

# MINERS' HOMESTEAD LEASES REGULATIONS.<sup>(1)</sup>

1. These Regulations may be cited as the *Miners' Homestead Leases Regulations*.<sup>(1)</sup> Short title.
2. In these Regulations unless the contrary intention appears— Interpretation.
- “Agent” means any person authorized in writing by a principal to act as his agent either generally or for any particular matter or purpose;
- “*The Ordinance*” means the *Miners' Homestead Leases Ordinance 1928*; <sup>(2)</sup>
- “*The Principal Ordinance*” means the *Mining Ordinance 1928*; <sup>(3)</sup>
- “*The Schedule*” means the Schedule to these Regulations.
- 3.—(1.) Applications for leases of land which has not been set apart for application by tender or sale by auction shall be in duplicate in accordance with Form 1 in the Schedule. Applications for leases.
- (2.) Every notice of objection to any such application shall be in accordance with Form 2 in the Schedule.
- (3.) Every such application and all objections thereto shall be heard on a day appointed by the warden, not being less than thirty days from the date of lodging the application, and public notice of the hearing shall be given by posting it at the office of the warden.
- 4.—(1.) Applications for leases of land which has been declared to be open for application as *Miners' Homestead Leases* by tender shall be in duplicate in accordance with Form 3 in the Schedule. Tenders for Miners' Homestead Leases.
- (2.) Tenders accompanying such applications shall be in accordance with Form 4 in the Schedule.

(1) The *Miners' Homestead Leases Regulations* (made under the *Miners' Homestead Leases Ordinance 1928-1938*) comprise the original *Miners' Homestead Leases Regulations*, as amended by the other Regulations referred to in the following Table:—

### REGULATIONS MADE BY THE ADMINISTRATOR.

Description and number and year (if any).	Date on which made by Administrator.	Date on which published in <i>N.G. Gaz.</i>	Date on which came into operation.
<i>Miners' Homestead Leases Regulations</i>	5.12.1928	31.12.1928	31.12.1928 ( <i>N.G. Gaz.</i> of 31.12.1928)
<i>Amending Regulations</i>	23.4.1931	30.4.1931	30.4.1931 ( <i>N.G. Gaz.</i> of 30.4.1931)
<i>Amending Regulations</i> (1936, No. 32)	23.10.1936	31.10.1936	31.10.1936 ( <i>N.G. Gaz.</i> of 31.10.1936)

(2) Now the *Miners' Homestead Leases Ordinance 1928-1938*.

(3) Now the *Mining Ordinance 1928-1940*.

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Land offered at auction and not sold.

5. Applications for leases of land which, having been offered at auction and not sold, is open for lease at the upset price shall be in duplicate in accordance with Form 5 in the Schedule.

Withdrawal of application.  
Ad. by Regs. gazetted on 30.4.1931, r. 1.

5A. An application under section 7 of the Ordinance may be withdrawn at any time before notice of the granting of the application has been posted to the address of the applicant given in his application or otherwise given to him.

Discretion of warden as to application or purchase.

6.—(1.) The warden may, in his report under section 19 of the Ordinance, advise the Administrator to refuse to grant any application for or to approve of the purchase of a lease by any person if the warden is satisfied that the applicant or purchaser is a person of bad repute, or that if his application were granted or purchase approved he would be an undesirable lessee, or that the granting of his application or the approval of his purchase would be prejudicial to other lessees.

(2.) Any objection to an application or purchase on the grounds mentioned in this section may be taken by the warden of his own motion, or by any officer or representative of the Administrator, or by any lessee in the locality, and the applicant shall, if he so desires, be heard.

(3.) The decision of the warden so to report shall be pronounced in open court.

Procedure to determine priority by lot.

7.—(1.) When it is necessary to determine priority among any applications by lot, the warden shall cause two boxes to be provided.

(2.) In one box he shall cause to be placed a number of tickets of similar size and shape equal to the number of applications among which priority is to be determined, such tickets having written thereon the respective register numbers of the several applications.

(3.) In the other box he shall cause to be placed a like number of sealed envelopes, within one of which he has previously written the word "Accepted."

(4.) The tickets and envelopes shall then be shaken and mixed in their respective boxes, and the warden or an officer deputed by him shall draw a ticket from the first box, and the applicant whose application bears the register number corresponding to the number on the ticket thus drawn, or the agent of such applicant, shall thereupon draw an envelope from the other box.

(5.) This procedure shall be continued until the envelope containing the word "Accepted" has been drawn, and the applicant who draws that envelope shall be entitled to priority.

(6.) Any applicant may, if he so requests immediately after the envelope containing the word "Accepted" has been drawn, but not otherwise, require that the remaining tickets and envelopes shall be counted and examined, and if it appears on such count and examina-

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tion that the number of tickets or envelopes originally placed in the respective boxes was a less or greater number than the number of applications among which priority was to be determined, the original drawing shall be a nullity, and the drawing shall be proceeded with afresh.

(7.) The term "box" in this regulation includes any other suitable receptacle.

(8.) If an applicant refuses to draw when called upon, his application shall forthwith be refused. The drawing shall then be continued, and if the envelope containing the word "Accepted" is not drawn by any of the applicants willing to draw (if more than one) the original drawing shall be a nullity, and the drawing shall be proceeded with afresh.

(9.) If there is only one applicant willing to draw, his application shall be treated as the only one.

8.—(1.) Where the value to be paid for improvements on land applied for or sold at auction has been fixed by the warden or declared by notification, the warden shall, before forwarding his report under section 19 of the Ordinance, deliver or send to the applicant or purchaser of the land a notice in accordance with Form 6 in the Schedule, calling on him to pay the said value, and the applicant or purchaser shall within twenty-one days after the date of the notice pay at the warden's office the amount specified in the notice: Improvements.

Provided that if the applicant or purchaser objects to the payment of the value specified he may, within twenty-one days after the date of the notice, lodge at the warden's office an application in accordance with Form 7 in the Schedule, requesting to be heard by the warden, and the warden shall fix a time for the hearing, and may at the hearing fix the value of the improvements.

(2.) Whenever it is necessary so to fix the value of the improvements the warden shall obtain a report and valuation and shall require the applicant or purchaser, and any other person to whom the whole or any part of the money is or will be payable, to furnish a valuation or claim, and the valuation or claim shall be furnished accordingly.

(3.) Any party to any proceeding to which this regulation relates after he has furnished his valuation or claim shall have the right to inspect and take a copy of any valuation or claim furnished to the warden for the purposes of the proceeding.

(4.) All parties to the proceeding shall have the right to adduce evidence and address the warden.

(5.) The warden's decision shall be final, and the applicant or purchaser shall forthwith pay the amount so fixed.

(6.) In the event of the valuation being reduced, the applicant or

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purchaser shall be entitled to the return of any money paid in excess of the value decided by the warden under this regulation.

(7.) For the purposes of these Regulations the value of improvements shall be such sum as would fairly represent their value to an incoming tenant.

Notice of grant or approval under s. 20.

9. Notice under section 20 of the Ordinance of the granting of an application or of the approval of a purchase shall be in accordance with Form 8 in the Schedule.

Occupation of land.  
Am. by 1936,  
No. 32, r. 1.

10. Wherever under the Ordinance land was, prior to the twelfth day of April, One thousand nine hundred and thirty-three, leased subject to the condition of residence, and the applicant, purchaser, or lessee does not intend that that condition shall be performed by the residence thereon of himself, he shall give notice to the warden of the name of the qualified person whom he has appointed to reside on the land in accordance with the Ordinance. The notice shall be in duplicate and shall be in accordance with Form 9 in the Schedule.

Fulfilment of conditions.

11. When an applicant or purchaser desires to give notice to the warden under section 20 of the Ordinance that he has entered upon and occupied land applied for or purchased, or that he has fenced the land or made improvements in the manner prescribed, the notice shall be given in accordance with Form 10 in the Schedule.

Warden's report as to fulfilment of conditions.

12. The report of the warden under sub-section (9.) of section 20 of the Ordinance shall be in accordance with Form 11 in the Schedule.

Transfer of miner's homestead lease.

13.—(1.) A transfer of a miner's homestead lease made under section 25 of the Ordinance shall be in accordance with Form 12 in the Schedule.

(2.) A transfer of part of a miner's homestead lease under section 27 of the Ordinance shall be in accordance with Form 13 in the Schedule.

(3.) A certificate of transfer of a miner's homestead lease shall be in accordance with Form 14 in the Schedule.

(4.) Any person to whom a part of any miner's homestead has been transferred shall, from the date of the recording of such transfer, be liable to pay the annual rent of the part so transferred to him.

Assignment of interest in miner's homestead lease.

14. An assignment of interest in a miner's homestead lease purchased at or after auction shall be in accordance with Form 15 in the Schedule.

Surrender of miner's homestead lease.

15. Notice of surrender of a miner's homestead lease shall be given to the warden in accordance with Form 16 in the Schedule.

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16. A miner's homestead lease shall be in accordance with Form 17 or Form 18 in the Schedule, with such variations as the circumstances of any particular case require. Form of lease.

17.—(1.) The survey fees to be paid by applicants for or purchasers of miners' homestead leases shall be in accordance with the scale of fees for survey to be paid by holders of mining tenements as set forth in the Second Schedule to the regulations under the Principal Ordinance. Fees.

(2.) The following fees shall be payable in respect of the several matters hereunder mentioned:— Sub-reg. (2) am. by Regs. gazetted on 30.4.1931, r. 2.

	£.	s.	d.
1. On transfer of a miner's homestead lease ..	10	0	
2. On transfer of part of a miner's homestead lease ..	10	0	
3. On registration of a mortgage of a miner's homestead lease .. .. .	5	0	
4. On registration of transfer of a miner's homestead lease or sale by mortgagee ... ..	10	0	
5. On application under section 7 of the Ordinance	3	0	0

18.—(1.) If an application made under section 7 of the Ordinance is withdrawn under regulation 5A of these Regulations before the commencement of survey the survey fee shall be repaid to the applicant. Repayment of fees, &c.  
R. 18 ad. by Regs. gazetted on 30.4.1931, r. 3.

(2.) If an application is withdrawn under regulation 5A of these Regulations the moneys deposited for rent shall be repaid to the applicant.

(3.) The application fee shall not be returned under any circumstances.

THE SCHEDULE.

Form 1.

TERRITORY OF NEW GUINEA.

*Miners' Homestead Leases Ordinance 1928.*

APPLICATION FOR MINER'S HOMESTEAD LEASE—WITHOUT TENDER.

Register number:  
Name of Applicant:\*  
Mining Field:

Received this                      day of                      19                      , at the hour of  
o'clock                      .m.

C.D.,  
Warden [or Mining Registrar].

I,                      , of                      , on behalf of†                      do hereby apply for a Miner's Homestead Lease, under the *Miners' Homestead Leases Ordinance 1928*, of the land described in the Schedule hereto, situated on the                      Field, comprising an area of                      hectares                      acres                      and I deposit herewith the sum of                      pounds and                      shillings, being the amount of one                      year's rent of the land applied for, together with the prescribed survey fee.

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The land applied for, together with all other land in the same Mining Field held by me † does not exceed \_\_\_\_\_ hectares.

§ I certify that I am † of the full age of eighteen years, a resident of the \_\_\_\_\_ Mining Field, in which the land applied for is situated.

Witness: \_\_\_\_\_ (Signed) A.B. ¶

I have this day received from \_\_\_\_\_ the sum of \_\_\_\_\_, being the amount of rent and survey fee due on the above application numbered \_\_\_\_\_

Place:

Date:

C.D.,  
Warden [or Mining Registrar].

SCHEDULE.

(Description of land applied for.)

\* Insert full name of person or company, &c., intending to become the lessee.

† If application form is filled in and signed by the applicant, leave this space blank. If form is signed by any person in the capacity of agent for the applicant, insert name of applicant. If application is made by or on behalf of an incorporated company or religious body, insert name; and also, in case of company, state the nature of business carried on on the mining field and in the case of a religious body, the purpose for which the land is required.

‡ If form is not filled in and signed by applicant on his own behalf, strike out words in italics, and insert name of applicant or company, &c.

§ If application is by company or other body, strike out whole of this paragraph.

¶ Person signing, if not the applicant, must sign in full as authorized agent of the applicant, or, in case of a company or other body, chairman or secretary, as the case may be. In case of an agent, document showing authority to act in that capacity should be attached to application.

Form 2.

OBJECTION TO APPLICATION FOR MINER'S HOMESTEAD LEASE.

I, the undersigned, being a resident of the \_\_\_\_\_ Mining Field, do hereby give notice that I object to the application for Miner's Homestead Lease No. \_\_\_\_\_, by \_\_\_\_\_ for the following reasons:—

(Signed) A.B.

Received \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ m.

C.D.,  
Warden [or Mining Registrar].

Form 3.

TERRITORY OF NEW GUINEA.

*Miners' Homestead Leases Ordinance 1928.*

APPLICATION FOR MINER'S HOMESTEAD LEASE—WITH TENDER.

Register No.: \_\_\_\_\_  
Name of applicant: \* \_\_\_\_\_  
Mining Field: \_\_\_\_\_

I, \_\_\_\_\_ of \_\_\_\_\_, on behalf of \_\_\_\_\_, hereby apply for a lease under the *Miners' Homestead Leases Ordinance 1928* of the land described in the Schedule hereto annexed.

*Miners' Homestead Leases Regulations.*

Accompanying this application, in a sealed envelope in accordance with section 16 of the abovenamed Ordinance, is the tender specifying the annual rent per acre offered by me† for the land applied for.

Pending the result of application and tender, the sum of \_\_\_\_\_ pounds and \_\_\_\_\_ shillings is herewith lodged on account, being one year's notified rent, together with survey fee.

The land applied for, together with all other land in the same Mining Field held by me† does not exceed \_\_\_\_\_ ares.

§I certify that I am† \_\_\_\_\_ of the full age of eighteen years, and a resident of the \_\_\_\_\_ Mining Field, in which the land applied for is situated.

Witness: \_\_\_\_\_ (Signed) A.B.¶

I have this day received from \_\_\_\_\_ the sum of \_\_\_\_\_, being the amount of a \_\_\_\_\_ year's notified rent and survey fee, due on the above application, numbered \_\_\_\_\_

Place:  
Date:

C.D.,  
Warden [or Mining Registrar].

SCHEDULE.

- Mining Field:
- Date of notification:
- Particulars of land:
- Number of portion applied for in accordance with notification:
- Area of portion applied for:
- Notified value to be paid for improvements (if any) on the portion applied for:
- Total area applied for:

\* Insert full name of person or company, &c., intending to become the lessee.

† If application is signed by the applicant, leave this space blank. If the application is signed by any person in the capacity of agent for the applicant, insert name of applicant. If the application is made by or on behalf of an incorporated company or religious body, insert name, and also, in case of company, state the nature of business carried on on mining field, and, in the case of a religious body, the purpose for which the land is required.

‡ If application form is not filled in and signed by the applicant, on his own behalf, strike out words in italics, and insert name of applicant or company, &c.

§ If application is by or on behalf of a company or other body strike out whole of this last paragraph.

¶ Person signing, if not the applicant, must sign in full as authorized agent of the applicant, or, in the case of a company or other body, chairman or secretary, as the case may be. In case of an agent, document showing authority to act in that capacity must be attached to application.

TERRITORY OF NEW GUINEA.

Form 4.

*Miners' Homestead Leases Ordinance 1928.*

TENDER FOR LEASE.

I, \_\_\_\_\_ of \_\_\_\_\_, having duly lodged an application for a Miner's Homestead Lease of the land mentioned in the Schedule, hereby tender \_\_\_\_\_ pounds \_\_\_\_\_ shillings and \_\_\_\_\_ pence as the annual rent per are of the land.

SCHEDULE.

- \* Mining Field:
- \* Date of notification:
- \* No. of portion applied for:
- \* Area of portion applied for: \_\_\_\_\_ Signature.†

\* Fill in exactly as in application form.

† Same provisions apply to signature as in application form.

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Form 5.

TERRITORY OF NEW GUINEA.

*Miners' Homestead Leases Ordinance 1928.*

APPLICATION FOR MINER'S HOMESTEAD LEASE AT THE UPSET PRICE.

Register No.:  
Name of applicant: \*  
Mining Field:

Received this                      day of                      , 19                      at the hour of  
o'clock                      .m.

C.D.,  
Warden [or Mining Registrar].

I,                      , of                      , on behalf of †                      hereby apply for a Miner's Homestead Lease, under the *Miners' Homestead Leases Ordinance 1928*, of the land described in the Schedule hereto, the said land having been offered at auction and not sold and now being open for lease at the upset price, in accordance with the conditions prescribed in the notification of the day of                      , 19                      .

I deposit herewith the sum of                      pounds and                      shillings, being the amount of a                      year's rent, at the notified rate, together with the survey fee.

The land applied for, together with all other land in the same Mining Field held by me ‡ does not exceed                      acres.

§ I hereby certify that I am † of the full age of eighteen years, and a resident of the                      Mining Field, in which the land applied for is situated.

Witness:                      (Signed)                      A.B. ¶

I have this day received the sum of                      pounds, being the amount of rent and survey due with the above application, numbered

Place:

Date:

C.D.,  
Warden [or Mining Registrar].

SCHEDULE.

Mining Field:  
Date of notification:  
Particulars of land:  
Number of portion applied for in accordance with notification:  
Notified rent or upset price per acre:  
Notified value to be paid for improvements (if any) on the portion applied for:  
Total area applied for:

\* Insert full name of person or company, &c., intending to become the lessee.

† If application form is filled in and signed by the applicant, leave this space blank. If form is filled in and signed by any person in the capacity of agent for the applicant, insert name of applicant. If application is made by or on behalf of an incorporated company or religious body, insert name, and also, in case of company, state the nature of business carried on in the mining field, and, in the case of a religious body, the purpose for which the land is required.

‡ If form is not filled in and signed by applicant on his own behalf, strike out words in italics, and insert name of applicant or company, &c.

§ If application is by a company or other body, strike out whole of this last paragraph.

¶ Person signing, if not the applicant, must sign in full as authorized agent of the applicant, or, in the case of a company or other body, chairman, secretary, &c., as the case may be. In case of an agent, document showing authority to act in that capacity must be attached to the application.



*Miners' Homestead Leases Regulations.*

Form 6.

TERRITORY OF NEW GUINEA.

*Miners' Homestead Leases Ordinance 1928.*

NOTICE TO APPLICANT OR PURCHASER TO PAY FOR IMPROVEMENTS.

To Mr.

I hereby notify you that on receipt of the sum of £ , being value of improvements referred to herein, it is my intention to forward a report under section 20 of the Ordinance advising the Administrator to recommend the approval of your [application or purchase] of Miner's Homestead Lease of land situated in the Mining Field, described as comprising

The said sum represents the value of the undermentioned improvements on the land, and you are required to pay the amount at the Warden's Office within twenty-one days of the date of this notice.

Warden.

List of improvements and value:—

	£
	£
Total value	£

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Form 7.

TERRITORY OF NEW GUINEA.

*Miners' Homestead Leases Ordinance 1928.*

NOTICE OF OBJECTION TO VALUATION PLACED ON IMPROVEMENTS.

To the Warden,

Mining Field.

I herewith give notice that I, applicant for [or purchaser of] Miner's Homestead Lease of land situated in the Mining Field described as , and comprising , object to the valuation placed on the improvements on the land, and claim to have such valuation fixed by you. I request you to appoint a time for the hearing.

(Signed) Applicant [or Purchaser].

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Form 8.

Am. by 1936,  
No. 32, r. 2.

TERRITORY OF NEW GUINEA.

*Miners' Homestead Leases Ordinance 1928.*

NOTICE OF GRANT OF APPLICATION OR APPROVAL OF PURCHASE OF MINER'S HOMESTEAD LEASE.

Sir,—I hereby notify you that the Administrator has granted [or approved of] your\* Miner's Homestead Lease No. of land situated in the Mining Field, described as comprising †

The lease will be a lease under the provisions of the abovementioned Ordinance commencing from the date of grant [or approval], and the annual rent or any balance due, which must be paid at the Warden's Office on or before the 31st December for the year next ensuing, will be at the rate of §

Subject to any extension of time being granted on such terms as the Administrator may approve, the conditions to be fulfilled by you with respect to the said land are as follow—

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¶ Within six months of the date of this notice you must occupy the land by continuous and *bona fide* residence.

\*\* Within six months of the date of this notice you must make improvements on the land of a value of

†† Within twelve months of the date of this notice you must enclose the land with a good and substantial fence, or make substantial improvements on the land of a total value equal to the cost of such fence.

Within the time above specified after the date of this notice you must notify the Warden, in the prescribed form, when you have entered into occupation of the land and when you have fenced the land or made improvements in the manner required; and the land will be inspected.

If you fail to comply with any of the above conditions, you forfeit all claim to the land and all moneys paid as rent or survey fee.

If after inspection it is found that you have complied with the foregoing conditions, the facts will be reported to the Administrator, when you will be entitled to receive the lease of the land under the *Miners' Homestead Leases Ordinance 1928*.

Secretary for Mines.

\* Insert "Application for" or "purchase of," as the case may be.

† Insert description in accordance with description in schedule attached to application or tender as finally recommended.

‡ If the land has been surveyed, insert number of ares or hectares. If not, insert such area as the surveyor may determine from the above description of the land.

§ If sold at auction, insert the correct amount, *i.e.*, one-thirtieth part of the purchase price. If obtained by tender, insert amount of rent at rate specified in tender. In other cases, insert amount in accordance with scale specified in section 22 of the Ordinance.

¶ When the area is less than eight hectares, and there has been no proclamation or notification that the condition of residence shall apply, strike out this paragraph.

\*\* When the area exceeds eight hectares, strike out this paragraph. When less than eight hectares, insert sum fixed by section 20(1) (a) in accordance with situation of land.

†† When the area is less than eight hectares, strike out this paragraph.

Form 9.

TERRITORY OF NEW GUINEA.

*Miners' Homestead Leases Ordinance 1928.*

NOTICE OF APPOINTMENT OF QUALIFIED PERSON TO PERFORM  
CONDITION OF RESIDENCE.

The Warden,  
Mining Field.

I, \_\_\_\_\_, the \_\_\_\_\_ \* of land situated in the \_\_\_\_\_ Mining Field, and more particularly described in Schedule hereto, hereby give notice that I have appointed [*s'ate name in full of person appointed*], of \_\_\_\_\_, to perform the condition of residence applicable to the land, and to reside on the land in accordance with the abovementioned Ordinance.

Witness:

Signature:

I hereby accept the above appointment, and declare that I am a qualified person under the Ordinance to hold a lease of a similar area of land.

Witness:

Signature:

SCHEDULE.

Description of land:  
*following particulars:—*

[*and, if notified land, the*

Date of notification:

Particulars of land:

No. of portion in accordance with notification:

Area:

\* Insert applicant, purchaser, or lessee, as the case may be.

*Miners' Homestead Leases Regulations.*

Form 10.

TERRITORY OF NEW GUINEA.

*Miners' Homestead Leases Ordinance 1928.*

NOTICE TO WARDEN OF PERFORMANCE OF CONDITIONS.

The Warden,  
Mining Field.

I, \_\_\_\_\_, the \_\_\_\_\_ of land described in Schedule hereto, hereby give notice that the conditions prescribed by the abovementioned Ordinance have been duly performed, and I request that the land be inspected, and that it be reported to the Administrator that the conditions of section 20 of the said Ordinance have been fulfilled so as to entitle me to a lease of the land.

The condition of residence has been fulfilled by the *bonâ fide* residence on the said land of \_\_\_\_\_ from \* \_\_\_\_\_ to \_\_\_\_\_

The undermentioned improvements have been effected on the land [*state the nature and respective value of the improvements*].

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

Signature.

SCHEDULE.

Description of land: \_\_\_\_\_ [*and, if notified land, the following particulars:—*]

Date of notification: \_\_\_\_\_

Particulars of land: \_\_\_\_\_

No. of portion in accordance with notification: \_\_\_\_\_

Area: \_\_\_\_\_

\* Insert date of commencement of residence.

Form 11.

TERRITORY OF NEW GUINEA.

*Miners' Homestead Leases Ordinance 1928.*

REPORT OF WARDEN UNDER SECTION 20.

Mining district: \_\_\_\_\_

Particulars of land applied for or purchased: \_\_\_\_\_

Date of notification: \_\_\_\_\_

No. of portion in accordance with notification: \_\_\_\_\_

Area: \_\_\_\_\_

I, \_\_\_\_\_, the Warden of the above Mining Field, hereby certify that the conditions hereunder specified have been performed by [*name of applicant or purchaser*] the [*applicant or purchaser*] of the above described land as required by section 20 of the above-mentioned Ordinance, to entitle him to a lease thereof.

Particulars of conditions performed: \_\_\_\_\_

C.D.,

Warden.

MINING—

Form 12.

TERRITORY OF NEW GUINEA.

*Miners' Homestead Leases Ordinance 1928.*

TRANSFER OF MINER'S HOMESTEAD LEASE.

Fee—Ten shillings.

Know all men by these presents, that I, \_\_\_\_\_, lessee of [or applicant for] the Miner's Homestead No. \_\_\_\_\_, on the \_\_\_\_\_ Field, containing \_\_\_\_\_ hectares \_\_\_\_\_ ares, do hereby transfer and assign all my right, title, and interest in the said homestead to \_\_\_\_\_, and I hereby request that the transfer be registered in the office of the Warden for the abovementioned field.

In witness whereof, I have hereto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

[L.S.] (Signature of Transferor.)

Accepted as above, and I declare that I am a qualified person under the Ordinance to hold a lease of the above described land.

(Signature of Transferee.)

Signed, sealed, and delivered by the said \_\_\_\_\_ in my presence—

(Signature of Witness.)

Form 13.

TERRITORY OF NEW GUINEA.

*Miners' Homestead Leases Ordinance 1928.*

TRANSFER OF PART OF MINER'S HOMESTEAD LEASE.

Fee—Ten shillings.

Know all men by these presents, that I, \_\_\_\_\_, lessee of the Miner's Homestead No. \_\_\_\_\_, on the \_\_\_\_\_ Field, containing \_\_\_\_\_ hectares \_\_\_\_\_ ares, do hereby transfer and assign all my right, title, and interest in and to such part of the said homestead as is particularly described in the certified plan and description contained in the schedule hereto \_\_\_\_\_, and I hereby request that an endorsement showing the portion transferred be made on the original lease, and that a fresh lease of such portion be granted to the transferee and that this transfer may be registered in the office of the Warden for the abovementioned field.

In witness whereof, I have hereto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

[L.S.] (Signature of Transferor.)

Accepted as above, and I declare that I am a qualified person under the Ordinance to hold a lease of the above described land.

(Signature of Transferee.)

Signed, sealed, and delivered by the said \_\_\_\_\_ in my presence—

(Signature of Witness.)

SCHEDULE.

Plan and description:

*Miners' Homestead Leases Regulations.*

Form 14.

TERRITORY OF NEW GUINEA.

*Miners' Homestead Leases Ordinance 1928.*

CERTIFICATE OF TRANSFER OF MINER'S HOMESTEAD LEASE.

This is to certify that I have this day recorded the undermentioned transfer.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_  
C.D., Warden.

The \_\_\_\_\_ miner's homestead comprised in the within written lease.

- Date of approval of transfer:
- Area transferred:
- Transferor:
- Transferee:
- Description of land transferred:

Form 15.

TERRITORY OF NEW GUINEA.

*Miners' Homestead Leases Ordinance 1928.*

ASSIGNMENT OF INTEREST IN LAND PURCHASED AT (OR AFTER)  
AUCTION.

I [*christian name and surname in full*], of \_\_\_\_\_, being the purchaser  
[or registered assignee] of the land herein described:—

in consideration of the sum of £ \_\_\_\_\_ this day paid to me by \_\_\_\_\_, of \_\_\_\_\_,  
the receipt of which sum I hereby acknowledge, hereby assign  
and transfer all my right, title, and interest in the said land to the said

- Date of notification:
- No. of portion:
- Date when offered for sale:
- Place of sale:
- Area:
- Mining Field:
- Town:

Dated at \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_  
(Signature of Transferor.)

Witness:

Accepted as above, and I declare that I am a qualified person under the  
Ordinance to hold a lease of the above described land.

(Signature of Transferee.)

Witness:

Form 16.

TERRITORY OF NEW GUINEA.

*Miners' Homestead Leases Ordinance 1928.*

SURRENDER OF LEASE.

I, \_\_\_\_\_, of \_\_\_\_\_, being the lessee of \_\_\_\_\_  
in the \_\_\_\_\_, do hereby surrender to the Administrator of the Territory

MINING—

of New Guinea all my estate and interest in and to the said homestead, together with all the rights and privileges which may belong or accrue to as the holder of the lease of the said land under the Ordinances and Regulations in force for the time being.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ (Lessee.)

Signed by the said \_\_\_\_\_ in my presence.

Witness: J.P.

Form 17.

TERRITORY OF NEW GUINEA.

Miners' Homestead Leases Ordinance 1928.

MINER'S HOMESTEAD LEASE.

No.
Fol.
Vol.

Proclaimed Field:

Area: hectares ares

Date of Lease:

WHEREAS in conformity with the Miners' Homestead Leases Ordinance 1928, in the Territory of New Guinea, is now entitled to a lease for thirty years with a right of renewal for a further period of thirty years of the land hereunder particularly described as a Miner's Homestead at the rent and under and subject to the covenants, terms, and conditions hereinafter mentioned: NOW THIS INDENTURE WITNESSETH that in consideration of the premises, the Administrator of the Territory of New Guinea (hereinafter called the Administrator) doth demise and lease unto the said executors, administrators, and assigns, as a Miner's Homestead, all that piece of land in the said Territory containing by admeasurement, be the same more or less, situated in the proclaimed Field of Lease number on the Warden's Register:

To HAVE AND TO HOLD unto the said lessee, executors, administrators, and assigns (the same being hereinafter designated the lessee), from the day of One thousand nine hundred and , for so long as the lessee shall pay the rent at the times and in the manner prescribed by the said Ordinance, together with all the rights, powers, and privileges, and subject to all other rights, powers, privileges, terms, conditions, provisions, exceptions, restrictions, reservations and provisoes referred to, contained, or prescribed in and by the said Ordinance, or any Regulations made or which may hereafter be made under the said Ordinance: YIELDING AND PAYING unto the Administrator in advance, on or before the thirty-first day of December in each and every year during the first thirty years of the lease hereby granted, into the hands of the Warden, the yearly rent of pounds shillings: And after the expiration of the said first period of thirty years the yearly rent of one shilling, payable on the thirty-first day of December in each and every year, if demanded:

PROVIDED THAT AND THESE PRESENTS ARE UPON THE EXPRESS CONDITION that if default shall be made in payment of the rent hereinbefore reserved at the times and in the manner hereinbefore mentioned this lease shall thereupon, at the option of the Administrator, become and be forfeited; but such forfeiture may be defeated by the payment of the full amount of rent within ninety days from

*Miners' Homestead Leases Regulations.*

the date hereinbefore appointed for the payment thereof, together with a sum added by way of penalty at the rate of five per centum for every month or part of a month during which the default continues. If the full amount of rent, together with the said penalty, is not paid on or before the last day of March immediately following the said date hereinbefore appointed for the payment of the said rent, this lease shall become and be forfeited: Provided that the Administrator may waive such forfeiture upon payment, by way of fine or penalty, of such sum as he may see fit to impose:

AND the Administrator doth hereby reserve unto himself all gold and minerals and all mines on or below the surface of the said land, and there is hereby reserved unto the Administrator, and to such persons as shall from time to time be duly authorized in that behalf during the subsistence of the said lease, the free right and privilege of access, including ingress, egress and regress, into upon over and out of the said land, for the purpose of searching for or working gold and minerals, or any of them, or mines of gold and minerals, or any of them, in any part of the said land: AND there is further reserved the right of any person duly authorized in that behalf by the Administrator at all times to go upon the said land, or any part thereof, for any purpose whatsoever, or to make any survey, inspection, or examination of the same.

In witness whereof the Administrator has caused the Seal of the said Territory to be affixed to this demise and has also set his hand hereto and the lessee has also set his hand and seal.

Administrator.

Seal.

Signed sealed and delivered by the  
abovenamed lessee in the presence  
of

Form 18.

TERRITORY OF NEW GUINEA.

*Miners' Homestead Leases Ordinance 1928.*

LEASE OF A SUBDIVISION OF A HOMESTEAD.

No.  
Fol.  
Vol.

Proclaimed Field:

Area:                    hectares                    ares

Date of Lease:

WHEREAS on the date next hereinafter mentioned                    was the lessee of the Miner's Homestead No.                    situated in the abovenamed Mining Field, and whereas under and in accordance with the *Miners' Homestead Leases Ordinance 1928* and the Regulations duly made thereunder, the said                    on or about the                    day of                    19                    duly transferred to                    of                    a part of the said homestead, and the said transfer has been duly approved and the said                    became entitled to receive a lease for thirty years with a right of renewal for a further period of thirty years of subdivision No.                    of the said homestead at the yearly rental hereinafter mentioned, and under and subject to the rights, privileges, terms, conditions, provisions, exceptions, restrictions, reservations, and provisoes hereinafter mentioned: NOW THIS INDENTURE WITNESSETH that in consideration of the premises and of the payment of the

## MINING--

rent hereby reserved, and in pursuance of the said Ordinance and Regulations the Administrator of the Territory of New Guinea (hereinafter called the Administrator) doth demise and lease unto the said \_\_\_\_\_ and lawful assigns all that parcel of land particularly described in the Schedule endorsed on these presents, being subdivision No. \_\_\_\_\_ of the said homestead, to have and to hold unto the said lessee \_\_\_\_\_ executors, administrators and assigns (the same being hereinafter designated the lessee) from the \_\_\_\_\_ day of \_\_\_\_\_ one thousand nine hundred and \_\_\_\_\_

for so long as the lessee shall pay the rent at the times and in the manner prescribed by the said Ordinance, together with all the rights, powers, and privileges, and subject to all other rights, powers, privileges, terms, conditions, provisions, exceptions, restrictions, reservations and provisoes referred to, contained, or prescribed in and by the said Ordinance or any Regulations made or which may hereafter be made under the said Ordinance YIELDING AND PAYING unto the Administrator in advance, on or before the thirty-first day of December in each and every year during (*insert residue of first period of 30 years still to run*), into the hands of the Warden, the yearly rent of \_\_\_\_\_ pounds shillings: And after the expiration of the said period the yearly rent of one shilling, payable on the thirty-first day of December in each and every year, if demanded:

PROVIDED THAT AND THESE PRESENTS ARE UPON THE EXPRESS CONDITION that if default shall be made in payment of the rent hereinbefore reserved at the times and in the manner hereinbefore mentioned this lease shall thereupon, at the option of the Administrator, become and be forfeited; but such forfeiture may be defeated by the payment of the full amount of rent within ninety days from the date hereinbefore appointed for the payment thereof, together with a sum added by way of penalty at the rate of five per centum for every month or part of a month during which the default continues. If the full amount of rent, together with the said penalty, is not paid on or before the last day of March immediately following the said date hereinbefore appointed for the payment of the said rent, this lease shall become and be forfeited: Provided that the Administrator may waive such forfeiture upon payment, by way of fine or penalty, of such sum as he may see fit to impose:

AND the Administrator doth hereby reserve unto himself all gold and minerals and all mines on or below the surface of the said land, and there is hereby reserved unto the Administrator and to such persons as shall from time to time be duly authorized in that behalf during the subsistence of the said lease, the free right and privilege of access, including ingress, egress, and regress into, upon, over and out of the said land, for the purpose of searching for or working gold and minerals, or any of them, or mines of gold and minerals, or any of them, in any part of the said land: AND there is further reserved the right of any person duly authorized in that behalf by the Administrator at all times to go upon the said land, or any part thereof, for any purpose whatsoever, or to make any survey, inspection, or examination of the same.

In witness whereof the Administrator has caused the seal of the said Territory to be affixed to this demise and has also set his hand hereto and the lessee has also set his hand and seal.

The Administrator's Seal.

Administrator.

Signed sealed and delivered by the  
abovenamed lessee in the presence  
of:—