

growing or standing on the land comprised in the warrant, and sell or otherwise dispose of the same for any purpose :

Provided that he shall not be entitled to cut timber for sawmilling purposes except for his own use, and with the consent of the Warden.

49. With respect to such application and warrant, the provisions of subclauses (1) and (2) of clause 45 and subclauses (6) and (8) of clause 47 of these regulations, and also the provisions following, shall apply :—

- (1.) The area of the land shall not exceed 20 acres.
- (2.) The term of the warrant shall be either six months or twelve months, and there shall be payable therefor, in advance, in the former case a fee of £3, and in the latter case a fee of £5.
- (3.) The warrant-holder shall pay the same royalty on railway sleepers as in the case of a sawmill license, and the provisions of subclause (7) of clause 47 hereof (limited, however, to the timber cut for sleepers) shall accordingly apply.
- (4.) The warrant-holder shall be entitled to construct sawpits and huts on the land, on sites approved by the Warden.

Kauri-trees and Trees reserved.

50. The Warden may from time to time reserve trees from being cut : Provided that, except in the case of trees reserved prior to the issue of a license or warrant, no tree on the land comprised therein shall be reserved during the currency thereof.

51. On application in that behalf the Warden may, by order under his hand, authorise any person to cut for any purpose any kauri-tree or reserved tree ; and with respect to such application and order the following provisions shall apply :—

- (1.) The application shall specify the number, situation, and estimated measurement of the trees applied for.
- (2.) The Warden shall transmit the application to the Commissioner of Crown Lands of the land district in which the trees are situated for his report thereon, and estimate of the measurement and value of the trees, and shall not grant the application until he has received and considered the report of the Commissioner.
- (3.) There shall be payable in advance in respect of the trees for which the order is granted such sum as is agreed on, being in no case less than £1 5s. for each tree, nor less than 6d. per hundred feet superficial measurement of the trees before cutting.

Limitation as to Timber-cutting Rights.

52. The rights by these regulations hereinbefore conferred in respect of timber shall not be exercisable, nor shall any license, certificate, warrant, or order thereunder be granted, in respect of—

- (1.) Lands set apart as forest lands under “The New Zealand State Forests Act, 1885” ; nor in respect of
- (2.) Lands comprised within the authorised area as defined in the contract made by Her Majesty and the Midland Railway Company (Limited), dated the 3rd August, 1888, excepting such portions thereof as have been duly set apart for mining purposes pursuant to that contract ; nor in respect of
- (3.) Lands set apart by the Governor as areas within which timber-cutting rights may be granted by the Land Board exclusively.

53. Every license, certificate, warrant, or order in respect of timber granted under the foregoing regulations shall be deemed to be granted and shall be held subject to the exercise by the holder of a miner's right or mining privilege of the rights conferred upon him by clauses 43 and 44 hereof, and subject also to the power of the Warden to grant mining privileges (other than timber-cutting privileges) in respect of the land to which such license, certificate, warrant, or order relates :

Provided that the Warden, when granting such mining privilege, may impose such reasonable conditions as, whilst not unduly hampering the holder of such privilege in the exercise of his rights, will afford reasonable facilities for the carrying-on of the timber industry.

54. Subject to the provisions of the two last-preceding clauses hereof, the power hereinbefore conferred upon the Warden to grant licenses, certificates, warrants, or orders for timber-cutting may be exercised by him in respect of land comprised in any other mining privilege.

TRAMWAYS.

55. (1.) In every case where the proposed course of a tramway crosses or runs along a road or street, the provisions of section 165 of the Mining Act shall, *mutatis mutandis*, 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.

MISCELLANEOUS MINING PRIVILEGES.

56. In addition to the mining privileges specifically mentioned in sections 91 and 126 of the Mining Act, licenses may be granted for mining privileges of any of the following descriptions :—

- (1.) Branch races, for the distribution of water already diverted by means of a race ;
- (2.) Flood-races and by-washes, for the carrying-off of flood or surplus water ;
- (3.) Diversion of streams ;
- (4.) Tunnels, roads, and bridges ; and