

APPENDIX "B" (3).

DEEDS—No. 359: MAMAKU No. 2 BLOCK (GOLD MINING AGREEMENT), HAURAKI DISTRICT.

1868.
9 March.
Hauraki District.
MAMAKU No. 11.
Gold Mining
Agreement.

Boundaries. THIS AGREEMENT made at Kauaeranga in the district of Hauraki in the Province of Auckland in the Colony of New Zealand this ninth day of March in the year of Our Lord one thousand eight hundred and sixty eight (1868) by the Chiefs and people of Ngatimaru and Ngatiwhanaunga of Hauraki on the one part and Sir George Ferguson Bowen Governor of New Zealand on the other part. Witnesseth the consent of all of them, that is of the Chiefs and People of Ngatimaru and Ngatiwhanaunga on behalf of themselves and their heirs to release (give over) to Sir George Ferguson Bowen Governor of New Zealand and the Governors who may succeed him, a certain piece of land in the district of Hauraki for gold mining purposes for himself and his assigns within the meaning of the statute intituled "The Gold Fields Act 1866" the boundaries of the said land commence at Te Mamaku on the sea coast of Hauraki, thence continuing towards the East along the boundary of the lands of Ngatitamatera to the hills forming the watershed of the West and East Coasts, thence turning towards the south and continuing along the summit of the said watershed range of the West and East Coasts to the source of the Omahu stream, turning thence towards the West down the bed of the Omahu stream to the boundary of the land reserved for Native occupation and cultivation, turning thence towards the north and proceeding along the said boundary to Kakarimata, thence to a ditch, thence by that ditch to the Waiwhakaurunga stream, thence by the said stream to the sea thence along the sea coast of Hauraki to the point of commencement at Te Mamaku, as the same are defined in the sketch map hereunto annexed. The following are the terms and conditions under which the said piece of land is given over for gold mining purposes, viz. —

Native Reserves. 1. All lands included within the said above described boundaries are open to all persons for gold mining excepting places occupied by Natives for residence or used by them for cultivation or for burial grounds within the above described boundaries which are excluded from the lands for gold mining. **Shortland and other townships reserved.** Shortland Town and any other towns which may be formed within the said boundaries shall be left for the Natives, the leaving is this, the Government shall lease the said towns (shall act as lessors). If any person desire to lease a piece of land within any of the said towns the Government shall fix the amount of rent for such piece of land. The rents accruing from the said towns shall be paid by the Government to the Native owners of the land, the days for the payment of the said money (rents) shall be the same as the days for the payment of the Miners' Rights fees hereinafter specified.

Miner's Right, £1. 2. No person shall be permitted to mine for gold on the above described piece of land unless he be the holder of a Miner's Right for that land empowering him in that behalf. The payment for every such Miner's Right shall be One pound (£1) per annum.

Kauri trees to be bought, £1 5s. each. 3. Miners' Rights shall be issued by an Officer of the Government. Any person being the holder of a Miner's Right shall be entitled to mine for gold construct dams and water races, fell timber for gold mining purposes and firewood and do all other acts (or works) connected with (or appertaining to) gold mining operations on places open (not reserved). Excepting that the right to fell kauri timber is reserved. Any person desiring to cut any kauri timber must pay the sum of one pound five shillings (£1 5s.) for each tree required by him. No person will be permitted to cut ordinary timber for firewood, fencing or for other purpose for sale to any other person. Any person desiring to cut timber for those purposes must first procure a Miner's Right and Timber License empowering him in that behalf. The payment for every such Timber License shall be Five Pounds (£5) per annum. The money derived from such Timber Licenses and from the sale of such Kauri timber shall belong to the Native owners of the land on which the timber is situate, this money shall in the first instance be paid to an officer of the Government and shall be paid by him to the Natives to whom the land belongs, the days for the payment of the said money shall be the same as the days for the payment of the Miner's Right fees hereinafter specified.

Timber License, £5. 4. In consideration of the Chiefs and People of Ngatimaru and Ngatiwhanaunga of Hauraki and their heirs giving over the whole of the said piece of land to Sir George Ferguson Bowen Governor of New Zealand and the Governors who shall succeed him for gold mining purposes for themselves and their assigns, Sir George Ferguson Bowen Governor of New Zealand on behalf of himself and the Governors who shall succeed him hereby consents to pay to the said Chiefs and People of Ngatimaru and Ngatiwhanaunga of Hauraki and their heirs the sum of one pound (£1) for each Miner's Right which shall be issued to any person for gold mining or for cutting timber within the boundaries of the said land during each year of the continuance of this agreement. The first year to commence from the first day of January last past in the present year (1868) The days for the payment of the money shall be the 31st day of March, the 30th day of June, the 30th day of September, and the 31st day of December in each year.

Divisions of district. 5. That the piece of land above described is divided into nine blocks the names of which are Te Wharau, Whakatete, Tararu, Te Karaka, Otunui, Whakairi, Te Kirikiri, Warahoe and Te Puriri. Any person mining for gold or cutting timber within any of the said blocks shall have the name of such block written in his Miner's Right with the date of his commencing the occupation thereof. If such person shall remove to another block or to the land belonging to another tribe before the expiration of the twelve months for which his Miner's Right shall have been issued the said person shall return his Miner's Right to the officer whose duty it is to issue such, in order that the day and month of his removal to such other block or to land belonging to another tribe may be inserted therein. The moneys for such transferred Miner's Rights shall be fairly apportioned (on the days for the