

under the control of any Harbour Board, the license shall not be granted until the proposed conditions thereof have been submitted to such Harbour Board.

Boundaries of claim to be fixed and kept marked.

1898, No. 38, sec. 81

94. (1.) The dimensions and boundaries of every claim shall be finally fixed at the time when it is taken up; and it shall be the duty of the holder thereof, at all times thereafter whilst he continues to be such holder, to keep such boundaries marked in such distinctive manner as circumstances permit or regulations prescribe, and to point them out to any holder of a miner's right as soon as possible (in no case exceeding forty-eight hours) after being personally served with a notice in writing so to do. 5

Penalty in case of default.

(2.) If default is made in duly complying with any of the provisions of this section, the defaulter is liable to a penalty of five pounds; and, in the case of an ordinary alluvial claim held otherwise than under license, the holder of such miner's right may assume the claim to be unmarked, and may mark out and take up the same or any part thereof. 15

Any number of claims may be taken up.

Ibid, sec. 82

95. Any number of claims may be taken up by the same person or persons, either separately or conjointly :

Provided nevertheless as follows, that is to say :—

(a.) In respect of each such claim the prescribed conditions shall be duly fulfilled. 20

(b.) The total area of all such claims shall not exceed in the case of ordinary claims six acres, nor in the case of extended claims one hundred acres.

(c.) For each such claim, being an ordinary alluvial claim taken up otherwise than under license, a miner's right shall be held by each person taking up or at any time holding the same. 25

Rights and Liabilities of the Holders of Claims and other Mining Privileges.

Who to be deemed holder of claim, and until when.

Ibid, sec. 83

96. Every person by whom any claim or other mining privilege is lawfully taken up, and every person lawfully deriving through him, shall, according to his share and interest therein, be deemed to be the holder thereof until, in the case of an ordinary alluvial claim held otherwise than under license, it is forfeited or abandoned, or, in the case of any claim or other mining privilege held under license, the license therefor is determined by effluxion of time or by earlier surrender, or forfeiture, or abandonment, under the respective provisions in that behalf herein-after contained. 30

Holder entitled to exclusive occupation, and to privileges thereof.

Ibid, sec. 84

97. Subject to the provisions of this Act, every holder of a claim shall, whilst he continues to be the holder thereof, be entitled, according to his share and interest therein, to the exclusive occupation thereof for mining purposes, and also to all gold within the boundaries thereof, and also to such other privileges in respect thereof as are prescribed : 40

Provided that in no case shall he, as such holder,—

(a.) Be entitled to any metal or mineral other than gold therein, or to mine for or remove the same; nor 45

(b.) Have any riparian rights in respect of any watercourse on or adjoining such claim.

Labour conditions.

Ibid, sec. 85

98. Every claim shall be deemed to be taken up and shall be held subject to the labour conditions following, that is to say :— 50