

the water therein, or to give any claim for damage by reason of the interruption of such flow or for the pollution of the water in such river or watercourse by mining operations, or by the deposit of tailings or mining *débris* therein, or to give any further or better title in respect of any such river or watercourse, or the water therein, than would be acquired by any person purchasing lands from the Crown that are or may be subject to the provisions of section 3 of "The Mining Act Amendment Act (No. 2), 1887."

Every Crown grant that may be issued to the Company, or to any person or persons by its direction, or in accordance with these presents, shall have a provision to the effect hereinbefore mentioned set forth therein.

21. Any holder of a miner's right shall be entitled at any time to cut and construct any head-race, tail-race, tunnel, or channel, or any other work for mining purposes, over, across, or under the said railway, but so as not to interfere with the permanence, stability, or working thereof, and upon and subject to the provisions of "The Mining Act, 1886," and to such other terms and conditions as may be imposed in any case by the Engineer and the Warden of the mining district in which this provision shall become operative.

22. Any holder of a miner's right or of a "prospecting license" issued under the provisions of "The Mining Act, 1886," may, subject to the law affecting such miner's right or the terms of such license, enter upon any land within the authorised area, and search for gold or silver therein or thereon, at any time prior to the grant of such lands by the Crown to the Company.

23. Nothing contained in these presents shall affect the right of the Queen to resumè, pursuant to "The Mining Act, 1886," any lands granted to the Company, as effectually as if the same had been alienated by the Crown by way of absolute sale or lease.

24. With all convenient speed the parties hereto shall ascertain and agree upon the proportion which the estimated cost of construction of the several sections of the said railway, or such other sections as shall be agreed upon between the parties hereto, bears towards the sum of two million five hundred thousand pounds, being the estimated cost of construction of the said railway, so far as the same relates to the lands to be granted by the Queen to the Company; and the amount of such proportionate estimated cost of construction of each respective section when so ascertained shall be entered against such section in an account which shall be kept by the Queen with the Company for that purpose, which shall also show the value of the land to which for the time being the Company shall be entitled, at the same rate per acre as that named in the certified valuation for the block within which such land is contained. And such account shall be so arranged that the value of the land selected by the Company in respect of each such respective section of the said railway shall be shown as ascertained, in accordance with these presents. Such value shall be equal to fifty per cent. of the proportionate estimated cost of each section of the said railway in relation to the lands to be granted by the Queen to the Company, as hereinbefore mentioned.

25. The Company shall be at liberty from time to time, when and as it in its discretion shall think fit, to select any block or blocks of land as defined and set forth on the said map "B1," and available for selection under clause 16 hereof, as it shall have earned or become entitled to in respect of any completed section or sections of the said railway in accordance with the provisions of the said Act and of these presents; and neither the Company nor the Minister for Public Works shall select any lands in alternate blocks, as provided by the said Act.

Crown grants to contain provision to effect of clause.

Holder of a miner's right entitled to construct water-races or works for mining purposes on or over railway, subject to conditions.

Holder of miner's right or prospecting license entitled to search for gold or silver on lands within authorised area.

Reservation of right of Crown to resumè under "The Mining Act, 1886," lands granted to Company.

Parties to ascertain and agree upon proportionate cost that construction of sections of railway bears to £2,500,000, being estimated cost of railway. Account to be kept of such cost, and value of land to which Company shall be entitled.

Value to be equal to 50 per cent. of proportionate cost of each section of railway.

How Company to select lands to which it becomes entitled.