

SUPPLEMENTARY ORDER PAPER.

HOUSE OF REPRESENTATIVES.

Thursday, the 8th Day of October, 1896.

MINING ACT AMENDMENT BILL.

Hon. Mr. CADMAN, in Committee, to move the following amendments:—

Insert new clause, to follow clause 2:—

2A. The provisions of this Act relating to prospecting and resumption shall, except where otherwise expressly mentioned, apply only to lands which are situate within a now-existing mining district and were alienated from the Crown prior to the twenty-ninth day of September, one thousand eight hundred and seventy-three, or, being Native lands, were alienated from the Native owners thereof to any person other than Her Majesty prior to the thirtieth day of August, one thousand eight hundred and eighty-eight.

In clause 3. Line 14: Next after "all" insert "such"; next after "lands" omit "whatsoever," and substitute "as aforesaid." Lines 16 to 18: Omit from, but exclusive of, "And also," down to, and inclusive of, "as aforesaid." Line 22: Next before "lands" insert "such"; next after "lands" insert "as aforesaid."

Omit clause 4.

In clause 5. Lines 36 to 39: Omit from, but exclusive of, "lands as are," down to, and inclusive of, "may grant," and substitute "hereinbefore declared to be open for prospecting, it shall not be lawful for any person other than the owner or occupier thereof, or any person duly authorised by him, to carry on prospecting operations thereon save pursuant to a."

Lines 39 to 40: Omit all after "prospecting," and substitute "license granted by the Warden of the district wherein the land is situate."

Line 44: Omit "Magistrate or the."

In clause 7. Line 1: Omit "If the land is within a mining district."

Lines 1 to 3: Omit "and in all other cases any Stipendiary Magistrate exercising jurisdiction in the locality."

In clause 8. Line 12: Omit "or Magistrate."

In clause 9. Add new subclauses:—

(3A.) Any land the owner or occupier whereof satisfies the Warden of the district wherein such land is situate that the same is being prospected for gold or silver with reasonable diligence, and that an average sum of not less than one pound per acre per annum is being expended in so doing.

(3B.) Any land which is being mined for gold or silver in manner hereinafter provided in subsection four A of section eighteen A hereof.

In clause 11. Line 49: Omit "all of which are hereinafter repealed," and substitute "none of which shall henceforth apply to lands which are open to prospecting under this Act."

In clause 12. Line 2: Next after "provisions" insert "of the principal Act and the provisions."

In clause 14. Line 11: Omit "or if there is no such Warden, or if," and substitute "in which." In line 12: Omit "not," next before "situate." Omit all after "situate" down to and including "locality."

In clause 15: Omit "or Magistrate."

In clause 18A. Line 35: At beginning of the clause insert "In all cases where the Minister determines to resume land."

In clause 18A. Line 38 : Next after " 1894 " insert " and the principal Act."

In clause 18A. Add new subclauses :—

- (4A.) Which is being mined for gold or silver by the owner or occupier thereof, or some person duly authorised by him, in claims that in no case exceed the maximum area prescribed by the principal Act for a special claim: Provided that in every case the mining operations shall be conducted subject to the principal Act and the regulations thereunder in like manner *mutatis mutandis* as if the claim were granted by the Warden on Crown land.
- (4B.) Any land which is being prospected for gold or silver in manner hereinafter provided in subsection three A of section nine hereof.

In clause 21. Line 15 : Omit " or subsequently become situate."

In clause 24. Line 38 : Omit " all of which are hereby repealed," and substitute " none of which shall henceforth apply to land which is liable to be resumed under this Act."

In clause 25. Line 41 : Next after " enacted " insert " with respect to all lands whatsoever in the colony." Line 43 : Next after " mining purposes " insert " whether under this Act or the principal Act."

Insert new clause to follow clause 26 :—

26A. Notwithstanding anything hereinbefore contained, the following special provisions shall apply in the case of all lands whatsoever in the colony other than Crown lands :—

- (1.) The owner, or occupier, or any person with his written consent, may apply to the Warden for any description of claim authorised by the principal Act in the case of Crown lands in a mining district, and the Warden may grant the same.
- (2.) Every claim so granted by the Warden shall be deemed to be granted subject to the principal Act and the regulations thereunder; and subject also to any agreement made between the grantee and the owner or occupier in so far as such agreement is not inconsistent with such Act and regulations.
- (3.) So long as such grant continues in force the land comprised therein shall not be resumed for mining purposes, nor shall any prospecting license be granted in respect thereof.
- (4.) The expression " Warden " in this section means the Warden of the district wherein the land is situate, or, if the land is not situate within a mining district, the Warden of any neighbouring district.

In clause 27. Line 19 : Next after " where " insert " any "; next after " land " insert " whatsoever in the colony."

In clause 44E. Line 8 : Next after " purposes " insert " whether under this Act or the principal Act."

Insert new clause to follow 44F :—

44G. For the purposes of the appeal provided for by section two hundred and eighty-six of the principal Act the provisions of this Act (excepting those of sections fourteen and twenty-eight hereof) shall be deemed to be comprised in Part I. of the principal Act.