

(a.) The application for such order shall be made by motion on behalf of the claimant, and such motion shall be served on the respondent before the expiration of the said period of twelve months.

5 (b.) The order shall not be made unless the Judge is satisfied that in consequence of the death of the claimant, or his absence from the colony, or other sufficient cause not imputable to his negligence, reasonable opportunity of making or serving the claim within the said period has not been afforded.

10 (c.) If satisfied as aforesaid, the Judge may by order extend the said period for such further time, not exceeding six months, and upon such terms and conditions as he deems just.

286. No claim for compensation shall be allowed unless it is made and served in the manner and within the period or extended period prescribed by this Act. Claims not so served to be disallowed. 1898, No. 38, sec. 235

15 287. In any case where the Public Trustee is the owner or has the administration and control of any land in respect of which any claim for compensation arises under this Act, he may make any such agreement with the Minister as to compensation, or the value of any Settlement of claim where Public Trustee is owner. Ibid, sec. 236

20 land affected, taken, or injured, as the Public Trustee thinks reasonable, and every such agreement shall be binding on every person or interest represented by him.

288. The compensation payable by His Majesty in respect of any claim for compensation under this Act shall be paid by the Colonial How compensation to be paid. Ibid, sec. 237

25 Treasurer out of moneys to be appropriated by Parliament for that purpose, and shall be charged upon and deducted from the goldfields revenue derived from the mining district wherein the claim arose, until out of such revenue all moneys paid in respect of such compensation and costs have been fully recouped to the Treasury:

30 Provided that if such mining district embraces the districts of two or more local authorities entitled to such revenue, then such charge and deduction shall be apportioned between them as the Minister thinks just:

35 Provided further that in special cases, and on the recommendation of the Minister, one moiety only, or no portion whatsoever, of the moneys paid in respect of such compensation shall be so charged and deducted as aforesaid.

289. Subject to the provisions of the next succeeding section hereof, compensation shall in no case be payable in respect of the auriferous Compensation only payable in cases provided for. Ibid, sec. 238

40 or argentiferous value of any land to which the claim for compensation relates; and no person shall have any right or claim to compensation against His Majesty in respect of any matter arising under this Act except in cases for which compensation is expressly provided by this Act.

290. Whereas it has been suggested that in some cases the owner Compensation for auriferous or argentiferous value of land if title to deposits established. Ibid, sec. 239

45 or occupier of land may, as against His Majesty, be entitled in law to the deposits of gold and silver on or in such land, and it is just that in any such case his claim to compensation in respect thereof should not be prejudicially affected by any of the provisions of this Act: Be it therefore enacted as follows:—

50 (a.) If any such person establishes his title as aforesaid to such deposits by judgment of the Supreme Court or on appeal, then, in the event of such land being resumed for mining