

the Warden's office. If no valid objection be made, the Warden may grant a certificate, in the form in Schedule 43 hereto, on payment of a fee of not less than £3 sterling for a license which shall be in force for six months, or £5 for a license which shall be in force for twelve months from the date thereof, and shall entitle the holder, subject to such conditions as the Warden may think fit to impose, to cut any timber (except kauri or reserved trees) on any Crown land within a mining district mentioned in the application notice: Provided that every person holding any such certificate to cut timber shall be the holder of a miner's right; but no such certificate shall entitle the holder thereof to cut timber on land within any proclaimed forest reserve; and, in the Land Districts of Westland and Nelson, such certificate shall only entitle the holder thereof to cut timber on lands which have been proclaimed mining reserves under the provisions of the contract with the New Zealand Midland Railway Company (Limited), dated the 3rd August, 1888.

262. *Hand-Sawyers', Splitters', and Wood-cutters' Certificates.*—Every person being the holder of a hand-sawyer's, splitter's, or wood-cutter's certificate shall be entitled to an area of not exceeding five acres, and shall have the right to construct saw-pits.

*Saw-mill Timber Applications.*

263. Any person, being the owner or lessee of any saw-mill and saw-mill plant, or desirous of cutting timber for sale for *bonâ fide* mining purposes, or for any purpose incidental or conducive thereto, or for sale to such saw-mill owner or lessee, shall make application to the Warden for permission, in the form in Schedule 42 hereto, and a copy of such application shall be posted for seven days outside the Warden's office. If no valid objection be made, the Warden may grant a certificate in the form in Schedule 43 hereto, on payment of a fee of five shillings for a certificate which shall be in force for six months, or ten shillings for a certificate which shall be in force for twelve months from the date thereof, and such license shall entitle the holder thereof to cut timber on the mining reserves hereinafter mentioned, subject to payment of the following royalties: Kauri, totara, matai, silver-pine, and kawaka, 6d. per 100 superficial feet: all other timber, 3d. per 100 feet; and timber cut into blocks for paving sluices, 2d. per 100 superficial feet: Provided that no such certificate shall entitle the holder thereof to cut timber on land within any proclaimed forest reserve; and, in the Land Districts of Westland and Nelson, such certificate shall only entitle the holder thereof to cut timber on lands which have been proclaimed mining reserves under the provisions of the contract with the New Zealand Midland Railway Company (Limited), dated the 3rd August, 1888.

264. Every applicant for a certificate shall state whether he desires to cut timber for saw-milling or for other purposes.

265. Any person cutting timber outside his boundary-line shall be guilty of a breach of these regulations, and shall pay a royalty of 6d. per 100 superficial feet in respect of the timber so cut.

266. Every holder of a certificate shall point out the extent of his cutting when required so to do by the Warden or any person appointed in writing by him.

267. *Saw-mill Timber Certificates.*—The holder of any saw-mill timber certificate shall be entitled to an area not exceeding 200 acres for his own exclusive use. Such holder shall, unless he be the owner of a fully-equipped saw-mill plant at the time he applies for a certificate, within twelve months of the date of his certificate provide and fit up, either upon his saw-mill area or on some other site approved of or granted by the Warden or Commissioner of Crown Lands, a substantial and fully-equipped saw-mill plant, including all the necessary buildings thereto appertaining, which saw-mill plant must be kept in continuous working operation, unless valid and satisfactory reasons can be given to the Warden for any temporary stoppage. Should at any time the mill be closed for a longer time than the Warden thinks necessary or reasonable, it will be competent for him to give the holder of such certificate one month's notice in writing, and, should the said holder fail or neglect to resume and continue the *bonâ fide* working of the mill, the Warden shall declare the certificate forfeited, and may immediately reoffer for license the saw-mill area. The holder of such certificate may, within three months from the date of forfeiture, however, remove any building or machinery he may have erected. Whenever the holder of a saw-mill timber certificate applies for another saw-mill area alongside the area previously held by him, such last-mentioned area will be deemed to be worked out, and the land and remaining timber, if any, will immediately and absolutely revert to the Government.

268. *Marking out Saw-mill Area.*—The applicant for any saw-mill certificate shall, previous to lodging his application, mark out the land applied for by blazing the front- and side-lines, and by placing pegs at each corner angle of such land, such pegs to stand at least 2ft. above the surface of the ground, and to be at least 4in. in diameter; and the Warden may, previous to finally dealing with such application, direct a survey of the land to be made at the expense of the applicant, and may order such applicant to deposit a sufficient sum to cover the expenses of survey before the same be made.

269. *Rights of Owner of Claim.*—The owner of any claim shall be entitled to cut and use for mining purposes all timber (other than kauri) growing upon the said claim, and shall be entitled to cut for his own mining purposes any timber (other than kauri) growing on unoccupied ground.

270. *Kauri Timber to be paid for.*—Any person requiring kauri timber must apply to the Warden, who may give permission to cut the same on payment to the Receiver of Revenue of a royalty not exceeding 6d. per 100 superficial feet contained in such tree, but in no case shall the amount be less than £1 5s. sterling for each tree.

271. Where it is necessary to grant to the holder of any certificate or other person authorised to cut and remove timber, bark, or wood for fuel from any forest, any right or rights of way through any part of the same, the Warden may grant such right or rights, and may impose such conditions in each case as may be deemed necessary. But no such right shall exist for any period beyond the term specified in the original license or authority.

272. When required by the Warden, any person holding a certificate to fell timber shall use a brand, and shall register the same in the office of the said Warden, and no two persons shall use the same brand.

273. Any person marking any timber with any brand not belonging to him, or branding any timber belonging to any other person with any brand other than the brand of the owner thereof, shall be guilty of a breach of these regulations; but the payment of any penalty shall not debar the person aggrieved from recovering the amount of any damage he may have sustained by the action of the delinquent.

274. Any person lighting any fire within a forest, and intentionally or negligently allowing the same to spread, shall be guilty of a breach of these regulations; but the payment of any penalty shall not prevent the recovery from the wrongdoer of the value of any damage which may be done by such fire.

275. Any person who shall permit any fire lighted by him outside the boundaries of any forest to spread into or cause injuries to such forest shall be guilty of a breach of these regulations; but the payment of any penalty shall not prevent the recovery from the wrongdoer of the value of any damage which may be done by such fire.

276. Any person who shall unlawfully injure or destroy any timber or other tree or shrub within the limits of any forest shall be guilty of a breach of these regulations.

277. Any person who may be found felling or cutting timber for sale, without being the holder of a certificate, within the boundaries of any forest, shall be guilty of a breach of these regulations: Provided this shall not apply to any holder of a miner's right who may be found cutting timber for his own domestic use or for mining purposes in connection with the claim held by him personally or conjointly with other partners, or in which he is working as wages man.

278. Royalty on all timber shall be paid at the rates hereinbefore specified; and every holder of a certificate shall keep a book or books in which shall be entered a true and accurate account of all timber felled, cut, or disposed of, and such book shall be open for the inspection of the Warden or Inspector, or such person as the Warden may otherwise appoint to inspect the same; and such holder of a certificate shall furnish the Warden and Inspector with a true and accurate statement of the quantity of timber so felled, cut, or disposed of every three months, such statement to be furnished in the months of January, April, July, October in each year, for the three months immediately previous. All royalty and license fees shall be paid to the Receiver of Gold Revenue.

Therefore, any sawmiller wanting a license on the goldfields must apply for the area and state in the application what the timber is for. I know a case in point. A sawmiller made an application for an area at the foot of the Teremakau, which was owned by the Tramway Company. They applied