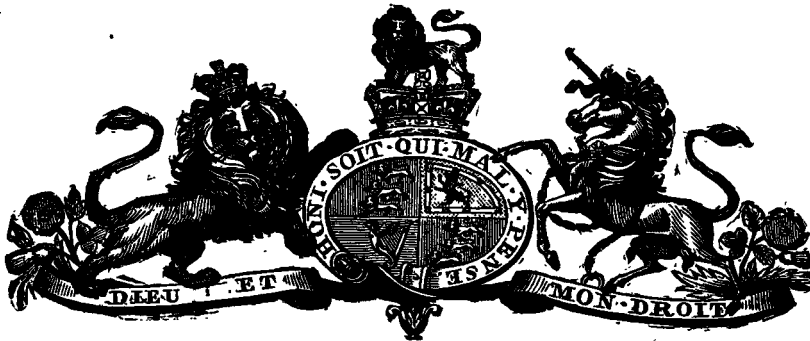


NEW ZEALAND.



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VICTORIÆ REGINÆ.

No. XII.

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ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Board may withdraw land from sale.</p> <p>3. Board may refuse application.</p> <p>OCCUPATION LICENSES FOR CUTTING TIMBER AND OTHER PURPOSES.</p> <p>4. Licenses may be issued.</p> <p>5. Board may determine area and rent.</p> <p>6. Persons occupying without license liable to penalty.</p> <p>7. Board may sell or reserve within license.</p>	<p>8. Fees on lease and transfers.</p> <p>9. Public reserves may be leased.</p> <p>10. Survey of leased land to be made.</p> <p>11. Land leased may be taken for roads.</p> <p>LEASE OR SALE OF LANDS OF SPECIAL VALUE.</p> <p>12. Board may sell such lands.</p> <p>MISCELLANEOUS.</p> <p>13. Land granted for planting with forest trees.</p> <p>14. Way-leaves for tramroads.</p> <p>15. Date of leases.</p>
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AN ACT to amend the Southland Waste Lands Act. Title.  
 [21st September, 1875.]

**B**E IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act shall be "The Southland Waste Lands Act Amendment Act, 1875." Short Title.
2. Notwithstanding anything in "The Southland Waste Lands Act, 1865," (or any amendment thereof) contained it shall be lawful for the Southland Waste Lands Board, with the approval of the Superintendent, to withdraw from sale any land the sale of which may appear to the said Board to be at all likely to be prejudicial to the public interest, notwithstanding application may have been made for the sale of such land: Provided always that when any land shall have been withdrawn from sale under this provision such land shall not be again open for sale until after thirty days' notice of such land being about to be opened for sale shall have been given by advertisement in the Provincial *Gazette*, specifying the date on and after which applications for the purchase of such land will be received. Board may withdraw land from sale.
3. Whenever the Board shall hereafter receive an application for Board may refuse application.

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the purchase of any unsurveyed land it shall be lawful for the Board at any time within thirty days after receiving a report from the Chief Surveyor that a survey of the lands has been made to grant the application either as to the whole or to any part of the land applied for, or to refuse to grant the application either as to the whole or as to part of such land, and to return the moneys deposited on account of purchase money, or such part thereof as has been deposited on account of the portion of the land applied for and the application for which shall not be granted: Provided always that no such land shall after such refusal be open for sale or application until thirty days' notice shall have been given in the *Provincial Gazette*.

## OCCUPATION LICENSES FOR CUTTING TIMBER AND OTHER PURPOSES.

Licenses may be issued.

4. It shall be lawful for the Board to issue licenses, in forms to be by the Board prescribed, authorizing the holders to occupy for any period not exceeding seven years from the granting thereof so much of the waste lands of the Crown as shall be specified therein for any of the under-mentioned purposes, namely,—

Cutting and removing flax,  
Cutting and felling of timber,  
Raising of lignite or coal,  
Removal of clay for bricks or pottery,  
Removal of sand gravel or stone,  
Working of quarries,  
Sites for saw-mills, or flour-mills,  
Sites for tanneries, or fellmongers' yards,  
Sites for slaughter-yards, or brick-kilns,  
Sites for potteries, ferries, or jetties,  
Sites in thinly inhabited districts for inns and accommodation houses:

Provided that the licenses hereby authorized to be granted shall not in the case of inns and accommodation houses authorize the sale of fermented or spirituous liquors. For such purposes the law in force regulating the sale of fermented or spirituous liquors shall not be affected hereby.

Board may determine area and rent.

5. The Board shall determine the extent of land to which such license shall give a right of occupancy, and the annual rent to be charged for the same, and the licenses shall have effect only within the district specified in them.

Persons occupying without license liable to penalty.

6. Any unlicensed person occupying or using any waste lands for any of the before-named purposes shall, on conviction thereof, be liable to a penalty not exceeding twenty pounds, to be recovered in a summary way.

Board may sell or reserve within license.

7. No such license shall preclude the Board from selling or reserving, or the Governor from including within a hundred or reserving, or shall in any way affect the rights of the Crown to the land occupied in virtue of such license. All disputes between holders of such licenses shall be heard and decided by the Board.

Fees on lease and transfers.

8. A fee of two pounds shall be paid for each lease and one pound for each license which may be transferred from one person to another with the consent of the Board, on payment of a fee to be fixed by the Board.

Public reserves may be leased.

9. The Board may cause a license to occupy or lease to be issued of any reserve or part of any reserve not required for immediate or early use for the purposes for which it may have been reserved at such annual rental as the Board may determine: Provided always that every such license or lease shall be surrendered to the Board upon demand at any time after notice of not less than one month without

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any right to compensation on any account whatever accruing to the lessee or licensee.

10. No lease shall be granted until a survey has been made of the land applied for to the satisfaction of the Board, who may require the applicant for a lease to have such survey made at his own expense, the cost of such survey, as shall be fixed by the Board, to be repaid to the person having it made out of the first rent received for the land so surveyed.

Survey of leased land to be made.

11. Nothing in any such lease contained shall affect the right of the Superintendent to take any part of the land leased for the construction of roads railways or tramroads through the said land to an extent not exceeding one-twentieth part of such land, and such right may be exercised by the Superintendent at any time during the currency of the lease, and the lessee shall have no claim for compensation except a reduction in his rent in proportion to the extent of land taken.

Land leased may be taken for roads.

## LEASE OR SALE OF LANDS OF SPECIAL VALUE.

12. It shall at any time be lawful for the Board, with the consent of the Superintendent, to offer for sale by auction, or to dispose of by lease in any manner and subject to such terms and conditions and at such price as the Board may think fit, any land which may be deemed to possess special value owing to its superior quality for agricultural purposes or owing to proximity of constructed or projected lines of railways, or on account of minerals, or from improvements or otherwise or in respect whereof compensation shall have been paid to any runholder under any Act: Provided that the grounds on which the Board shall deem such land to possess special value shall in every case be recorded on the minutes of the proceedings of the Board.

Board may sell such lands.

## MISCELLANEOUS.

13. It shall be lawful for the Waste Lands Board to grant a license to occupy an allotment not exceeding three hundred and twenty acres to any person who may be willing to plant the same with forest trees and to fence the land planted, under such conditions and regulations as may be prescribed by the Superintendent from time to time in that behalf by Proclamation in the Provincial *Gazette*, and the licensee shall, on proof that the land taken up by him has been properly planted and all the conditions and regulations prescribed duly fulfilled, be entitled to receive a Crown grant for such land without payment of any annual fees or rents for the same.

Land granted for planting with forest trees.

14. It shall be lawful for the Board to grant, for such rent and on such terms and conditions as they shall think fit, way-leaves over in or through Crown lands for the construction maintenance and working of tramroads or railways to and in favour of any owner lessee or licensee of adjacent land, subject always to the way-leave being determined at any time on twelve months' notice being given: Provided that the exercise of any way-leave so granted shall not affect prejudicially any public right of way or other right enjoyed or possessed by the public.

Way-leaves for tramroads.

15. All leases which may be issued after the commencement of this Act shall bear date on the day when the persons named therein as lessees respectively first became entitled to such leases, and shall be of the same force and validity as if they had been sealed on the day on which the same bear date, and shall be issued in the name of the person or persons who became originally entitled though such person or persons may in the meantime have died or transferred their interest.

Date of leases.