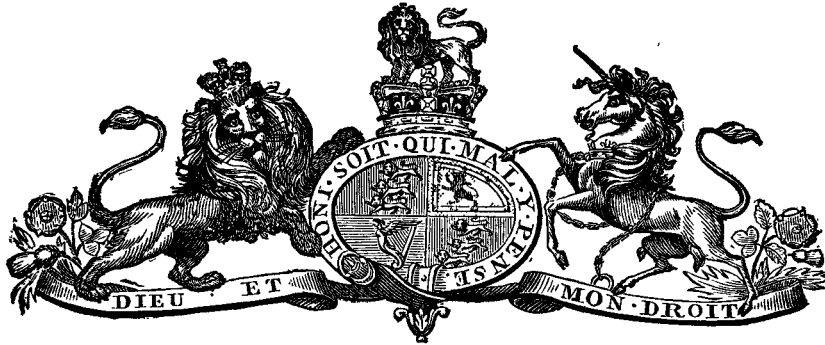


NEW ZEALAND.



TRICESIMO SECUNDO ET TRICESIMO TERTIO

VICTORIÆ REGINÆ.

No. LXV.

ANALYSIS.

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| <p>Title.
Preamble.
1. Short Title.
2. Certain persons to select 2,000 acres of rural land.
3. Society may elect new Trustees.</p> | <p>4. Grant may be made to Trustees.
5. Trusts upon which land to be held.
6. Custody and disposal of moneys.
7. Vouchers to be certified by Provincial Auditor.
8. Compensation to runholders.
9. Accounts to be laid before Provincial Council.</p> |
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AN ACT to empower the Governor to grant Two Thousand Acres of Land for the purpose of enabling the Acclimatization Society of Southland to introduce Salmon and other Fish into the Province of Southland. Title.
[3rd September 1869.]

WHEREAS a Society has been formed in the Province of Southland under the name of "The Acclimatization Society of Southland" hereinafter called "the Society" the objects of which are the introduction into and acclimatization in New Zealand of animals and plants not indigenous in the Colony And whereas the Society has a fish-breeding establishment in operation in which trout have been successfully reared And whereas it is expedient that the Society should receive encouragement and aid in endeavouring to introduce salmon and other kinds of fish into the Colony Preamble.

BE IT THEREFORE 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 Acclimatization Society of Southland Grant Act 1869." Short Title.

2. It shall be lawful for Alexander McNeil of Southland Esquire the Honorable James Alexander Robertson Menzies a Member of the Legislative Council the Honorable William Hugh Nurse a Member of the Legislative Council and Duncan McArthur of Southland Esquire or the survivors or survivor of them at any time or times within six months from the passing of this Act to apply to the Waste Certain persons to select 2,000 acres of rural land.

Acclimatization Society of Southland Grant.

Lands Board of the Province of Southland for any quantity of land open for sale as rural land in the Province of Southland (not exceeding in the whole two thousand acres) in one piece or in two or three or four distinct pieces but not in more than four pieces and if the said Waste Lands Board shall not refuse the application the land so applied for shall thereupon be set apart for the purposes of this Act and no application of any intending purchaser or licensee of any of the land so set apart shall be received by the said Waste Lands Board Provided always that if any other person shall apply for any such land or any part thereof on the same day as the persons applying under this Act the application of such other person shall not be received unless the Waste Lands Board shall in exercise of the powers vested in them by "The Southland Waste Lands Amendment Act 1867" think fit to refuse the application under this Act.

Society may elect
new Trustees.

3. The Society may at any time after the passing of this Act elect three or more persons to be Trustees for the purposes of this Act and the Society may also from time to time elect other persons to take the place of any Trustee or Trustees who may die or leave the Province of Southland or refuse or become incapable to act or become bankrupt or insolvent and thereupon the lands and moneys for the time being vested in the Trustees or the surviving Trustees as the case may be shall without any conveyance vest in the new Trustees or in the new Trustees jointly with the surviving or continuing Trustees and upon every appointment of new Trustees the number of Trustees may be increased or diminished to any number not less than three.

Grant may be made
to Trustees.

4. The Superintendent of the Province of Southland shall by writing under his hand certify to the Governor the names of the first Trustees elected and it shall be lawful for the Governor in the name of Her Majesty to grant to the persons whose names are so certified the land so applied for as aforesaid to hold to them as joint tenants upon trust for the purposes of this Act and the legal estate in every piece of land so granted shall be deemed to have vested in the Trustees on the day or respective days when such land was applied for under this Act.

Trusts upon which
land to be held.

5. The said Trustees and the survivors and survivor of them and the Trustees who shall from time to time be appointed as aforesaid all of whom are herein included in the term "the Trustees" shall stand seised and possessed of the land granted to them as aforesaid upon trust to sell the same either together or in parcels and either by public auction or private contract and subject to any special conditions and either for cash or on deferred payment or by way of lease with a purchasing clause as they may think fit And no purchaser from them shall be concerned to inquire as to the regularity of any such sale or as to the application of any of the proceeds thereof or as to the existence of any charge on the proceeds in respect of compensation or be answerable for any loss or misapplication of the proceeds And the Trustees shall stand possessed of the moneys arising from every such sale upon trust first to pay all costs and charges incident to such sale secondly to pay all sums of money which may become due to any holder of an exclusive pasturage license for compensation as hereinafter mentioned and thirdly to pay all debts and liabilities incurred before or after the passing of this Act by or on behalf of the Society in and about the importation and introduction into the Province of Southland of salmon and trout and other useful fish and the ova thereof and the management and care of such salmon and trout and other fish and ova during transmission and after arrival and the making maintaining and managing fish-breeding establishments in the said Province.

Acclimatization Society of Southland Grant.

6. The Trustees shall pay the proceeds of every such sale to a joint account at a bank approved by the Governor and no money shall be drawn out of such account except upon cheques signed by two at least of the Trustees. Custody and disposal of moneys.

7. The said moneys shall be paid by the Trustees only upon vouchers signed by the Treasurer for the time being of the Society and indorsed by the Provincial Auditor or Deputy Auditor of the Province of Southland with a certificate that the payment thereby warranted is authorized by this Act. Vouchers to be certified by Provincial Auditor.

8. If any of the land applied for under this Act shall be comprised within an exclusive pasturage license the holder of such exclusive pasturage license shall be entitled to receive compensation for the determination of his license and for improvements in the same manner as if the said land had been sold under "The Southland Waste Lands Act 1865" and any Acts for the time being in force amending the said Act and the persons applying for the said land shall for the purposes of the said Act or Acts so far as the same relates or relate to compensation be deemed to be the purchasers thereof. Provided always that all moneys to be paid for compensation in manner aforesaid shall when ascertained be a charge upon the proceeds of all land sold by the Trustees under this Act and that neither the persons who apply for the said land nor the Trustees shall be personally liable to any holder of an exclusive pasturage license in respect of compensation. Compensation to runholders.

9. The Trustees shall lay before the Provincial Council of the Province of Southland every year within fourteen days after the commencement of the first or only Session an account of the management of the trust during the year ending on the first day of such Session and of the moneys received and payments made by the Trustees in respect of the trust. Accounts to be laid before Provincial Council.

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