



ANNO TRICESIMO NONO ET QUADRAGESIMO

VICTORIÆ REGINÆ.

A.D. 1876.

No. 55.

*An Act to Validate certain Leases of the Waste Lands of the Crown,
and for other purposes.*

[Assented to, 17th November, 1876.]

WHEREAS doubts have arisen as to the validity of certain leases Preamble.
of the Waste Lands of the Crown heretofore issued under the
seal of the Province of South Australia: And whereas it is expedient
that such doubts should be removed, and the said leases declared to be
valid: And whereas it is expedient that lessees of any Waste
Lands of the Crown should be enabled to surrender their leases and
obtain new leases in lieu thereof, in manner hereinafter provided—
Be it therefore Enacted by the Governor of the Province of South
Australia, by and with the advice and consent of the Legislative
Council and House of Assembly of the said Province, in this present
Parliament assembled:

1. All leases and documents heretofore granted by the Governor
purporting to be leases of any Waste Lands of the Crown under the
seal of the said Province, or stamped with a stamp authorized by the
Governor for the purposes of "The Land Grants Act," are hereby
declared to be as valid and effectual as if the same had been duly and
regularly issued under the authority of the law for the time being in
force in the said Province: Provided that nothing herein contained
shall affect any action or suit now pending in any Court in the said
Province the result whereof in any way depends upon the validity
of any such lease.

All leases heretofore
granted to be valid.

2. It shall be lawful for the lessee of any Waste Lands to surrender
his lease of such land at any time during the currency thereof, and
the

Lessee may surrender
his lease.

Leases Validating Act.—1876.

the Governor is hereby authorized to accept such surrender in the name and on behalf of Her Majesty, and such surrender shall be in such form, and shall be made and executed subject to such regulations as may be made in that behalf, which regulations the Governor is hereby authorized to make.

New leases may be issued.

3. When any lease shall have been so surrendered, as in the last preceding clause provided, it shall be lawful for the Governor, in the name and on behalf of Her Majesty, to grant a lease or leases of the land comprised in such lease so surrendered to such person or persons as shall be nominated in that behalf by the lessee so surrendering such lease; and every such new lease shall be granted for the unexpired portion of the term of, and for the same purposes as, such lease so surrendered, and otherwise shall be upon and subject to the same terms, conditions, and regulations: Provided that no lease shall be granted upon which the minimum rent is less than Ten Pounds per annum.

Fees may be charged.

4. It shall be lawful for the Commissioner of Crown Lands and Immigration to charge any lessee surrendering his lease or requiring any new leases to be issued in lieu thereof as aforesaid, such reasonable fees as he may think fit.

Plans may be corrected.

5. Should the plan heretofore or hereafter attached to any lease of Crown lands be incorrect or defective, it shall be lawful for the Commissioner, at the expense of the lessee, to prepare a plan, corrected according to the latest surveys, and to attach such corrected plan to such lease; and any plan so attached and signed by the Commissioner shall form part of such lease, and the description of the parcels in such lease shall be taken to refer to such corrected plan.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

A. MUSGRAVE, Governor.