

- (22.) For the purpose of hearing and disposing of the application the Warden shall sit alone, and the practice and procedure of the Warden's Court relating to hearings before the Warden and Assessors shall not apply.
- (23.) The appointment and notification by the Warden as to the time and place for the hearing of any application, or for the holding of any preliminary inquiry, may be made by him in such manner as he thinks fit, either generally with respect to all cases in a given Courthouse or specifically with respect to specific cases, and may in like manner be made by the Registrar acting under the general instructions of the Warden.

#### SURVEYS.

34. Regulations for the time being in force relating to block and section surveys, made under "The Surveyors' Institute and Board of Examiners Act, 1908," shall be deemed to be incorporated herewith, and shall be read and construed, *mutatis mutandis*, as though they formed part of these regulations, but shall be construed subject to these regulations.

35. Before disposing of any application the Warden in his discretion may order the land to which the application relates to be surveyed, notwithstanding that the area does not exceed 20 acres.

36. In every case where the land to which the application relates is to be surveyed, the surveyor appointed to make the survey shall with all practicable despatch proceed as follows:—

- (1.) He shall duly and carefully survey the ground, and, after making all necessary inquiries, shall furnish to the Chief Surveyor for approval by him or the Chief Draughtsman, and transmission to the Warden, a plan of the ground, together with a report as to—
  - (a.) Its areas, boundaries, description, and character;
  - (b.) The likelihood of any watercourse or artificial reservoir within the boundaries being required for, or the feasibility of the same being applied to, public purposes or the use of miners generally for gold-mining purposes;
  - (c.) The cases in which and the extent to which any mining privilege lawfully held by any other person than the applicant is likely to be affected by the grant of the application;
  - (d.) Any objections of a public nature to the granting of the application which are disclosed by the survey; and
  - (e.) Any other circumstances which, in the opinion of the surveyor, should be reported to the Warden to enable him properly to deal with the application.

(2.) The approval of the aforesaid plan and report shall be signified by memo. in writing thereon under the hand of the Chief Surveyor or Chief Draughtsman.

(3.) With the aforesaid plan and report the surveyor shall also furnish to the Chief Surveyor for transmission to the Warden a tracing of so much of the general map of the district as will connect the land with at least one trigonometrical station, or, in the absence of such station, then with some fixed point.

37. The following general rules shall apply with respect to surveys:—

- (1.) If the land to be surveyed affects or includes any mining privilege, private holding, building, race, or other area, whether held or occupied under the Mining Act or otherwise, the same must be shown by the surveyor on the plan, and full particulars relating thereto (including acreages) must, as far as practicable, be given in the surveyor's report to the Warden. It shall be the surveyor's duty to make careful inquiries respecting all claims to prior occupancy, and, if possible, to furnish the names of such occupants or claimants; but in computing the acreage of the land surveyed it shall not be his duty to deduct therefrom the acreage of any land to which any such claim to prior occupancy relates.
- (2.) Every survey must be connected with a fixed and clearly indicated survey mark already established, such as the corner of a section, the angle of a road, a trigonometrical station, or the corner of a mining claim already surveyed. But whenever, in forest lands, a trigonometrical station is within a quarter of a mile of the mining area under survey, connection with it must be made in preference.
- (3.) If a former survey is taken as a common boundary, it shall be the surveyor's duty to ascertain that the lines on the ground conform to the recorded bearings and dimensions of that survey. If correct it may be adopted as data for the survey in hand; and if not, the discrepancy disclosed must be reported to the Chief Surveyor when forwarding plan of survey for his approval.
- (4.) In the survey of claims every boundary shall be cut throughout, and every corner shall be marked on the ground by trenches, as described in the regulations of the Surveyors' Board incorporated herewith; but in forest lands the trenches may be cut for a length of 3 ft. only.
- (5.) All previously surveyed mining areas or allotments that may adjoin or be within