

and notifies the Minister in writing of the fact, date, and locality of the discovery, if the land is resumed, ceded, or brought within a mining district in consequence of such discovery and notification :

(b.) The person who is the owner or occupier (hereinafter called " the proprietor ") of the land :

(c.) The person (hereinafter, with all persons in the same group, called " the applicant ") pursuant to whose application and deposit the land is resumed :

Provided that, except in the case of separate proprietors as hereinafter mentioned, no such person or group of persons shall be entitled to mark out and take up more than one claim.

2. The rights of the discoverer, the proprietor, and the applicant to mark out and take up claims shall, as against all other persons, have priority during the whole of the period referred to in paragraph (f) of section 89 of this Act, but shall, as between themselves, be regulated as follows :—

(a.) During the first half of the said period each separate proprietor shall (subject to the proviso hereinafter contained) have the exclusive right to mark out and take up a claim as aforesaid on such portion (if any) of his land as comprises the site of mining operations which he was *bond fide* carrying on at the time when, as the case may be, the discoverer notified the Minister, or the applicant made his application and deposit, or (in the absence of such notification or application) the land was ceded or resumed or brought within a mining district.

(b.) Subject to the aforesaid exclusive right of the proprietor, the discoverer shall during the first half of the said period have the exclusive right to mark out and take up a claim as aforesaid on any portion of the land to which his discovery and notification relate.

(c.) Subject to the aforesaid exclusive rights of the proprietor and the discoverer, the applicant shall, during the first half of the said period, have the exclusive right to mark out and take up a claim as aforesaid on any portion of the land to which his application for resumption relates.

(d.) During the second half of the said period the rights of the discoverer, the proprietor, and the applicant (if or in so far as such rights have not already been exercised) shall be regulated by the date on which the claims are marked out and taken up :

Provided that the aforesaid exclusive right of the discoverer shall have priority over that of the proprietor in any case where the land was alienated from the Crown on or subsequent to the 29th day of September, 1873, or (if Native land) was alienated from the Native owners thereof to any person other than the Crown on or subsequent to the 30th day of August, 1888.

3. The claims shall be marked out and taken up under the provisions of this Act in like manner as if the land were available for mining purposes.

4. The right to take up a claim shall be deemed to include the right to a license for any other mining privilege to be used for the purpose of facilitating mining operations on such claim, and this Schedule shall be construed accordingly.

5. The Warden shall have jurisdiction to determine all questions and disputes that arise in relation to the exercise of the aforesaid rights.

THIRD SCHEDULE.

ALL that block of land in the Land District of Nelson, containing by admeasurement 2,100 acres, more or less, and situated in Blocks I. and II., Waitapu Survey District, and Block IV., Aorere Survey District, and bounded as follows : Commencing at a point on the Parapara River intersected by the south-western boundary of Section 192, Takaka ; thence by said boundary and the north-western boundary of Section 77, Milnthorpe Suburban, to the western corner of the latter section ; thence along the south-western boundary of the said section to the northern corner of Section 122, Square 14 ; thence along the north-western, south-western, and south-eastern boundaries of Section 122, Square 14, to the southern corner of Section 76, Milnthorpe Suburban ; thence along the south-eastern boundaries of Sections 76, 74, 72, and 70, Milnthorpe Suburban, to Trig. AA, at eastern corner of the latter section ; thence by a line to the southern corner of Section 69, Milnthorpe Suburban ; thence along the south-western boundaries of Sections 68 and 67, Milnthorpe Suburban, to the southern corner of the latter section ; thence along the

1902, No. 22,
Schedule.