

Form 82 (Reg. 111).

Under the Mining Act, 1926.

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 83 (Reg. 111).

Under the Mining Act, 1926.

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 84 (Reg. 111).

Under the Mining Act, 1926.

FORM OF INJUNCTION OR OTHER ORDER.

No. of 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 85 (Reg. 111).

Under the Mining Act, 1926.

FORM OF FINAL DECISION AND ORDER.

No. of 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.]

G

Form 86 (Reg. 111).

Under the Mining Act, 1926.

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 87 (Reg. 111).

Under the Mining Act, 1926.

NOTICE OF APPEAL.

No. of 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:—

[Here set same out substantially but concisely in distinct paragraphs.]

The appeal is made to the Supreme Court, holden at [or to the District Court, holden at , as the case may be].

You, the said plaintiff [or defendant, or applicant, or objector, as the case may be], are therefore called on to show why the said decision shall not be [Here state whether total or only partial reversal is sought, or what measure of relief the appellant deems himself entitled to].

Dated at , this day of , 19 .
A. B.

[Signature of party appealing, either by himself or his Solicitor or Registered Agent.]

FOURTH SCHEDULE.

FORMS FOR USE IN CONNECTION WITH MINE-MANAGERS', BATTERY SUPERINTENDENTS', AND DREDGEMASTERS' CERTIFICATES.

Form 88 (Reg. 123).

Under the Mining Act, 1926.

APPLICATION TO BE EXAMINED FOR CERTIFICATE.

To the Secretary of the Board of Examiners under the Mining Act, Wellington.

I [Full name, residence, and occupation], the undersigned, hereby apply to be examined for a certificate as mine-manager of the first [or second] class [or battery superintendent]. I enclose the prescribed fee of* , and hereby declare as follows:—

- (1.) My practical experience consists of actual employment for a period of years, as specified in the Schedule hereto; and in proof thereof I forward with this application evidence in writing from my previous employers, as specified in that Schedule.
 - (2.) [If the applicant is a candidate for examination for a mine-manager's certificate of the first class, he shall state whether he is the holder of a second-class certificate—e.g.] I am the holder of a second-class certificate, No. .
 - (3.) I enclose certificates of sobriety and good conduct from .
 - (4.) My age at the present time is years.
- Dated at , this day of , 19 .