

*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber,  
Sydney, 20 April, 1868.* }

CHA. TOMPSON,  
*Clerk of Legislative Assembly.*

## New South Wales.



ANNO TRICESIMO PRIMO

# VICTORIÆ REGINÆ.

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No. .

An Act to make better provision for the Leasehold Rights of Free Selectors.

**W**HEREAS doubts have arisen as to conditional purchasers under <sup>Preamble.</sup> the Crown Lands Alienation Act of 1861 having the same right of pre-emptive lease as is provided under the Crown Lands Occupation Act of 1861 for holders in fee simple Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

10 1. Any conditional purchaser under the Crown Lands <sup>Pre-emptive right of conditional purchaser.</sup> Alienation Act is entitled to the same leasehold and pre-emptive rights as any freeholder in regard to Crown lands adjacent to his conditional purchase.

15 2. In the event of any such land being held by any other <sup>Conditional purchaser to give notice of position &c. of land under pre-emptive lease.</sup> person or persons under pastoral lease any freeholder or conditional purchaser may give notice in writing to such pastoral leaseholder or holders or his or their agent superintendent or overseer of the position of the land intended to be leased by him and of the marks shewing the boundaries thereof and thenceforth such land may be taken under pre-emptive lease and shall be held to have been withdrawn from the

20 pastoral tenant by virtue of the twelfth section of the twelfth clause of the Crown Lands Occupation Act and all the rights of such pastoral leaseholders shall cease and determine so far as they relate to such land and the land shall be held to be duly leased to such freeholder

*Conditional Purchasers Pre-emptive Lease Declaratory.*

holder or conditional purchaser Provided that if such pastoral lease-<sup>Provisoos.</sup>  
 holder his agent superintendent or overseer objects to any such free-  
 holder or conditional purchaser's choice of land so taken possession  
 of and that such freeholder or conditional purchaser and pastoral  
 5 leaseholder cannot agree as to a fair selection of pre-emptive leasehold  
 then the matter may be submitted to arbitration by either party  
 taking the steps provided under the Crown Lands Occupation Act for  
 such arbitrations And that at the termination of any such mode of  
 10 settlement of boundaries aforesaid the land shall pass from the pastoral  
 leaseholder to the freeholder or conditional purchaser as the case may  
 be in the same way as hereinbefore provided Provided also that any  
 Crown Lands taken or held by pre-emptive lease under this Act shall  
 be subject to the provisions of the Crown Lands Alienation Act and  
 15 Crown Lands Occupation Act and to all regulations thereunder in  
 regard to the form and boundaries thereof and in regard to rent  
 and other conditions of occupation.

3. In any case of dispute between conditional purchasers as to<sup>Arbitration.</sup>  
 the boundaries of their pre-emptive leasehold lands either party to  
 such dispute may cause the matter in dispute to be submitted to  
 20 arbitration and the award of such arbitration shall be carried out as  
 hereinbefore provided for other cases of dispute.

4. This Act shall be called and may be cited as the "Conditional<sup>Short title.</sup>  
 Purchasers Pre-emptive Lease Declaratory Act 1868."