

VICTORIÆ REGINE.

No. 29.

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82. Disqualifications.
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85. Conditions of license, and terms to be observed (1.) License to endure for fifteen years. (2.) License fees payable half-yearly in advance. (3.) Deposit to count for half-year's license fees. (4.) Personal residence imperative, except for a term of three months in any year. (5.) After ten years, if conditions fulfilled, may obtain grant. (6.) For breach of license all rights forfeited. Previous sections of Act to apply.

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103. On leave given, matter on appeal referred to arbitrators.
104. Arbitrators may examine on oath.
105. Arbitrators to fix rent of run.
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108. Board may increase estimate of rent.
109. Similar appeal as in former case.
110. Present runholders may elect to hold under assessments.
111. Licenses may be forfeited.
112. Pre-emptive rights to cease on 1st May, 1880.
113. Fencing, buildings, and other improvements, may be removed on termination of lease.

## IN REGARD TO RUNS WITHIN OTAGO.

114. On expiration of license or lease, Board to determine how lands so held shall be dealt with.
115. Licenses on renewal to be put up to auction.
116. If present occupant not purchaser, existing improvements to be valued.
117. Amount paid therefor to be handed to late occupant. No claim for improvements to be made against Crown.
118. Within Otago and Southland, leases terminating after 1st July to be extended to following March.

## GENERAL PROVISIONS AS TO RUNS.

119. Existing leases on expiry to be sold at auction. Also leases of unoccupied lands. Runs limited.
120. Rent to be advertised before sale.
121. Term for ten years, subject to twelve months notice.
122. First year's rent to be paid in advance.
123. Date of license. Rent for intermediate period between purchase and license.
124. If no bidders, rent may be reduced and again offered.
125. Rights granted by pasturage license.
126. License may be transferred.
127. Conditions to be contained in license.
128. On violation of conditions, license may be revoked.
129. Runs may be subdivided.
130. Where runs are diminished by Board, rent to be abated.
131. Licensee may purchase land on run for homestead.
132. Certain lands may be excluded from application for license.
133. Board may refuse application, and refund money.
134. Rent payable half-yearly in advance.
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136. Penalty on occupier in arrear of rent.
137. Run forfeited if rent three months in arrear.
138. Disputes as to boundaries of adjoining runs settled by arbitration.

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139. Arbitrators to mark boundaries on the ground.  
 140. Board may have runs surveyed to ascertain area.  
 141. Runholders not entitled to compensation if Act altered or repealed.

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**SCHEDULE.**

Schedule of Acts, Ordinances, and Land Regulations repealed.

**APPENDICES.****SALE OF RURAL LANDS WITHIN LAND DISTRICTS.**

- Appendix A. The Land District of Auckland.  
 Appendix B. The Land District of Taranaki.  
 Appendix C. The Land District of Hawke's Bay.  
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 Appendix G. The Land District of Canterbury.  
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## AN ACT to regulate the Sale or other Disposal of the Lands of the Crown in New Zealand. Title.

[ 10th December, 1877.]

**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 Land Act, 1877," Short Title. and it shall come into operation on the first day of January, in the year one thousand eight hundred- and seventy-eight.

2. This Act is divided into eight Parts, relating to the several Division into parts. subject-matters following :-

**GENERAL ADMINISTRATION.**

**PART I.**-Land Boards.

**PART II.**-Sales and Auctions.

**PART III.**-Land on Deferred Payments.

**PART IV.**-Timber and other Licenses.

**PART V.**-Forests.

**PART VI.**-Lands held for Pastoral Purposes.

**PART VII.**-Reserves, &c.

**PART VIII.**-Miscellaneous.

APPENDICES.

## Land.

## UNSOLD LANDS OCCUPIED AND IMPROVED.

In certain cases of unsold lands, value of improvements to be added to upset price.

155. Whenever improvements have been made on any section the value of which should in the opinion of the Land Board be secured to the occupant of such section, it shall be lawful for the Board, on its recommendation to that effect having been approved in such case by the Governor, to add to the upset price of such section the value of such improvements, to be ascertained in such manner as shall be decided by the Board, with such approval as aforesaid, in which case, should the occupant become the purchaser, it shall not be necessary for him to pay the value so ascertained ; but the same shall be allowed to him as if paid, and if any other person become the purchaser the amount of such value shall be paid over to the occupant by the Receiver of Land Revenue.

## MINERALS ON LANDS.

Licenses over mineral lands may be cancelled.

156. When any mineral, metal, or valuable stone has been or shall be discovered on any Crown lands held under license or lease for pastoral or agricultural purposes, it shall be lawful for the Governor at any time to cancel the license or lease over any such lands, and over such areas adjacent thereto as may from time to time be required for the proper working of the mines or for granting access thereto.

Compensation in certain cases.

157. The lessee or licensee, in case he is entitled to compensation under the provisions of any Act hereby repealed, shall be entitled to have the same assessed in manner provided by Part III. of "The Public Works Act, 1876," but such compensation shall not exceed what he is entitled to under any enactment by this Act repealed.

No lessee or licensee, holding a lease or license for pastoral or agricultural purposes granted under this Act, shall be entitled to any compensation in respect of any land whereof the lease or license is cancelled as hereinbefore provided.

## LEASES OF MINERAL LANDS.

Leases of mined lands outside goldfields may be granted by Board.

158. All powers of the Governor to grant mineral leases or licenses of land containing or supposed to contain minerals other than gold, under the provisions of any Act relating to mining, may, in respect of Crown lands outside of mining districts, but subject to the conditions contained in such Mining Acts respectively, be exercised by any Land Board.

## WATER-RACES, ETC.

Powers of Governor in respect to water-races may outside of mining districts be exercised by Board.

159. All powers of the Governor to grant licenses for the construction of water-races, and for the diversion of water, under the provisions of any Act relating to mining, may, subject to the conditions in such Acts contained, be exercised by any Land Board in respect of any lands outside of mining districts.

## ROADS, STREETS, ETC.

Reservations for roads.

160. The Crown shall have the right to take all necessary roads through any unsurveyed rural or pastoral lands after any sale or other disposal thereof, at any time previous to the survey of the same, without paying compensation for the land taken for any such roads. But after any rural or pastoral lands have been surveyed and sold, the right of taking necessary roads through any such lands may only be exercised within five years after survey of the said lands, and on the payment by the Crown for any land taken for such roads of an amount equal to twice the amount paid by the original purchaser from the Crown for the land so taken.

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161. The Governor, by notice in the *Gazette*, may from time to time proclaim as a street or road, or as town or suburban lands, any portion or portions of Crown lands, and such town or suburban lands shall be sold by auction in the manner herein provided for the sale of town and suburban lands, and the lands upon which such street or road shall have been proclaimed shall be and be deemed to be thenceforward dedicated to the public.

Governor may proclaim town and suburban lands, roads, &c., dedicated.

162. When the course of any road has been or is hereafter altered or is about to be altered, if the owner of the land over which the road in its altered state passes or is intended to pass be willing to exchange such land or any part of it for the land traversed by such road in its former or its then present state, or for any part thereof, the Governor may, upon such terms as are mutually agreed on, accept such exchange, and may execute the proper grants or conveyances accordingly : And the Governor may do all things necessary in or towards the completion of any arrangement at any time heretofore made by competent authority in respect of the deviation of the course of any such road.

Governor may exchange lands for roads.

## SPECIAL PROVISIONS.

163. Before any appraiser enters into the consideration of any matters referred to him under this Act, he shall in the presence of a Justice make and subscribe the following declaration, that is to say,-

Appraisers to make declaration in all cases.

I, A.B., do solemnly and sincerely declare that I have no interest either directly or indirectly in the matter of [Here state] and that I will faithfully and honestly and to the best of my skill and ability make the appraisal and valuation required under the provisions of "The Land Act, 1877," and I make this solemn declaration conscientiously believing the same to be true, and by virtue of an Act of the General Assembly of New Zealand intituled "The Justices of the Peace Act, 1866."

164. In cases in which there may be no convenient way of access to any portion of the Crown land, or in which any portion of Crown lands may be insufficient in area for public sale, or in which a portion of Crown land may lie between land already granted and a street or road which forms or should form the way of approach to such granted land, or in any other cases of a like kind, the Board may sell such lands to the holder or holders of adjacent lands without competition, and at a price to be determined by an appraiser to be appointed by the Board : Provided always that no such land shall be sold at a less price than two pounds an acre.

Outlying pieces of land may be sold to adjacent owners at valuation.

165. If any person be found in unauthorized occupation of any Crown lands, or shall knowingly and wilfully depasture, without authority in that behalf, any cattle or sheep on any such land, he shall be liable on conviction thereof to the penalties following, that is to say, for the first offence, a sum not exceeding five pounds ; for the second offence after an interval of fourteen days from the date of the previous conviction, a sum not exceeding twenty pounds ; and for any subsequent offence after a like interval, a sum not exceeding fifty pounds. But no proceedings to recover any such penalty may be taken except by some person authorized in that behalf by the Governor or the Board.

Penalty for unlawful occupation of Crown lands.

166. If any person shall wilfully obliterate, remove, or deface any boundary mark which may have been made or erected by or under the direction of any authorized surveyor, or by any officer of any Land Board, or of any arbitrator as to boundaries, he shall be guilty of a misdemeanour.

Removing boundary mark, misdemeanour.