

mile of each other in the case of dredging claims, or within half a mile of each other in the case of any other description of alluvial claim.

*As to Protection of Mining Privileges.*

5 159. Any duly registered mining privilege, or any specified portion thereof, which is protected under the provisions in that behalf hereinafter contained shall, during the period of protection, be deemed to be relieved from liability to abandonment or forfeiture for any cause arising during such period other than intentional abandonment, or default in payment of royalty, rent, or license fees, or in maintenance of marks.

No liability during period of protection. 1898, No. 38, sec. 130

160. On application in that behalf by the holder of any duly registered mining privilege, the Warden may by certificate grant protection of such mining privilege or specified portion thereof; and with respect to every such application and certificate, the following provisions shall apply :—

Warden may grant protection of mining privilege. Ibid, sec. 131

- (a.) The application shall be in the prescribed form, and shall specify the mining privilege or portion thereof to which it relates, the period during which protection is required, and the reasons for which the application is made.
- (b.) If the period applied for does not exceed fourteen days, the Warden in his discretion may dispose of the application *ex parte* in a summary way without requiring it to be notified.
- (c.) If the period applied for exceeds fourteen days, the application shall be notified and disposed of under section one hundred and sixty-five hereof.
- (d.) If the period applied for does not exceed six months, the Warden may grant or refuse the application in his discretion.
- (e.) If the period applied for exceeds six months, the Warden, after hearing the application and all objections thereto, shall forward the same, and his report and recommendations thereon, to the Minister, and the application shall not be granted by the Warden unless the Minister signifies in writing on the proposed certificate that he consents thereto.
- (f.) The application may be granted for the whole of the period applied for, or for such less period as the Warden or, as the case may be, the Warden with the consent of the Minister thinks reasonable, having regard to all the circumstances.
- (g.) The period applied for or granted shall in no case exceed twelve months.
- (h.) The period of protection shall in every case commence on the date on which the application is granted, or on such earlier date, being in no case earlier than the date fixed for the original hearing of the application, as the Warden thinks equitable.
- (i.) The certificate of protection shall be in the prescribed form, and when duly signed by the Warden and, when necessary, by the Minister, shall be transmitted by the Warden to the Registrar, who, having first registered it, shall issue it to the person entitled to receive it.