

forfeiture and abandonment of residence-sites and to the recovery of rent in arrear, and such provisions shall be deemed to be incorporated herein and to form part of the conditions of the lease.

(5.) Not less than thirty days' notice of the conditions of sale and of any special terms and conditions intended to be inserted in each lease shall be given by advertisement.

(6.) Where an auction of township or suburban sections is held and any lot remains unsold, a lease thereof may at any time within two years from the date of the auction be granted, with the approval of the Warden, to any qualified applicant, at the upset rental named at such auction.

(7.) The section leased shall, within twelve months from the date of the lease, be substantially fenced.

(8.) At the expiration of the term of the lease the section shall, unless required by the Crown, be again put up for auction, but weighted with the value of the buildings and other improvements then existing thereon, ascertained by valuation under section 42 of the Mining Act; but in no case shall any right of valuation exist as against the Crown.

MISCELLANEOUS MINING PRIVILEGES.

55. In addition to the mining privileges specifically provided for by the Mining Act licenses may be granted for mining privileges of any of the following descriptions:—

- (1.) Branch races, for the distribution of water already diverted by means of a race;
- (2.) Flood-races and by-washes, for the carrying-off of flood or surplus water;
- (3.) Diversion of streams;
- (4.) Tunnels, roads, and bridges; and
- (5.) Such other descriptions of mining privileges in respect of water or land as the Warden thinks necessary for facilitating mining operations or effectuating the purposes of the Mining Act.

56. The terms and conditions upon which the aforesaid licenses may be granted, and shall be deemed to be held, shall, in every case include such terms and conditions, not inconsistent with the Mining Act and these regulations, as the Warden thinks fit to impose when granting the license; and, in the case of a road or bridge, the license therefore shall be deemed to be granted subject to the condition that the licensee shall not be entitled to the exclusive use of the road or bridge, but the same shall be open to the full and free use of the public:

Provided that where the licensee has expended money in forming or maintaining the road or bridge, and the holder of any other mining privilege uses the same for the purpose of obtaining ingress to or egress from such mining privilege, every such holder shall be liable to pay to the licensee a reasonable proportion of such expenditure, and, if the parties concerned cannot agree as to the amount of such proportion, the same shall be determined by the Warden and two Assessors on the application of any of the parties in like manner and subject to the like provisions as in the case of a claim for compensation.

SURRENDER OF MINING PRIVILEGES, WHETHER ABSOLUTELY OR FOR PURPOSES OF EXCHANGE OF TITLE OR AMALGAMATION OF CLAIMS.

57. With respect to the surrender of mining privileges, whether absolutely or for purposes of exchange of title or amalgamation of claims, the following provisions shall apply:—

- (1.) The application need not be publicly notified by advertisement nor posted on the mining privilege unless the Warden otherwise directs.
- (2.) Where the surrender is for purposes of exchange of title or amalgamation of claims, the consent of the Minister, under paragraph (y) of section 169 of the Mining Act, to the license for the corresponding mining privilege or the amalgamated claim shall be necessary in the cases herein mentioned.
- (3.) The license for the corresponding mining privilege or amalgamated claim shall be in the ordinary form, with the addition of a memorandum to be noted or endorsed on the license under the hand of the Warden and the seal of the Court, specifying—
 - (a.) The fact that the license is issued in exchange for a surrendered mining privilege, or, as the case may be, in amalgamation of surrendered claims, and the name, description, and registered number of the surrendered privilege or claims;
 - (b.) The priorities, encumbrances, liens, and interests referred to in paragraph (h) of section 156 of the Mining Act;
 - (c.) Such other particulars as the Warden thinks fit.
- (4.) Such memorandum may be in such one of the forms numbered 39 or 40 in the First Schedule hereto as is applicable.

(5.) The instrument of title to every surrendered mining privilege shall be delivered up to the Warden, who shall note or endorse thereon, under his hand and the seal of the Court, a minute of the surrender in the form numbered 41 in the First Schedule hereto:

Provided that, if the instrument of title has been lost, the Warden, upon satisfactory proof of loss, may dispense with its production, and in such case the minute of surrender may be by separate instrument in the form numbered 42 in the First Schedule hereto.

(6.) The minute of surrender shall be registered and filed by the Registrar.

(7.) The declaration of loss may be in the form numbered 43 in the First Schedule hereto.

58. Before granting the application for amalgamation of claims, the Warden shall be satisfied that there has been expended in mining operations on each of the claims not less than £10.

RENEWAL OF LICENSES FOR MINING PRIVILEGES.

59. Subject, in the case of tunnel prospecting licenses, to the provisions of clause 11 of these regulations, the following provisions shall apply with respect to the renewal of licenses for mining privileges:—

- (1.) The application for the renewal may be in the form numbered 44 in the First Schedule hereto, and shall be filed in the office of the Registrar within not more than two months nor less than one month before the expiration of the current term by effluxion of time, but need not be notified or advertised.
- (2.) The renewal shall be effected by endorsement on the original license.

LABOUR CONDITIONS.

Prescribed Number of Workmen.

60. (1) For the purposes of section 101 of the Mining Act the number of workmen to be employed by the holder of a claim in mining operations shall be in the proportion of not less than one workman for every complete 6 acres of the area of the claim during the first year, computed from the date on which by that section the operations are required to be commenced; one workman for every complete 4 acres during the second such year; and one workman for every complete 3 acres thereafter:

Provided that at no time shall the number so employed be less than one in the case of an ordinary or extended claim, and two in the case of a special claim:

Provided further that, in the case of a claim the title whereof is surrendered for purposes of exchange or amalgamation, the minimum number to be employed shall be computed from the date on which the claim was originally taken up.

(2.) For the purposes of the proviso to paragraph (b) of section 102 of the Mining Act the number of workmen to be employed for every acre in excess of 400 acres shall, in the case of all claims taken up after the date of the coming into force of these regulations, be one workman for every complete acre.

61. In every case where the holder of a claim alleges that, under paragraphs (b), (c), or (f) of section 102 of the Mining Act, he is entitled to employ less than the prescribed minimum number of workmen, it shall lie on him to establish the facts to the Warden's satisfaction, and for that purpose he shall, in addition to other evidence, furnish such sworn returns as to workmen employed, capital expended, and otherwise as the Warden thinks necessary.

62. In the case of a mineral license the licensee shall, within two months after the date of the license, commence, and thereafter during the term of the license continually prosecute, mining operations on the land the subject of the license for the specified metals or minerals to which the license relates, and for that purpose shall, except as aforesaid, at all times during the first two years of the term keep employed upon or in connection with the said land at least one workman for every full area of 50 acres, or less, therein contained, and thereafter during the term at least two workmen for every such area:

Provided that, with the consent of the Minister, the Warden may from time to time modify the operation of this clause to such extent as he deems equitable, such modification being, however, in every instance made within the same limits and subject to the same conditions, *mutatis mutandis*, as in the case of a claim.

Certificate of Reduction.

63. The application, under section 101 of the Mining Act, for authority to employ less than the prescribed minimum number of workmen may be in the form numbered 24 in the First Schedule hereto, and with respect to the application the following provisions shall apply:—