from the termination of the period fixed in the next preceding order, provided that the notice in respect of such subsequent order be given within two months after the termination of the next preceding order.

Notice of intended discontinuance of drainage.

77. If at any time the owner of any machine to whom contribution is paid as aforesaid shall intend to discontinue drainage operations, he shall give at least three calendar months' notice of such his intention to all contributors; and if he do not do so, he shall be liable for damages for any injury that they may sustain in consequence of the more early stoppage of the drainage machine, to be recovered in the Warden's Court.

Machine owner not liable for accidents.

78. Such machine owner shall not be liable for any injury or damage on account of the sudden stoppage of drainage operations if such stoppage was caused by accident to machinery, or other cause over which he had no control: Provided that all due diligence be exercised in repairing such damage or injury.

PART VI.

WATER RACES, DAMS, AND RESERVOIRS.

Applications for water races, &c.

79. Every person desiring to obtain a license for the construction of a water race dam or reservoir for the diversion and use of water shall lodge an application for the same, together with a description of the land required, at the Warden's office.

Deposit to be made.

80. The applicant shall at the same time deposit with the Receiver of Land Revenue the sum of five pounds, to cover the expense to be incurred in advertising or otherwise; and after deducting such expense from the sum deposited, the balance shall be returned to the applicant.

What application for water race shall state.

81. As regards a water race, the application shall state the mean breadth and depth of the proposed race, the quantity of water it is capable of carrying, and the number of sluice-heads of forty inches each which it is proposed to appropriate.

Copies to be posted.

82. Copies of such application shall be posted and maintained for fourteen days at the source whence it is proposed to obtain the

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water and at the proposed termination of the race, and the intended course shall be included by pegs not less than two inches square or two inches in diameter, or by large stones marked with a broad arrow, and such pegs or stones shall be placed not more than two hundred yards apart.

83. As regards a dam, the application shall state the proposed height, and as regards a reservoir the proposed size and depth; and the site of the dam or reservoir shall be indicated by pegs not less than two inches square or two inches in diameter.

What application for dam or reservoir shall state.

84. The proceedings to be taken on such application shall be in conformity with sections forty-one, forty-two, forty-three, forty-four, and forty-five of this Act, except that the license shall be in the form set forth in the Third Schedule to this Act.

Proceedings on applications.

85. The conditions on which any such license shall be granted shall be as follows:—

Conditions of licenses.

- (1.) The construction of the race dam or reservoir must be commenced within one calendar month from the issue of the license, and must continue with all reasonable diligence until completed.
- (2.) The race dam or reservoir shall be used for the purposes for which it is constructed without interruption exceeding sixty days in any year, commencing on the first day of January following its completion.
- (3.) The licensee shall keep the race dam or reservoir in repair, and shall make an efficient bridge where any road in ordinary use crosses the water of the race dam or reservoir, upon being so required by the Inspector.
- (4.) The licensee shall pay in advance an annual sum of five pounds, with an additional sum of one pound for every sluice-head of water in excess of two. The first payment to be made on the day on which the license is granted, and every subsequent payment to be made on the same day in every subsequent year.

86. Such license shall give to the licensee an indefeasible right to the exclusive use of the race dam or reservoir and the water in respect of which the same is constructed, and of so much land on both sides as is sufficient to secure the safety of the race dam or reservoir, subject to the conditions on which the same is granted.

Effect of license.

87. Whenever any water diverted and used under any license as aforesaid shall be required for any public use or purpose, it shall be lawful for the Governor to revoke such license, and cause the water to be restored to its natural channel.

License may be revoked.

88. In such case the licensee shall be entitled to compensation for the loss which he shall thereby sustain, and the amount thereof shall be fixed by arbitration: Provided that the licensee and a person acting by authority of the Governor in that behalf can agree on the terms of such arbitration; and if not, such compensation shall be fixed by a judgment of the Warden's Court in a suit in which the Inspector shall be the nominal defendant.

Compensation, how fixed.

89. The Arbitrators or Court, as the case may be, shall take into consideration all the circumstances of the case, and shall award compensation for the losses which the licensee will sustain by the revocation of his license.

All circumstances to be considered.

90. When the compensation is fixed as aforesaid, it shall be forthwith paid by the Governor out of the revenue of the district within which the race dam or reservoir is situate in respect of which compensation is granted.

How compensation to be paid.

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PART VII.

FORFEITURES.

License liable to forfeiture.

91. If any licensee of land water race dam or reservoir shall fail to pay any license fee when it becomes due or within sixty days thereafter, or if he shall fail to comply with any other of the conditions on which he holds his license, such license shall be liable to be forfeited.

Inspector to give notice.

92. In such case the Inspector shall give notice to the licensee specifying the conditions of the license that have not been complied with, and warning the licensee that at the expiration of ten days he will proceed for a forfeiture.

How notice to be served.

93. Such notice may be served personally on the licensee, or some one of them when there are more than one, if he or they can conveniently be found; and if not, such notice shall be posted on some conspicuous part of the land comprised in the license.

Inspector to decide summarily.

94. As soon as conveniently may be after the expiration of the ten days the Inspector shall investigate the case, and after hearing the licensee, if he shall state in writing his desire to be heard, and making reasonable allowance for efforts made in the meantime by the licensee to fulfil the conditions of the license, shall decide thereon in a summary way.

May declare part forfeited.

95. The Inspector may if he think fit declare a part only of the land comprised in the license to be forfeited.

Notice of decision to be given.

96. When such decision shall be adverse to the licensee, the Mining Inspector shall immediately thereon cause a notice to be served on the licensee, or some one of them when there are more than one, if he or they can be conveniently found; and if not, such notice shall be posted in some conspicuous place upon the land comprised in the license.

Notice to state grounds.

97. Such notice shall convey the decision of the Mining Inspector, and shall briefly state the grounds thereof.

License forfeited if no appeal.

98. If no notice of appeal be given as next hereinafter provided, the license shall be deemed forfeited, and all right title and interest of the licensee shall thenceforth be determined and void.

Licensee may apply to Warden.

99. If within ten days after the service or of the posting of such notice the licensee against whom the decision has been given, or any person acting on his behalf, give notice in writing to the Inspector and to the Warden that he is dissatisfied with the decision of the Inspector and appeals against it, the Warden shall appoint a time and place for hearing such appeal, of which the licensee shall have reasonable and timely notice, and at such time and place the Court shall proceed to investigate the case anew, and decide on the whole facts of the case.

Monetary fine may be substituted.

100. In lieu of declaring a forfeiture it shall be lawful for the Court to substitute a monetary fine, except in cases in which there has been a wilful and continuous breach of any condition of the license.

New license may be granted for part.

101. If a portion only of the land comprised in any license is declared to be forfeited, a new license for the remaining portion shall be granted by the Warden to the licensee; and such new license, so far as regards such remaining portion, shall have the same effect and be subject to the provisions of this Act in like manner as the original license.

Appeal to Judge of Supreme Court. Terms.

102. From the decision of the Warden's Court the licensee may appeal to a Judge of the Supreme Court in Chambers: Provided that

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notice of such appeal, stating the grounds thereof, be given to the Inspector and to the Warden within ten days from the day on which the Warden's decision is given, and that the appellant enter into a bond to the Registrar of the Supreme Court, with one or more sureties satisfactory to the Warden, in the penalty of twenty-five pounds, to enter his appeal within ten clear days, and pay all costs which shall be adjudged against him by the Judge or Supreme Court; but the appellant, in lieu of such bond, may deposit with the said Registrar the sum of twenty-five pounds.

103. On compliance by the appellant with the foregoing provision, the Warden shall transmit to the Registrar a report of the case, with the notes of the evidence taken before him; and the Judge shall after hearing the parties or their solicitors confirm or set aside the decision, or direct a new trial, or make such other order therein as appears to him agreeable to justice and in conformity with law: Provided that before making an order the Judge may require any question to be fully argued before and decided by the Supreme Court.

Report of case, &c.,
to be transmitted.

104. If the Judge shall consider that the case involves a question of controverted fact on which he may be of opinion that the verdict of a jury should be taken, he may make an order for the trial of the question, and issues shall be framed by the appellant, and settled as is usual in ordinary actions in the Supreme Court.

Verdict of a jury
may be taken on
facts.

105. Upon the finding of the jury, the Supreme Court shall pronounce judgment on the whole case, including the award of costs to either party, as it may think fit.

Judgment of Court
on verdict.

106. So soon as a decision declaring a forfeiture of a license shall be given and take effect, either by the Warden's Court without appeal or by the Judge or the Supreme Court, the license shall be void, and the licensee and all persons holding under him shall cease to have any interest in the land comprised in the license, and the same shall be open to applicants in manner hereinafter provided.

Decision declaring
forfeiture to render
license void.

107. The licensee may at any time within thirty days after the declaration of forfeiture takes effect remove any plant machinery engines tools or materials, but no timber used in supporting the shafts drives galleries or adits of any mine, nor materials used in the construction of any water race dam or reservoir; and if any person shall offend against this provision, he shall forfeit and pay any sum not exceeding one hundred pounds, in addition to the value of the injury done by such removal.

Licensee may re-
move plant, &c.

108. The Warden shall have power, by warrant under his hand addressed to the bailiff of his Court or the officer in charge of the Constabulary, to remove therefrom any person in possession of land adjudged to be forfeited.

Warden may
remove persons from
forfeited land.

109. As soon as forfeited land is open to applicants as aforesaid, the Warden shall give notice by advertisement in a newspaper having circulation in the district, and by a notice to be posted on the land, that application may be made to him in writing for the same upon a day to be fixed in such notice, not being less than one month nor more than two months from the day of publishing the notice or posting it on the land, whichever may be last done.

How forfeited land
to be dealt with.

110. If on such day there be more applications than one for the same land, the Warden shall fix a day for the applicants to attend at his office, and on such day he shall sell the right of occupation to the applicant or any other person who shall be the highest bidder beyond an upset price to be fixed by the Warden, so as to cover costs of advertisement and sale.

If more than one
applicant, to be sold
to highest bidder.

111. If there be but one applicant, or if no more than one shall attend as aforesaid, the right of occupation shall be given to such appli-

Provision where one
applicant or none.

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cant at such upset price as aforesaid; and if there be no applicant, the land shall be open to any person under this Act.

Forfeited land taken up to be marked out as a claim.

112. When any forfeited land is taken up under the last preceding section, it shall be marked out as specified in section number seventeen of this Act, and shall thenceforth be subject to all the provisions of this Act in respect of claims: Provided that the land shall be subject to any existing rights theretofore lawfully granted in respect of the same.

PART VIII.

MACHINE, BUSINESS, AND RESIDENCE SITES.

Application for machine site, &c.

113. Whenever any person shall require a site for machinery or for carrying on business or for residence, he shall apply to the Warden to grant the same.

Form of application.

114. Such application must be in writing, and must describe the situation area and boundaries of the land applied for.

May be granted on land held for mining purposes.

115. A machine business or residence site may be granted in respect of land comprised in any claim or licensed holding, provided that such site shall not be required for mining purposes, or the granting thereof calculated in any way to interfere prejudicially with mining operations.

Warden to make inquiry.

116. As soon as conveniently may be after an application, the Warden shall make such inquiries as he may think fit, in order to satisfy himself whether there is any objection to granting the same.

No objection, license to be granted.

117. If there be no objection, the Warden shall grant a license in the form set forth in the Fourth Schedule to this Act.

Area of sites.

118. No machine site shall exceed one acre, no business site half an acre, and no residence site one quarter of an acre.

Effect of license.

119. Subject to the provisions of sections sixty-four, sixty-five, sixty-six, and sixty-seven of this Act, such license shall give the licensee for so long as he may require the same, not exceeding twenty-one years, the exclusive right to the possession of the surface of the land therein described for the purpose therein mentioned, and for no other.

What transfers allowed.

120. Machine sites may be transferred, but business and residence sites shall not be transferable, unless some substantial house shop store or other building be first erected thereon, and then only to actual occupants.

Sums payable.

121. The sums payable for the above-mentioned sites shall be as follows:—

For a machine site, ten pounds.

For a business site, five pounds.

For a residence site, one pound.

Annually in advance.

122. Such sums shall be payable annually in advance, and the amount of the first payment shall be deposited with the Receiver of Revenue at the time of application, to be retained as the first annual payment if the application is granted.

If application refused, deposit to be returned.

123. If the application be not granted the sum deposited shall be returned to the applicant, less one pound in the case of a machine or business site, and ten shillings in case of a resident site, to be retained for the cost of the inquiry by the Warden.

When annual payments due.

124. Subsequent annual payments shall be due and payable to the Receiver of Revenue on the same day in every year as that on which the application is granted.

If not paid, may be sued for.

125. If the sum from time to time due in respect of any site is not paid when due, the Inspector shall sue for the same.

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126. If any site be used for a purpose not specified in the license, or for three months be unused for such purpose or unoccupied, or if any sum due in respect of the same be not paid within two calendar months, all rights under the license shall be forfeited, subject as next hereinafter provided, and the Inspector shall if necessary sue in the Warden's Court for possession.

Licenses to be forfeited in certain cases.

127. At the hearing of such suit if the Warden's decision be against the licensee, the Warden may either award a pecuniary penalty instead of enforcing forfeiture, or he may issue a warrant under his hand to remove the licensee from possession.

Warden may substitute penalty.

128. The cost of proceedings shall be in the discretion of the Warden.

Costs discretionary.

129. The several sections in reference to machine business and residence sites numbered from one hundred and thirteen to one hundred and twenty-eight, both inclusive, shall not apply to the land comprised within the towns of Shortland and Grahamstown and Tararu, as defined in the Fifth Schedule to this Act.

Certain sections not to apply to Shortland, &c.

PART IX.

MINERS' RIGHTS AND BUSINESS LICENSES.

130. Documents not transférable, to be called "miners' rights," shall be issued in the form set forth in the Sixth Schedule to this Act to any person applying for the same, upon payment of the sum of twenty shillings.

Miners' rights to be issued.

131. Documents not transferable, to be called "business licenses," shall be issued in the form set forth in the Seventh Schedule to any person applying for the same, on payment of the sum of five pounds for a yearly license, three pounds for a half-yearly license, and two pounds for a quarterly license.

Business licenses to be issued.

132. "Miners' rights" and "business licenses" shall be dated on the day on which they are issued, and shall respectively be in force in the district for which they are issued, and no other, for twelve, six, or three calendar months from the date thereof, as the case may be.

When to be dated. How long and when in force.

133. In any district constituted under this Act—

Penalties.

- (1.) Every person, not being the holder of a "miner's right," who shall be engaged or employed in mining operations;
- (2.) Every person, not being the holder of a "miner's right or "business license," who shall occupy land for any purpose whatever, except he is the owner of the land;
- (3.) And every person, not being the holder of a "business license," who shall carry on any business whatever upon Crown lands outside of any township,

shall be liable for the first offence to a penalty not exceeding five pounds; for a second offence to a penalty not less than five and not exceeding ten pounds; and for any subsequent offence to a penalty not less than ten pounds and not exceeding twenty pounds.

134. No person shall be entitled to institute proceedings in any Court whatever, in respect of any right title or interest acquired or created under this Act, or in respect of any encroachment thereon or injury thereto, unless he shall at the commencement of such proceedings be the holder of a miner's right or business license then in force issued under this Act or some other Act in force in the Gold Mining District constituted under this Act prior to this Act coming into operation therein,

No proceedings to be instituted without miners' right or business license.

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Shareholders in companies not required to take out miners' right.

135. It shall not be necessary for any purpose whatever, for any shareholder in any incorporated company to take out or be the holder of a miner's right in respect of any shares held by him in such company.

PART X.

ADMINISTRATION OF JUSTICE.

Governor may establish Wardens' Courts.

136. It shall be lawful for the Governor, by Order in Council, to establish for any Gold Mining District constituted under this Act a Warden's Court for the administration of justice therein, and any such Court to abolish.

And appoint Wardens.

137. The Governor shall appoint fit and proper persons to be Wardens of such Courts, who shall hold office during the Governor's pleasure.

One Warden may hold Court.

138. The Court may be held before one Warden, although more than one Warden may have been appointed for the same Court.

Warden interested not to adjudicate.

139. No Warden shall be interested, directly or indirectly, in any mining enterprise carried on in the Province in which the Court with which he is connected holds its sittings; and if any Warden appointed under this Act shall knowingly adjudicate on any matter in which he shall have directly or indirectly any pecuniary interest, he shall be guilty of a misdemeanour, and shall, on conviction before a competent Court, be liable to fine or imprisonment, or both, in the discretion of the Court.

Jurisdiction of Courts.

140. Every such Court shall have jurisdiction to hear and determine all suits and complaints cognizable by Courts of civil or criminal jurisdiction which may arise within the district for which such Court is constituted, concerning the following matters, that is to say,—

- (1.) Forfeitures for non-compliance with this Act, and any regulation made thereunder from time to time in force.
- (2.) The area of claims.
- (3.) Boundaries of land held or occupied under this Act, and encroachments upon and injuries to the same.
- (4.) Dams water races streams watercourses wells ponds and reservoirs, and encroachments upon and injuries to the same.
- (5.) Roads tramways railroads and fences, and encroachments upon and injuries to the same.
- (6.) Partnerships relating to gold mining.
- (7.) Breaches of laws rules and regulations for the time being in force relating to gold mining, punishable by summary conviction.
- (8.) And generally concerning contracts torts questions and disputes of any kind relating to gold mining.

Warden to determine law and fact.

141. Subject to the provisions hereinafter contained relating to appeals, Wardens shall determine all questions as well of fact as of law.

Power to enforce contracts, &c.

142. Every Court, in cases within its jurisdiction, shall have power to enforce contracts, to award damages, to dissolve partnerships, to grant injunctions, to impose penalties, to cause gold improperly or unlawfully removed to be summarily seized and restored, to summon witnesses, to award costs, and generally to give such judgments and make such orders as may be necessary or proper in all matters within its jurisdiction.

Witness not attending liable to fine.

143. Every witness duly summoned who shall fail to attend, without a reasonable cause in the opinion of the Court, shall be

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172. Whenever the powers under this Act are delegated to the Superintendent of the Province in which any district is situate, the revenue of such district shall be appropriated by the Provincial Council; and in all other cases such revenue shall be appropriated by the Governor by Order in Council.

When powers delegated, how revenue to be appropriated.

173. All rents arising in respect of land described in the first four Schedules to "The Auckland Gold Fields Proclamations Validation Act, 1869," occupied under licenses issued under this Act, and the freehold of which has not been acquired by the Crown, shall, for the purposes of the agreements in the said Act recited be deemed to be money arising from miners' rights.

Certain rents to be deemed fees from miners' rights.

PART XIII.

MINING OUTSIDE DISTRICTS.

174. It shall be lawful for the Governor to grant to any *bona fide* discoverer of gold on Crown land, not being within any Gold Field or Gold Mining District a lease of the said land or some part thereof for gold mining purposes, subject to the following terms and conditions:—

Governor may grant leases outside gold mining districts.

- (1.) Every such lease shall comprise so much land as shall be necessary in the opinion of the Governor for the efficient mining for gold thereon, having regard to the description of mining proposed to be carried on, but not exceeding double the quantity which might be held as a claim or licensed holding respectively in the nearest Gold Mining District constituted under this Act.
- (2.) The term to be granted in each lease shall be any number of years, at the option of the lessee, not exceeding twenty-one.
- (3.) The rent to be reserved shall be one pound per acre.
- (4.) Every lease shall contain clauses in the usual form introduced into mining leases—
 - (a.) For securing the payment of the rent.
 - (b.) For enabling some person on the part of the lessor from time to time to enter and examine the mine.
 - (c.) For securing the regular proper and efficient working of the mine.
 - (d.) For making void the lease on breach of the stipulations on the part of the lessee therein contained.
 - (e.) To enable the lessee to surrender the lease.

Terms and conditions.

175. It shall be lawful for the Governor to make regulations, if he thinks fit, as to the form time and manner of making applications for leases, and any other regulation he may think fit, in order to give effect to the foregoing provisions of Part XIII. of this Act.

Governor may make regulations.

176. All rent received under any leases granted shall be deemed to be land revenue of the Province within which the land is situate in respect of which such rent is received.

Rent to be deemed land revenue.

177. If the land leased as aforesaid shall at any time thereafter be included in any Gold Mining District proclaimed under this Act, the Warden thereof, either upon or without the application of the person then entitled to such lease, shall grant and issue a license for the same under this Act in the name of the original lessee.

If leased land included in a district, license to be issued.

178. On such license being granted, the said lease shall thereupon *ipso facto* be null and void, and the land shall thenceforth be held under the said license subject to the provisions of this Act, and all

On issue of license, lease to be void.

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regulations made thereunder relating to the district in which such land is situate.

Deeds, &c., to have same effect as though founded on license.

179. All deeds and documents executed and signed by the lessee, his executors administrators and assigns, subsequent to the date of the lease but before the issue of the license, shall, for the purpose of completing titles of parties to such deeds and documents, have the same force and effect, so far as can be, in respect of the land therein included, as though such deeds and documents had been founded on the said license instead of the said lease.

All rights, &c., under lease preserved.

180. All rights titles and interests which may have been lawfully created after the date of the said lease and before the granting of the license, and then subsisting, shall be deemed, so far as can be, to have been created under the said license, and shall be held and enjoyed accordingly.

PART XIV.

MISCELLANEOUS.

Forms to like effect as in Schedules not to be invalid.

Forms.

181. The several forms set forth in the Schedules to this Act shall be followed as nearly as conveniently may be, but no document shall be invalid if the form used be to the like effect.

Chattel Interests.

Rights under Act to be chattel interests.

182. Every right title and interest acquired or created under the provisions of this Act, or under any regulations made in conformity therewith, shall be deemed and taken in law to be a chattel right title or interest, and may be acquired held and dealt with accordingly.

Affidavits.

Affidavits, how sworn.

183. Affidavits to be used in Courts to be held under this Act may be sworn before the Warden of any Warden's Court in the Colony, or before any person authorized to take affidavits in the Supreme Court, or before any Justice of the Peace.

Prospecting Native Land.

Governor may issue prospecting licenses for Native land.

184. It shall be lawful for the Governor to cause to be issued to any person, in such form and on such terms and conditions as the Governor may think fit, a license to be called a "prospecting license," authorizing the person therein named, with the consent of the owner of the land, to prospect and search for gold on any land specified in such license being the property of Aboriginal Natives, and not being within any Gold Field or Gold Mining District.

Penalty for mining on Native land without license.

185. Any person not being the owner of land the property of Aboriginal Natives, and not being the holder of a prospecting license in respect of such land, who shall mine or dig for gold thereon, shall be liable to forfeit and pay for every such offence a penalty not being less than five pounds and not more than fifty pounds.

Fines and Penalties.

Fines and penalties, how recovered.

186. All fines and penalties imposed under the authority of this Act, or any regulations to be made in pursuance thereof, may be sued for and recovered in a summary way before any Warden of the Court of the Gold Mining District within which the offence is committed, or before any Justice of the Peace.

Districts, &c., constituted under "Gold

187. Every district constituted under "The Gold Mining Districts Act, 1871," shall be deemed to be a district constituted

Gold Mining Districts.

under this Act; and every Court constituted under the said Act shall be deemed to be a Court constituted under this Act; and all regulations in force, and appointments of officers holding offices at the passing of this Act, shall be deemed to be regulations and appointments made under this Act.

Mining Districts Act, 1871," deemed to be constituted under this Act.

Titles, &c., under "The Gold Mining Districts Act, 1871."

188. All claims and licensed holdings, and all water races dams and reservoirs, and all machine business and residence sites, held occupied or enjoyed under "The Gold Mining Districts Act, 1871," shall, from and after the passing of this Act, be and be deemed to be held occupied and enjoyed under this Act, and shall be subject to the provisions thereof.

Titles under Act of 1871 to be held under this Act.

Exchange of Titles.

189. In any district in which this Act is in operation, it shall be lawful for the owner of any good and valid claim lease license water race dam reservoir machine business or residence site held occupied or enjoyed in such district under any Act of the General Assembly, or any regulation issued thereunder, to surrender and yield up the same; and in such case such owner shall be entitled to obtain a title to the land comprised in such claim lease or license, or to such water race dam or reservoir, or to such machine business or residence site under this Act, which title shall have the same force and effect as though it had been originally granted under this Act.

Titles under former Acts may be exchanged for titles under this Act.

Delegation.

190. It shall be lawful for the Governor in Council, under his hand and the Public Seal of the Colony, from time to time to delegate all or any of the powers vested in the Governor by this Act except the powers conferred by sections one hundred and thirty-six and one hundred and thirty-seven, and by subsection thirteen of section one hundred and sixty-five thereof, subject or not to any limitations or restrictions, and in like manner to alter or revoke any such delegation.

Governor in Council may delegate powers.

191. Such delegations may be granted to any persons by name, or to the Superintendent of any Province by the name of his office, or to the holders of any offices under the General or Provincial Governments by the names of their offices; and in such cases the holders of the said offices for the time being may exercise the powers given by the delegation.

Delegation may be to persons or officers as such.

"Auckland Gold Fields Proclamations Validation Act, 1869."

192. Nothing in this Act contained shall be construed or deemed to alter or affect "The Auckland Gold Fields Proclamations Validation Act, 1869," or any of the provisions of the several agreements therein recited.

This Act not to affect "The Auckland Gold Fields Proclamations Validation Act, 1869."

Gold Mining Districts.

SCHEDULES.

FIRST SCHEDULE.

- "The Gold Fields Act, 1866."
 "The Gold Fields Act Amendment Act, 1867."
 "The Gold Fields Act Amendment Act, 1867," No. 2.
 "The Gold Fields Act Amendment Act, 1868."
 "The Gold Mining Claims Drainage Act, 1868."
 "The Gold Fields Act Amendment Act, 1869."
 "The Gold Fields Act Amendment Act, 1870."
 "The Gold Mining Districts Act, 1871."
 "The Gold Mines Drainage Act, 1871."

SECOND SCHEDULE.

FORM OF LICENSE TO WORK GOLD MINE.

Know all men that I [*Name of Warden*], Warden of the Court constituted for the [*Name of district*] Gold Mining District, do hereby grant unto [*Name of grantee*], his executors administrators and assigns [*or name of Corporation*, their successors or assigns], sole and exclusive license and authority to enter upon and occupy the land described in the Schedule hereto, and delineated on the plan [*in the margin hereof or hereon indorsed*], for the purpose of mining for gold, and erecting machinery and constructing works connected therewith, and doing all lawful acts incidental or conducive thereto. To hold the said land license and authority for the term of twenty-one years, subject to the conditions and provisions of "The Gold Mining Act, 1873," [*Here insert any other condition,*] paying therefor yearly in advance the sum of £ on the day of in every year.

In witness whereof I have hereunto subscribed my name, and affixed the seal of the Warden's Court of the Gold Mining District, this day of , 18 .

A.B., Warden.

Signed by the said [*Warden's name*], and the seal of the Warden's Court affixed, in the presence of C.D.

SCHEDULE.

Description of Land.

Note.—If any rights have been granted on the above land and still exist, the license made subject thereto.

THIRD SCHEDULE.

FORM OF LICENSE FOR A WATER RACE, DAM, OR RESERVOIR.

Know all men that I [*Name of Warden*], Warden of the Court constituted for the [*Name of district*] Mining District, do hereby grant unto [*Name of grantee*], his executors administrators and assigns [*or name of Corporation*, their successors or assigns], sole and exclusive license and authority to enter upon and occupy the land described in the Schedule hereto, for the purpose of constructing and using a water race [*dam or reservoir*], and the water in respect of which the same is constructed, [*In case of a water race add, "not exceeding sluice-heads of forty inches each,"*] to hold and use the license authority and water subject to the conditions and provisions of "The Gold Mining Act, 1873," paying therefor yearly in advance the sum of pounds on the day of in every year.

In witness whereof I have hereunto subscribed my name, and affixed the seal of the Warden's Court of the Gold Mining District, this day of , 18 .

A.B., Warden.

Signed by the said [*Name of Warden*], and the seal of the Warden's Court affixed in the presence of C.D.

SCHEDULE.

Description of Land.

Gold Mining Districts.

FOURTH SCHEDULE.

FORM OF LICENSE FOR A MACHINE, BUSINESS, OR RESIDENCE SITE.

Know all men that I [*Name of Warden*], Warden of the Court constituted for Gold Mining District, do hereby grant unto [*Name of grantee*], his executors administrators and assigns [*or name of Corporation*, their successors or assigns], sole and exclusive license and authority to enter upon and occupy for twenty-one years the piece of land described in the Schedule hereto, for a Machine [*Business or Residence*] Site, under and subject to the provisions of "The Gold Mining Act, 1872," paying therefor yearly, in advance, the sum of [ten pounds] [five pounds] [one pound].

Dated this day of , 18 .

Witness—C.D.

A.B., Warden.

SCHEDULE.

Description of Land above referred to.

FIFTH SCHEDULE.

SHORTLAND, GRAHAMSTOWN, AND TARARU.

THE Towns of Shortland, Grahamstown, and Tararu shall respectively have the limits prescribed by the Governor in a Proclamation issued under "The Definition of Districts Act, 1858," on the second day of January, one thousand eight hundred and seventy-two, and published in *The New Zealand Gazette* on the sixth day of January, one thousand eight hundred and seventy-two.

SIXTH SCHEDULE.

MINER'S RIGHT.

PROVINCE of No. Date Name To be in force till , 18 .	<i>Miner's Right.</i> Gold Mining District.	PROVINCE of No. Date Issued to under the provisions of "The Gold Mining Act, 1873." To be in force until the day of , 18 . A.B., Warden.
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SEVENTH SCHEDULE.

BUSINESS LICENSE.

PROVINCE of No. £5 (£3 or £2, as the case may be). Date Annual [Half-yearly or Quarterly, as the case may be].	Gold Mining District.	PROVINCE of No. £5 (£3 or £2, as the case may be). Date <i>Business License.</i> Annual [Half-yearly or Quarterly, as the case may be]. Issued to under the provisions of "The Gold Mining Act, 1873," to be in force till the day of , 18 . The holder of this license is hereby authorized to carry on business in the [<i>Name</i>] Gold Mining District, by vending or disposing of goods wares and merchan- dise, whether by hawking or any other manner. A.B., Warden.
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