

NEW ZEALAND.

ANNO VICESIMO SEPTIMO.

VICTORIÆ REGINÆ.

No. 30.

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AN ACT to amend "The Goldfields Act 1862." Title.
[14th December 1863.]

WHEREAS it is expedient to amend "The Goldfields Act 1862"— Preamble.

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

I. The Short Title of this Act shall be "The Goldfields Act Amendment Act 1863." Short Title.

II. The expression in the aforesaid Act "Waste Lands of the Crown" shall be held taken and construed to mean and include not only the Demesne Lands of the Crown in New Zealand but also any other Land whatever over which the Governor shall by lease agreement or otherwise have obtained power to authorise Gold Mining thereon. Interpretation.

III. Every person who shall expose or keep for sale any spirituous liquor wine ale beer or porter in any Gold-field except he be licensed for the purpose under "The Gold Fields Act 1862" shall forfeit and pay any sum not exceeding £50 and shall also forfeit all spirituous liquors wine beer ale or porter found on the premises or in the possession of the person so convicted. Penalty for exposing or keeping spirituous liquors for sale.

IV. It shall be lawful for the Governor in Council from time to time to alter amend and revoke all or any Rules and Regulations made or to be made under section 14 of the said Act. Power to alter amend and revoke rules and regulations.

Gold Fields Act Amendment.

Power to Governor to delegate appointment of Wardens.

V. 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 to the Superintendent of any Province or to such other person as the Governor may deem fit and under such restrictions as he shall think fit all or any of the powers vested in the Governor or the Governor in Council by Section 19 of the said Act or by this Act and to alter or revoke any such delegation.

Wardens to have general jurisdiction.

VI. Every Warden appointed under Section 19 of the said Act shall have jurisdiction to act as Judge of any Wardens Court within the Province in which he is appointed.

Wardens Courts not to be limited to one hundred pounds.

VII. The proviso in Section 23 of the said Act that the amount or value in question before any Warden's Court shall not exceed one hundred pounds And also the proviso in Section 26 of the said Act that the amount of damages in any case or to any one party shall not exceed one hundred pounds are hereby repealed.

Right of Appeal extended.

VIII. The right of Appeal given by Section 29 of the said Act shall not be limited to the cases mentioned in the said Section but shall extend and apply to any orders decrees or judgment whatever of any Wardens Court.

District Judge to have original as well as appellate jurisdiction.

IX. Besides the appellate jurisdiction given by Section 29 of the said Act to the District Court such Court shall have an original jurisdiction concurrent with the Judges of Wardens Courts over all cases in which the amount or value in question shall exceed £100.

Interest under Miners Right or license may be taken in execution.

X. The share or interest either at law or in equity of any person in any land or building occupied by virtue of any Miners' Right or Business License or in any land comprised in any lease or any easement lawfully enjoyed under any such Miners' Right or Business License or in any mining partnership in which the shares are transferable may be seized and sold under any writ of *feri facias* or other writ of execution or warrant against the goods of such person.

Governor may make rules for and define jurisdiction of District Court.

XI. It shall be lawful for the Governor in Council from time to time to make alter and revoke rules regulating the procedure and practice in any District Court which shall have jurisdiction under "The Gold Fields Act 1862" or under this Act and also to define limit and vary the jurisdiction which any such District Court shall exercise under the "District Court Act 1858."