

Judgment given on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.  
I, A. B., being the plaintiff [or defendant] in this action, hereby apply for a rehearing, on the following grounds: [Here state grounds for application].

This application will be made to the Warden on the day after the service hereof on the defendant [or plaintiff, as the case may be], or so soon thereafter as it can be heard.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

A. B.  
[or A. B., by his Solicitor or  
Registered Agent, C. D.].

To the Warden, \_\_\_\_\_

Form 87 (Reg. 123).

Under "The Mining Act, 1908."

ORDER FOR A REHEARING.

In the Warden's Court of the \_\_\_\_\_ Mining District,  
holden at \_\_\_\_\_.

Between \_\_\_\_\_, plaintiff,  
and \_\_\_\_\_, defendant.

It is ordered that the judgment in this action and all subsequent proceedings be set aside, and a rehearing had between the parties on [Set out the terms and conditions, if any].

Given under my hand and the seal of the Court, this day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_, Warden.

Form 88 (Reg. 123).

Under "The Mining Act, 1905."

MEMORANDUM OF AGREEMENT BY PARTIES TO A SUIT THAT THE DECISION OF THE WARDEN OR WARDEN'S COURT SHALL BE FINAL.

No. \_\_\_\_\_ of year 19 \_\_\_\_.

In the Warden's Court of the \_\_\_\_\_ Mining District,  
holden at \_\_\_\_\_.

A. B., plaintiff, and C. D., defendant.

We, the above-named plaintiff and defendant, do hereby agree that the decision of the Warden or Warden's Court in the above suit shall be final.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

A. B. [or A. B., by his Solicitor or  
Registered Agent, E. F.],  
Plaintiff.

C. D. [or C. D., by his Solicitor or  
Registered Agent, G. H.],  
Defendant.

Form 89 (Reg. 123).

Under "The Mining Act, 1908."

FORM OF INJUNCTION OR OTHER ORDER.

No. \_\_\_\_\_ of the year 19 \_\_\_\_.

In the Warden's Court of the \_\_\_\_\_ Mining District,  
holden at \_\_\_\_\_.

Between \_\_\_\_\_, plaintiff,  
and \_\_\_\_\_, defendant.

UPON reading the affidavit of A. B., sworn and filed herein the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_ [Recite any other affidavits used on the application, and, if evidence viva voce has been given either with or without affidavits, add and upon hearing the evidence of C. D.], and upon hearing the plaintiff [or defendant, as the case may be], in person [or Mr. \_\_\_\_\_, as counsel or solicitor or registered agent for the plaintiff (or defendant)] [and, if the application is on notice and the other party has appeared, then add and upon hearing the defendant (or plaintiff, as the case may be) in person (or Mr. \_\_\_\_\_, as counsel or solicitor or registered agent for the defendant (or plaintiff)); or, if the other party does not appear, say and upon service of notice of this application upon the plaintiff (or defendant) being proved to my satisfaction, and he not appearing], I do hereby order that [State the subject-matter of the order].

Given under my hand and the seal of the Court, at this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_, Warden.

Form 90 (Reg. 123).

Under "The Mining Act, 1908."

FORM OF FINAL DECISION AND ORDER.

No. \_\_\_\_\_ of the year 19 \_\_\_\_.

In the Warden's Court of the \_\_\_\_\_ Mining District,  
holden at \_\_\_\_\_.

Between \_\_\_\_\_, plaintiff,  
and \_\_\_\_\_, defendant.

I FIND [If upon the decision of Assessors, insert upon the decision of Assessors] that [Set forth the decision]; and I order [State the order, as, for instance, that possession of the land (describing it as described in the Schedule to this order) be delivered to \_\_\_\_\_]; and that the said \_\_\_\_\_ do pay to the said \_\_\_\_\_ the sum of \_\_\_\_\_ pounds for damages, and \_\_\_\_\_ pounds for costs. I also order that certain auriferous earth, metal, or mineral in the possession of the said \_\_\_\_\_, and which has been valued by me [or by the said Assessors] at \_\_\_\_\_, be delivered to the said \_\_\_\_\_ in satisfaction [or in part satisfaction] of such damages and costs.

Given under my hand and the seal of the Court this day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_, Warden.

[NOTE.—The statements in this and the preceding forms are by way of example only.]

Form 91 (Reg. 123).

Under "The Mining Act, 1908."

MEMORANDUM OF AGREEMENT TO APPEAL TO SUPREME COURT.

No. \_\_\_\_\_ of the year 19 \_\_\_\_.

In the Warden's Court of the \_\_\_\_\_ Mining District,  
holden at \_\_\_\_\_.

Between A. B., plaintiff, and C. D., defendant.

We, the above-named plaintiff and defendant, do hereby agree that any appeal that may be made herein shall lie to the Supreme Court, sitting at \_\_\_\_\_, and not to the District Court.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

A. B. [or A. B., by his Solicitor or  
Registered Agent, E. F.],  
Plaintiff.

C. D. [or C. D., by his Solicitor or  
Registered Agent, G. H.],  
Defendant.

Form 92 (Reg. 123).

Under "The Mining Act, 1908."

NOTICE OF APPEAL.

No. \_\_\_\_\_ of the year 19 \_\_\_\_.

In the Warden's Court of the \_\_\_\_\_ Mining District  
holden at \_\_\_\_\_.

Between A. B., plaintiff, and C. D., defendant.

[Or, if the appeal is from the decision of the Warden in his administrative capacity—

In the matter of an application numbered \_\_\_\_\_ in the Application Record-book, at \_\_\_\_\_, for (Here state subject-matter—e.g., a license for a special dredging claim).

Between A. B., applicant, and C. D., objector.]

TAKE notice that I, \_\_\_\_\_, the above-named plaintiff [or defendant, or applicant, or objector], being dissatisfied with the decision of the Warden's Court [or the Warden] in these proceedings, which decision was as follows—[Here copy out minute of same as recorded in the judgment-book or record-book]—intend to appeal against such decision on matter of fact alone [or on matter of law alone, or on both fact and law, as the case may be], and that the following are briefly the matters of law forming the ground of appeal:—