

50. (1.) Every licensee entitled to divert water from a watercourse shall place a gauge-box in his race within seven days after receiving a written notice so to do from any other licensee entitled to divert water from such watercourse. Where there is only one point of intake the gauge-box shall be placed immediately below such point, but where there are several points of intake the gauge-box shall be placed immediately below the last of such points.

(2.) Water may be gauged in manner described in the Second Schedule hereto.

#### TRAMWAYS.

51. (1.) In every case where the proposed course of a tramway crosses or runs along a road or street, the provisions of sections 215 and 216 of the Mining Act shall apply.

(2.) The holder of a license for a tramway shall not be entitled to carry on the tramway passengers or goods for hire except at such scale of fares and freight, and subject to such provisions for the safety of life and property, as have been submitted to and approved by the Minister.

(3.) The license for a tramway shall in every case be deemed to be granted subject to the condition 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 45 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 95 in the Fifth 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 applications 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 had 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 96 in the Fifth 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-General 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.

(18.) The same fees shall be payable on all applications for leases or renewal of leases and objections thereto as are payable on applications for and objections to mining privileges.

(19.) These regulations shall not apply to Native ceded lands.

#### LEASES OF TOWNSHIP AND SUBURBAN LANDS UNDER SECTION 47 OF THE MINING ACT.

54. (1.) Lease of township and suburban sections under section 47 of the Mining Act shall be submitted to public auction, subject to the following conditions:—

(a.) The highest bidder shall be the purchaser of the lease, and the amount bid shall be the annual rental thereof.

(b.) The bidding shall be an increase on the advertised upset rental.

(c.) The purchaser shall forthwith deposit with the Receiver of Gold Revenue the sum of £2 2s. for the cost of survey and preparation of the lease, and also one-half of the first year's rent, being the amount of his bid.

(d.) If the purchaser of the lease fails to comply with the last preceding condition, or if any dispute arises, the lease shall be put up again and resold.

(e.) The lease shall be executed by the purchaser within thirty days from the date of notice that it is ready for execution, or the right to lease shall become forfeited, and any deposit paid on account thereof shall also be forfeited.

(f.) No person shall, unless with the consent of the Warden, be allowed to purchase or hold a lease of more than one section; and if any lease is knocked down to any person who has already leased a section such sale shall be void, and the lease shall be again put up to auction.

(g.) For the purposes of the last preceding paragraph a husband and wife shall be deemed to be one person, unless lawfully living apart under a decree of judicial separation or protection order.

(2.) The amount deposited in respect of the cost of survey and preparation of the lease shall be paid by the Receiver into the Public Account.

(3.) The lease may be in the form numbered 97 in the Fifth Schedule hereto, or as near thereto as circumstances will admit, and with such modifications and additional terms and restrictions as the Governor-General in the case of each lease thinks fit to impose, and may be signed by the Warden for and on behalf of His Majesty.

(4.) The lease shall be subject to all the provisions of the Mining Act, and regulations thereunder, relating to the