

that the licensee will, at his own cost, from time to time provide, and at all times thereafter maintain to the satisfaction of the Warden, a sufficient crossing-place over the line of the tramway at every point in its route where, in the opinion of the Warden, a crossing-place is reasonably required for public or private convenience.

LEASES IN MINING TOWNSHIPS UNDER SECTION 43 OF THE MINING ACT.

52. (1.) Any holder of a miner's right may apply to the Warden for a lease of the surface of any land in any mining township.

(2.) Every application for a lease shall be made in writing to the Warden, in the form numbered 100 in the Ninth Schedule hereto, and shall contain a statement of the situation of the land and the area applied for, the number of the section if the land is a surveyed section, and the purposes for which the same is to be used.

(3.) The Warden shall have power to grant a lease of the surface of any such land as aforesaid under these regulations, notwithstanding that the land applied for may be held as a claim under the Mining Act.

(4.) If the land applied for is not a surveyed section, or only part of a surveyed section, the application shall be accompanied by a deposit of £3 to cover the expenses of surveying the same, and after the application has been finally dealt with there shall be refunded to the applicant any unexpended or unrequired balance remaining of the said deposit. Should, however, the survey cost more than the amount deposited, the applicant must pay the difference before a lease is issued to him.

(5.) The Warden, or the Mining Registrar, shall appoint a day for hearing the said application, such day to be not less than one month after the filing of the application.

(6.) On the day on which the application is filed, or as soon thereafter as is practicable, the applicant shall serve a copy of the application, showing thereon the date appointed for hearing the application, upon all adjoining owners or occupiers, and upon all persons whose interests may be obviously affected by the same.

(7.) Any person desiring to object to the granting of any lease shall, not later than forty-eight hours before the day appointed for hearing the application, give notice thereof by filing in the Registrar's office a notice in writing of the nature of such objection, and shall serve on the applicant a duplicate original of such notice; and no person shall be entitled to appear and object unless he has duly given such notice, save any person to whom the Warden, at the hearing of the application, directs that notice be given. Such notice of objection shall in every case contain an address for service which shall be in the same district as the office in which the notice is filed, and all notices to be served on the objector shall be deemed to be validly served if served at such address.

(8.) After hearing the application and all objections thereto, the Warden may either refuse the same, or, with the consent of the Minister first obtained, grant a lease.

(9.) All applications for leases, and all objections thereto now pending, shall be heard and determined by the Warden, and shall have priority over all other applications for the same land as though such applications and objections has been made under these regulations.

(10.) The Warden shall have power to allow costs to or against any objector.

(11.) No lease shall be granted over any land upon which any mining operations are carried on, or over which any mining right or title exists, unless or until the holder of such mining right or title consents to such lease.

(12.) Every lease shall be for the surface of the land only, and no lease shall entitle the lessee to mine for gold upon the land leased, or to extract, dig, or search for any metals or minerals therein or thereon.

(13.) No lessee shall have any claim for compensation for any damage done, or which may be caused by or arise from mining operations legitimately carried on beneath the surface of the ground, and leases shall contain such special covenants relating to mining as may be deemed necessary by the Warden; nor where the land granted is situated upon a mining privilege shall the lessee have any claim for compensation for any injury or damage done to the said land by reason of mining operations lawfully carried on by the holder of the mining privilege on land adjoining, provided such injury or damage is not caused by any negligence or want of care on the part of such holder.

(14.) The rental for lands leased under these regulations shall be 10s. per annum for each section for business purposes, and 5s. per annum for each section for residence or other purposes, and where the land is not surveyed into sections shall be at the rate of £1 per acre or fractional part of an acre.

(15.) No transfer or assignment of, or any other dealing with, any lease shall be lawful without the consent of the Warden, and every such transfer, assignment, or other dealing shall be registered at the Warden's office in the same manner as transfers, assignments, and other dealings with mining privileges under the principal Act, and the sum of 2s. 6d. shall be paid for each such registration; but where the instrument of transfer, assignment, or other dealing includes more than one lease, there shall be paid for each additional title the sum of 1s.

(16.) Leases may be in the form numbered 101 in the Ninth Schedule hereto, and all expenses in connection with the preparation of leases shall be borne and paid by the lessee.

(17.) Applications for renewal of leases heretofore granted by the Governor under any repealed Act, or under the principal Act, shall be made in the same manner as applications for new leases, except that the notices required to be served under subclause 7 of this regulation need not be given and served.