

Provided that the sum paid under this section by the applicant for resumption shall not exceed the rate of two pounds per acre of the land resumed, and also that the sum so paid shall not be taken into account in assessing the compensation payable in respect of the resumption.

- 5 55. If the Minister determines that the land should not be re-
 10 sumed, either in whole or in part, he shall inform the applicant thereof; and no further application for resumption of that land shall, unless by his special direction, be entertained for a period of twelve months thereafter.
- 15 56. (1.) All claims for compensation in respect of the land so resumed shall be assessed and settled in manner and to the extent provided in Part VII. of this Act.
- 20 (2.) In every case where any land is resumed before the same has been actually granted by the Crown in fee-simple, there shall be deducted from the compensation payable to any person in respect of such resumption the amount of all unpaid license fees, rents, purchase-money, or other money payable by him in respect of such land, computed up to the date of such resumption.
- 25 57. Notwithstanding anything hereinbefore contained, the following special provisions shall apply in the case of all lands whatsoever in the colony other than Crown lands open for mining :—
- (a.) The owner of any such land, or any person with the written consent of the owner and occupier (if any), may, in the prescribed manner, apply to the Warden for any description of mining privilege authorised by this Act in the case of Crown lands in a mining district, and the Warden, in his discretion, may grant a license for the same.
- 30 (b.) Every license so granted shall be deemed to be granted and shall be held subject to this Act, and subject also to any agreement made between the grantee and the owner or occupier, in so far as such agreement is not inconsistent with this Act.
- 35 (c.) So long as such license continues in force the land comprised therein shall not be resumed for mining purposes, nor shall any prospecting license be granted in respect thereof.
- 40 58. In lieu of resuming land for mining purposes, the Minister may agree in writing with the owner thereof that such land shall be available for mining purposes in like manner as if it were Crown land, and in every such case the provisions of paragraphs (d), (e), and (f) of section eighty-nine hereof, and also the Second Schedule hereto, shall, *mutatis mutandis*, apply.
- 45 59. In every case where land is made available for mining purposes under the provisions of either of the two last preceding sections hereof the owner of the land shall, whilst the same is so available, be entitled to all rents, royalties, and license fees derived from mining in respect of such land, and the same shall be paid to him accordingly as and when received by the Receiver :

Limitation of subsequent application if not resumed.
 1898, No. 38, sec. 54

Assessment of compensation.
 Ibid, sec. 55

Arrears of fees, &c., to be deducted from compensation.

Special provisions in case of lands other than Crown lands.
 Ibid, sec. 56

Agreement with owner for mining purposes in lieu of resumption.
 Ibid, sec. 57

Owner entitled to rents, royalties, and fees.
 Ibid, sec. 58
 1901, No. 60, sec. 6

50 Provided that the provisions of this section shall not apply where the owner of the land has, by writing under his hand addressed to and filed with the Receiver, intimated that no such rents, royalties, or license fees are payable to him in respect of a license granted under section