

- (7.) When the boundary of the mining privilege is on the bank or in the bed of a watercourse, then, in so far as it is not practicable to mark such boundary by means of pegs, cairns, mounds, tree-blazing, or trenches, it shall be sufficient if in lieu thereof arrow-headed marks (thus, $\wedge$) are cut or clearly indicated upon trees, rocks, or other fixed natural objects above high-flood mark at the end of each boundary-line, or as near thereto as practicable, each such arrow-headed mark being not less than 1 ft. in length, and each of the lines composing it being not less than 2 in. broad.
- (8.) In addition to such arrow-headed marks, there shall also be cut or clearly indicated, at the end of each boundary-line, the distinguishing mark.
- (9.) In every case where it is not practicable to mark out the boundary on the actual boundary-lines, the marks actually used shall also bear or have affixed thereto a notification indicating with approximate correctness the situation of the actual boundary-lines, and their distance from such marks.
- (10.) In the case of a race it shall be sufficient if it is marked out, not at the boundaries, but at the starting-point, the terminal point, and at intervals of not more than 500 yards along the proposed course of the race, and also (in the case of a water-race) at each point of intake.
- (11.) In the case of a tunnel it shall be sufficient if it is marked out, not at the boundaries, but at the starting and terminal points.
- (12.) In the case of a tramway or road it shall be sufficient if it is marked out, not at the boundaries, but at the starting and terminal points, and also at intervals of not more than 500 yards along the proposed course of the tramway or road.

APPLICATIONS IN RESPECT OF MINING PRIVILEGES.

24. For the purposes of section 136 of the Mining Act, but subject to the specific provisions elsewhere contained in that Act or these regulations with respect to specific applications, the following general rules, in so far as they are applicable, shall be observed with respect to every application to the Warden under that section:—

- (1.) The application may be made in such one of the forms numbered 14 to 19 in the First Schedule hereto as is applicable, or, if none of those forms is applicable, then in such form as the Warden prescribes or authorises, and shall be filed by or on behalf of the applicant in the office of the Registrar during office-hours as defined in clause 95 of these regulations.
- (2.) The application may be transmitted to the Registrar's office by post or otherwise, and, in the event of its reaching his office after office-hours, the time of filing shall be deemed to be the hour when the office is next open for business.
- (3.) If the application is for a claim or other mining privilege requiring to be marked out, it shall be marked out before the application is filed; and unless this rule is complied with the application shall be deemed to be void.
- (4.) The application shall in every case contain an address for service, which address shall be within the mining district where the mining privilege applied for is situated, and all notices to be served on the applicant shall be deemed to be validly served if served at such address.
- (5.) When filing the application the applicant shall also lodge with the Registrar such number of duplicate originals thereof, being in no case less than three nor more than five, as the Registrar requests or the Warden prescribes.
- (6.) The sums to be lodged with the Receiver under subsection (2) of section 136 of the Mining Act, to abide the disposal of the application, shall, according to the nature of the application, be the sums set forth in the Second Schedule hereto, or, in so far as that Schedule does not apply, then such sums as the Warden or the Receiver directs:

Provided that, in every case where it appears to the Warden or Receiver that the sums so lodged are insufficient, the applicant shall forthwith, after demand in writing by the Receiver, lodge such further sum as is specified in the demand; and if such demand is not complied with the Warden may either postpone or dismiss the application, upon such terms as to costs and otherwise as he thinks fit.

- (7.) The Warden before disposing of the application shall satisfy himself that the sums lodged as aforesaid are sufficient to pay all fees and other charges in respect whereof the lodgment has been made, and they shall be applied in payment thereof accordingly, and the surplus (if any) shall be returned to the person entitled thereto.
- (8.) As soon as practicable after the filing of the application and the lodging of the duplicate originals, the Registrar shall minute thereon the time and place of hearing appointed by the Warden (such time being not less than sixteen days after the filing of the application).
- (9.) In every case where the application is for the grant of a special claim comprising more than 20 acres, or of a water-race authorising the diversion of more than ten heads of water, or of a main tail-race, the Warden shall, and in any other case he may in his discretion, but in every case at the applicant's expense, publicly notify the minuted application by advertising a copy thereof not less than twice in one or more newspapers circulating in the district.
- (10.) On the day on which the application is filed, or as soon thereafter as is practicable, the applicant shall notify every person who to his knowledge is in occupation of the land, or any part of the land, comprised in the application, or has any estate or interest therein, or any interest which will be obviously affected by the grant of the application, by posting to him at his last-known place of business or abode a registered letter containing a copy of the minuted application or of the advertisement thereof, or by delivering such copy to him personally.