

on the issue of the license, and for the second and every subsequent year on any sitting day of the Board between the 20th day of April and the 1st day of May inclusive; and every pasturage license not renewed by payment of the required fee on or before the 1st day of May shall, unless good cause to the contrary be shown to the satisfaction of the Waste Lands Board, be considered as abandoned.

52. Every pasturage license shall be in the form set forth in the Schedule C to the Waste Lands Regulations, and shall be transferable by endorsement in the form set forth in such schedule, and such transfer shall be deemed to be complete upon notice thereof being duly given to the Waste Lands Board, and not before. A pasturage license shall entitle the holder thereof to the exclusive right of pasturage over the land specified therein upon the terms above stated. Such license shall be renewed by endorsement from year to year, until the land specified therein shall be purchased, granted, or reserved under these Regulations; and the fee to be paid in respect of such license shall not be altered until the 1st May, 1870. Such license shall give no right to the soil or to the timber, and shall immediately determine over any land which may be purchased, granted, or reserved under these Regulations. A reasonable right-of-way shall be allowed through all pasturage runs.

53. If at any time during the first four years after the issue of the first license the quantity of stock for the run shall be less than that originally required, or during the next three years less than twice that amount, or during any subsequent period less than three times that amount, the Waste Lands Board may declare the whole or a portion of such run to be forfeited: Provided always that with regard to runs granted prior to the issue of these Regulations, such first period of four years shall commence from the date on which these Regulations shall come into operation: Provided that one or more runs held by the same individual or firm may, for the purposes of this clause, be considered as one run.

54. In any case in which a runholder can prove to the satisfaction of the Waste Lands Board that he is precluded by arrangements entered into previous to the passing of these Regulations from actually, for a given period, placing his stock on his own run, it shall be sufficient if he prove to the satisfaction of the Board that he possesses within the Province the requisite amount of stock, and will undertake to place the same on the run at the expiration of such period.

55. Every holder of a license shall, at any time, upon a written order from the Waste Lands Board to that effect, make a true and complete return of all the stock on his run; and if he shall wilfully and knowingly make any false return, the Waste Lands Board shall immediately declare his license to be forfeited.

56. Every run or portion thereof which shall have been forfeited, as above provided, shall be put up by the Waste Lands Board to public auction, after an advertisement in the *Government Gazette*, and one or more newspapers in the Province. A license granted after forfeiture shall be deemed to be an original license. Upon appeal from any person whose run has been forfeited within sixty days from the date of such forfeiture, it shall be lawful for the Superintendent to reserve or suspend such forfeiture either wholly or in part.

57. Every person taking out a license for a run which is not stocked, will be required to deposit with the Treasurer the sum of ten shillings for every hundred acres included in the license, which will be returned without interest as soon as he shall have fulfilled the conditions in respect to stocking the run within the prescribed period; and if such conditions be not fulfilled, such deposits shall be forfeited.

58. The above rules in respect to stocking a run, and to the lodgment of deposit money with the Treasurer, shall not apply to runs containing less than 5000 acres.

59. Every holder of a license may be required at any time to pay for the actual cost of the survey of his run, at a rate not exceeding twenty shillings for every thousand acres.

60. Every holder of a pasturage license shall, upon application to the Waste Lands Board, be entitled to a pre-emptive right over portions of his run, as follows:—For a run of not less than 1000 acres, and not more than 8000 acres, over a block of land comprising and circumjacent to his homestead, to the extent of 5 per cent. of the average of the run; for a run of 5000 acres and upwards, over 250 acres of land comprising and circumjacent to his homestead or principal station; and for all runs over all lands occupied by any buildings, enclosures, plantations, cultivations, or any such other improvements as shall in the judgment of the Waste Lands Board be deemed sufficient for the purposes of this clause, together with fifty acres comprising and circumjacent to the lands so occupied or improved.

61. The licensee shall, at the time of his application to the Board, give a sufficient description of the lands over which he claims such pre-emptive right, to the satisfaction of the Chief Surveyor; and the same shall be marked off on the authenticated maps in the Land Office.

62. The lands included in such pre-emptive right may be of such form as the applicant shall choose; but any land purchased by him in the exercise of such right, shall be subject to the Regulations as to form and frontage herein contained.

63. The Waste Lands Board shall not receive or entertain any application to purchase from any person other than the runholder the aforesaid block around the homestead or principal station which does not include the whole of such block.

64. The right of pre-emption hereby given shall be exercised within one week for all lands within twenty miles of the Land Office at Christchurch, and within one month for all lands at a greater distance therefrom; such time being reckoned from the date of service of a written notice from the Waste Lands Board, setting forth a copy of the application for any of the lands included in the pre-emptive right. Such notice may be served either personally on the runholder, or by leaving the same at his last known place of abode within the Province, or at the principal homestead or station on the run.

65. The applicant for any rural land included in any pre-emptive right shall deposit with the Treasurer of the Waste Lands Board a sum equal to four shillings per acre of the purchase money, and the remainder he shall pay within one week from the date of his application being granted, or forfeit such deposit. Such deposit, however, shall be immediately returned on demand, if the holder of the pre-emptive right shall give notice of his intention to purchase any portion of the land applied for, and pay the requisite deposit.

66. If the holder of the pre-emptive right decide upon purchasing any portion of the land applied for, he shall forthwith pay to the Treasurer of the Waste Lands Board a deposit of four shillings per acre of the purchase money of such portion; and, if he shall not within six weeks thereafter have paid the remainder of the purchase money, he shall forfeit such deposit, together with all right or title to the lands.

If the holder of any pre-emptive right other than those created by clause 60 of the Waste Lands Regulations shall neglect or refuse to purchase any portion of the land applied for, such portion shall, from and immediately after such neglect or refusal, be released from all right of pre-emption, and open to purchase on the terms of these Regulations, as if the same had not been included in any pre-emptive right.

67. Pasturage licenses with pre-emptive right in connection with purchased lands, whether under the Canterbury Association or the Crown, shall, from and after the 1st day of April, 1856, be taken and deemed to be pasturage licenses over the lands included therein, upon the terms of these Regulations, with a pre-emptive right over all such land, to be exercised subject to these Regulations as regards notice of application, payment of deposit, purchase

money, price of land, and size and shape of blocks. If the land covered by such pre-emptive right shall be included within the limits of a run held by license under clauses 50 and 53, the holder thereof, in paying rent for the same, may take credit for the amount paid by him in respect of lands covered by such pre-emptive right.

68. Holders of pasturage licenses without pre-emptive right shall be entitled to hold such licenses, or to have them renewed upon the terms of their contract with the Canterbury Association or the Crown, as the case may be; but if any person holding a license under the Canterbury Association or the Crown shall voluntarily resign the same, he shall be entitled to receive a license under these Regulations, and shall from the date of such exchange hold his run at the rate and on the conditions specified in these Regulations.

69. If any person exchanging his license shall for any period included in the new license have paid rent at a higher rate than would be payable under such license, such over-payment shall be adjusted at the next payment of rent.

70. In the event of improvements having been effected by the licensee of a run on any land which shall be reserved by the General Government or by the Provincial Government under these Regulations, the licensee shall receive payment of the value of such improvements, such value to be decided by arbitration under direction of the Waste Lands Board, and to be paid by the Treasurer of the Waste Lands Board out of the Land Fund.

71. All payments on account of pasturage runs shall in future be made on or before the 1st day of May, in accordance with clause 51, at the Land Office, at Christchurch, and the Waste Lands Board shall sit at that place for the Treasurer to receive the same.

72. All payments to be made on account of pasturage runs before the 1st day of May next ensuing shall be made for the portion of the year only which shall elapse between such day of payment and the said 1st day of May.

73. In calculating the amount of the license fee and the stock required to be on the run, the year commencing on the said 1st day of May shall be deemed to be the same year as that for which such part-payment shall have been made.

74. Notwithstanding anything contained in these Regulations, it shall be lawful for the Governor, upon the recommendation of the Superintendent and Provincial Council, at any time and from time to time, by proclamation in the *Government Gazette* of the Province, to reserve for the purposes hereinafter mentioned any lands within the Province, adjacent to or in the neighbourhood of any town, now or which may hereafter be formed; and to declare that on and from a day to be named in such proclamation, all depasturing licenses issued under these Regulations in respect of such reserved lands shall cease and be of no effect; on and from which day all such licenses shall, as respects such lands, cease and be of no effect accordingly; and it shall be lawful for the Governor at any time thereafter, by Regulations to be issued in that behalf, according to the provisions of the Waste Lands Act, upon the recommendation of the Superintendent and Provincial Council, to regulate the occupation of the Waste Lands of the Crown within such reserved districts.

TIMBER.

75. If any tract of land shall have been reserved for the sale of timber thereon, such timber may be sold by public auction at an upset price, and subject to conditions to be fixed by the Superintendent, and the purchaser shall agree to remove the same within a certain time; and all the timber not removed within such time may be again put up to public auction.

76. No person shall, without a license, cut or remove any timber from any waste lands of the Crown (except timber which he shall have purchased under the last clause); and any person so cutting or removing timber shall be liable to pay the cost of such license for one year, together with the costs of recovering the amount of the same.

77. Every license for cutting or removing timber shall be issued for one month, or for one year, at the request of the person applying for the same; and a fee of ten shillings shall be paid upon every monthly license, and of five pounds upon every yearly license.

78. A license shall entitle no one but the person named therein to cut down the standing timber, but it will authorise him to employ any number of persons, during the term of the license, to saw, split, or remove the timber so cut; and such license shall not be transferable.

79. A license to cut timber shall extend only to the district named therein.

80. If any person duly licensed shall have established a sawpit for the purpose of sawing timber, no other person shall cut timber within fifty yards of such pit without the consent of the person first occupying such sawpit: Provided that if the person establishing such pit shall not use the same, and shall not cut timber within such distance as aforesaid from the pit for twenty-eight consecutive days, it shall be lawful to any other holder of a license to enter thereupon, and to cut timber as though such pit had not been established.

81. If any person shall, for the purpose of removing timber, have made a road upon land being the waste lands of the Crown, and not being a highway, it shall not be lawful for any other person to use the same without the permission of the person making the same first obtained: Provided that if such road shall not be used at any time for ninety consecutive days, it shall be lawful for any holder of a license at any time thereafter to use the same.

82. If any person holding a timber license shall be proved before the Waste Lands Board to have offended against any Regulations he in contained respecting timber, or to have wilfully or negligently injured or destroyed, by fire or otherwise, any timber belonging to the Crown, such license shall be, and shall be immediately declared to be forfeited, and it shall be at the discretion of the Board to refuse to issue another timber license to the same person.

APPENDIX.

The following Act, to alter and amend the foregoing Regulations, was passed during the Session of the Assembly in 1866, and is dated October 8.

WHEREAS divers persons who have held or now hold licenses to depasture stock upon waste Lands of the Crown in the Province of Canterbury have sold or transferred to other persons their right to depasture stock over portions of the lands comprised in such licenses and whereas it is expedient that the persons to whom the right to depasture stock over such portions of such lands has been so sold or transferred by the original holders of such licenses or have issued to them separate licenses from the Waste Lands Board of the said Province to depasture stock upon the portions of the said lands upon which the right to depasture stock already has been or hereafter may be sold and transferred as aforesaid. And whereas it is expedient that further provision be made for regulating the sale of land in towns withdrawn from the gold fields in the said Province.