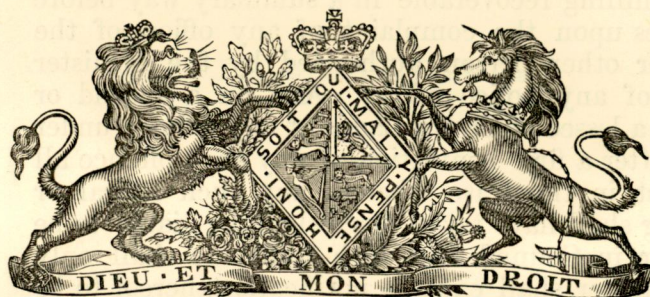


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber,  
Sydney, 7 September, 1881. }

STEPHEN W. JONES,  
Clerk of Legislative Assembly.

## New South Wales.



ANNO QUADRAGESIMO QUINTO

# VICTORIÆ REGINÆ.

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No. .

An Act to regulate Ringbarking on Crown Lands and to limit claims for compensation under the fifteenth section of the "Lands Acts further Amendment Act of 1880."

**W**HEREAS the practice of ringbarking on Crown Lands ought to be regulated by law 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:—

1. This Act may be cited for all purposes as the "Ringbarking on Crown Lands Regulation Act 1881" In its construction and for its purposes the expression "Crown Lands" means all lands vested in Her Majesty which have not been dedicated to any public purpose or which have not been granted or lawfully contracted to be granted in fee simple but includes all such Reserves as under the thirty-fourth section of the "Lands Acts Amendment Act 1875" are declared not to be withdrawn from pre-emptive lease or other pastoral leasehold—"Minister" means any Minister charged with the administration of this Act—"Ringbarking" or "to Ringbark" respectively

*Ringbarking on Crown Lands Regulation (No. 2).*

respectively means cutting or stripping or to cut or strip the bark of a tree for the purpose or in such a manner as would naturally have the effect of killing or stopping the growth of such tree—"Lessee" means the holder or the promisee of any lease—"Tree" includes sapling and means any indigenous growing tree of any kind whatsoever.

2. After the passing of this Act no lessee of Crown Lands shall ringbark any trees on Crown Lands unless he be the holder of a permission to ringbark under the hand of the Minister. And if any such lessee shall after the passing of this Act ringbark or permit or suffer any person on his behalf to ringbark any such trees without holding such permission or without holding a permission to ringbark granted before the passing of this Act by the Secretary for Lands or the Secretary for Mines or other Minister duly authorized in that behalf or shall ringbark or permit or suffer any person on his behalf to ringbark in contravention of the terms or conditions expressed in such permission or any of them such lessee shall on conviction be liable to a penalty for each tree so ringbarked of not more than ten shillings and not less than one shilling recoverable in a summary way before any two or more Justices upon the complaint of any officer of the Department of Mines or other person authorized by the Minister or upon the complaint of any police officer. And on a second or subsequent conviction of a lessee of Crown Lands of any offence under this section committed after a first conviction of any such offence all his right to and interest in the lease wherein any such illegal or unauthorized ringbarking shall have taken place shall be liable to be forfeited by the Governor in Council. But such forfeiture shall only take effect when the Minister shall cause a notification thereof to be published in the *Gazette*. Provided every such permission as aforesaid shall be published in the *Government Gazette* within fourteen days after the granting of the same.

No ringbarking on Crown Lands without permission of Minister.

3. Any person whosoever who shall ringbark trees on Crown Lands without holding such permission as is mentioned in the last preceding section or a written authority to ringbark such trees under the hand of the lessee of such Crown Lands shall on conviction be liable for each tree so ringbarked to the same penalty (recoverable in the same manner) as is declared in the said section. Provided that in the hearing of every complaint under this Act the defendant shall be a competent witness.

Penalty on persons other than lessees for illegal ringbarking.

4. After the passing of this Act a lessee of Crown Lands shall not be entitled to be paid or to recover under the fifteenth section of the "Lands Acts further Amendment Act 1880" from the person purchasing or obtaining a pre-emptive lease of land any compensation in respect of ringbarking unless

Qualifications on claims to compensation for ringbarking.

(I.) The ringbarking which forms the subject of the claim for compensation is covered by a permission to ringbark granted by the Minister for the time being authorized to grant such permission and unless

(II.) The effect of such ringbarking on the land in question has been to increase the value thereof to any purchaser conditional or otherwise

And in every case the claim for compensation in respect of such ringbarking whether the same has been carried out before or after the passing of this Act shall be limited to the actual cost thereof proved to the satisfaction of the Court to have been incurred by the claimant or on his behalf or by the persons through or under whom he claims. Provided that it shall not be lawful for any such Court to adjudge imprisonment in default of distress for non-payment of any compensation awarded under this Act.

*Ringbarking on Crown Lands Regulation (No. 2).*

5. In any proceeding under this Act it shall not be necessary for the informant to prove that the defendant has not a permission to ringbark but the onus of such proof shall lie on the accused. Onus of proof of permission to ringbark to lie on accused.

6. Nothing in this Act contained shall affect otherwise than as Saving clause.  
5 herein expressly provided the provisions of the "Crown Lands Occupation Act of 1861" relating to the cutting and use of timber by lessees or any provision in any Act relating to the alienation or occupation of Crown Lands or shall be construed to deprive the Crown of the right to proceed against any lessee by action of waste or otherwise.

[3d.]

Regulating on Crown Lands Regulation (No. 2)

5. In any proceeding under this Act it shall not be necessary for the informant to prove that the defendant has not a permission to trespass but the onus of such proof shall lie on the accused.

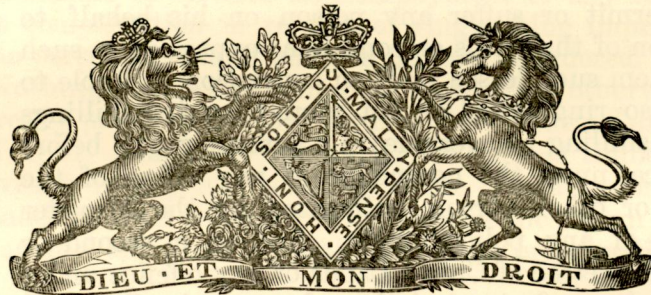
6. Nothing in this Act contained shall affect otherwise than as herein expressly provided the provisions of the "Crown Lands Ordinance Act of 1881" relating to the cutting and use of timber by leasees or any provision in any Act relating to the alienation or occupation of Crown lands or shall be construed to deprive the Crown of the right to proceed against any leasee for action of waste or otherwise.

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, 7 September, 1881. }

STEPHEN W. JONES,  
Clerk of Legislative Assembly.

## New South Wales.



ANNO QUADRAGESIMO QUINTO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

No. .

An Act to regulate Ringbarking on Crown Lands and to limit claims for compensation under the fifteenth section of the "Lands Acts further Amendment Act of 1880."

(As amended in Committee of the Whole.)

**W**HEREAS the practice of ringbarking on Crown Lands ought to be regulated by law 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:—

1. This Act may be cited for all purposes as the "Ringbarking on Crown Lands Regulation Act 1881" In its construction and for its purposes the expression "Crown Lands" means all lands vested in Her Majesty which have not been dedicated to any public purpose or which have not been granted or lawfully contracted to be granted in fee simple but includes all such Reserves as under the thirty-fourth section of the "Lands Acts Amendment Act 1875" are declared not to be withdrawn from pre-emptive lease or other pastoral leasehold—"Minister" means any Minister charged with the administration of this Act—"Ringbarking" or "to Ringbark" respectively

Preamble.

Short title.

Interpretation of terms.

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

*Ringbarking on Crown Lands Regulation (No. 2).*

respectively means cutting or stripping or to cut or strip the bark of a tree for the purpose or in such a manner as would naturally have the effect of killing or stopping the growth of such tree—"Lessee" means the holder or the promisee of any lease—"Tree" includes sapling  
5 and means any indigenous growing tree of any kind whatsoever.

2. After the passing of this Act no lessee of Crown Lands shall  
ringbark any trees on Crown Lands unless he be the holder of a per-  
mission to ringbark under the hand of the Minister And if any such  
lessee shall after the passing of this Act ringbark or permit or suffer  
10 any person on his behalf to ringbark any such trees without holding  
such permission or without holding a permission to ringbark granted  
before the passing of this Act by the Secretary for Lands or the  
Secretary for Mines or other Minister duly authorized in that behalf  
or shall ringbark or permit or suffer any person on his behalf to  
15 ringbark in contravention of the terms or conditions expressed in such  
permission or any of them such lessee shall on conviction be liable to  
a penalty for each tree so ringbarked of not more than ten shillings  
and not less than one shilling recoverable in a summary way before  
any two or more Justices upon the complaint of any officer of the  
20 Department of Mines or other person authorized by the Minister  
or upon the complaint of any police officer And on a second or  
subsequent conviction of a lessee of Crown Lands of any offence under  
this section committed after a first conviction of any such offence all  
his right to and interest in the lease wherein any such illegal or  
25 unauthorized ringbarking shall have taken place shall be liable to be  
forfeited by the Governor in Council But such forfeiture shall only  
take effect when the Minister shall cause a notification thereof to be  
published in the *Gazette* Provided every such permission as aforesaid  
shall be published in the *Government Gazette* within fourteen days  
30 after the granting of the same.

3. Any person whosoever who shall ringbark trees on Crown  
Lands without holding such permission as is mentioned in the last  
preceding section or a written authority to ringbark such trees under  
the hand of the lessee of such Crown Lands shall on conviction be  
35 liable for each tree so ringbarked to the same penalty (recoverable in  
the same manner) as is declared in the said section Provided that in  
the hearing of every complaint under this Act the defendant shall be  
a competent witness.

4. After the passing of this Act a lessee of Crown Lands shall  
40 not be entitled to be paid or to recover under the fifteenth section of  
the "Lands Acts further Amendment Act 1880" from the person  
purchasing or obtaining a pre-emptive lease of land any compensation  
in respect of ringbarking unless

(I.) The ringbarking which forms the subject of the claim for  
45 compensation is covered by a permission to ringbark granted  
by the Minister for the time being authorized to grant such  
permission and unless

(II.) The effect of such ringbarking on the land in question has  
50 been to increase the value thereof to any purchaser conditional  
or otherwise

And in every case the claim for compensation in respect of such ring-  
barking whether the same has been carried out before or after the  
passing of this Act shall be limited to the actual cost thereof proved to  
the satisfaction of the Court to have been incurred by the claimant or on  
55 his behalf or by the persons through or under whom he claims **one shilling  
and sixpence per acre payable on the certificate of a Surveyor duly  
authorized in that behalf that the land has been ringbarked** Provided  
that it shall not be lawful for any such Court to adjudge imprisonment  
in default of distress for non-payment of any compensation awarded  
60 under this Act.

No ringbarking on  
Crown Lands without  
permission of  
Minister.

Penalty on persons  
other than lessees for  
illegal ringbarking.

Qualifications on  
claims to compensa-  
tion for ringbarking.

*Ringbarking on Crown Lands Regulation (No. 2).*

5. In any proceeding under this Act it shall not be necessary for the informant to prove that the defendant has not a permission to ringbark but the onus of such proof shall lie on the accused. Onus of proof of permission to ringbark to lie on accused.

5. For the purposes of this Act and the Act lastly cited and in all proceedings instituted thereunder the provisions following shall take effect and be complied with by all Courts and persons viz. :— Legal procedure &c.

(1.) At the hearing of every complaint the defendant shall be a competent witness.

10 (2.) If any question shall arise whether any person holds a valid permission to ringbark the burden of proof thereof in the affirmative shall lie on the defendant or person who claims to hold such permission.

15 (3.) In default of distress for non-payment of any sum awarded as compensation in respect of ringbarking imprisonment of the person in default shall in no case be ordered.

20 6. Nothing in this Act contained shall affect otherwise than as herein expressly provided the provisions of the "Crown Lands Occupation Act of 1861" relating to the cutting and use of timber by lessees or any provision in any Act relating to the alienation or occupation of Crown Lands or shall be construed to deprive the Crown of the right to proceed against any lessee by action of waste or otherwise. Saving clause.

THE ACT IN FORCE IN THE PROVINCE OF ONTARIO

1. In any proceeding under this Act it shall not be necessary for the plaintiff to prove that the defendant has not a permission to dig for and take away any mineral substance...

2. For the purposes of this Act and the Act last cited and in all proceedings instituted thereunder the provisions following shall have effect as if they were contained in the Act last cited...

(1) If the hearing of every complaint the defendant shall be a competent witness.

(2) If any question shall arise whether any person holds a valid permission to dig for and take away any mineral substance...

(3) In default of distress for non-payment of any sum awarded as compensation in respect of trespassing imprisonment of the person in default shall in no case be ordered.

3. Nothing in this Act contained shall affect otherwise than as herein expressly provided the provisions of the "Crown Lands Occupancy Act of 1857" relating to the cutting and use of timber by persons on any provision in any Act relating to the alienation or occupation of Crown Lands or shall be construed to deprive the Crown of the right to proceed against any person by action of waste or otherwise...



RINGBARKING ON CROWN LANDS REGULATION BILL (No. 2).

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*SCHEDULE of the Amendments referred to in Message of 13th October, 1881.*

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- Page 2, clause 3, line 31. *Omit* " Any person"  
" " line 31. *Omit* " who"  
" " line 36. *After* " section" *omit* Proviso.  
" " 4, lines 41 and 42. *Omit* " from the person purchasing or obtaining a pre-  
" " "emptive lease of land"  
" clause 4, line 53. *After* " be" *omit* remainder of clause *insert* " one shilling  
" " and sixpence per acre payable on the certificate of a Surveyor duly  
" " authorized in that behalf that the land has been ringbarked"  
Page 3, clause 5. *Omit* clause 5 *insert* new clause 5.
-



*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, 7 September, 1881.* }

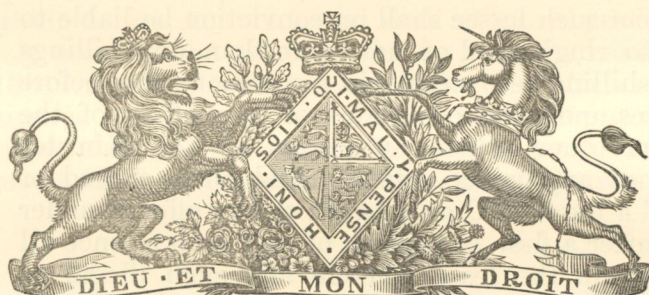
STEPHEN W. JONES,  
*Clerk of Legislative Assembly.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.*

*Legislative Council Chamber,  
Sydney, 13th October, 1881.* }

*For the Clerk of the Parliaments,  
ADOLPHUS P. CLAPIN,  
Clerk Assistant.*

## New South Wales.



ANNO QUADRAGESIMO QUINTO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

No. .

An Act to regulate Ringbarking on Crown Lands and to limit claims for compensation under the fifteenth section of the "Lands Acts further Amendment Act of 1880."

**W**HEREAS the practice of ringbarking on Crown Lands ought Preamble.  
to be regulated by law—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  
5 Parliament assembled and by the authority of the same as follows:—

1. This Act may be cited for all purposes as the "Ring- Short title.  
barking on Crown Lands Regulation Act 1881" In its construc- Interpretation of  
tion and for its purposes the expression "Crown Lands" means terms.  
all lands vested in Her Majesty which have not been dedicated to any  
10 public purpose or which have not been granted or lawfully contracted  
to be granted in fee simple but includes all such Reserves as under  
the thirty-fourth section of the "Lands Acts Amendment Act 1875"  
are declared not to be withdrawn from pre-emptive lease or other  
pastoral leasehold—"Minister" means any Minister charged with  
15 the administration of this Act—"Ringbarking" or "to Ringbark"  
respectively

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

*Ringbarking on Crown Lands Regulation (No. 2).*

respectively means cutting or stripping or to cut or strip the bark of a tree for the purpose or in such a manner as would naturally have the effect of killing or stopping the growth of such tree—"Lessee" means the holder or the promisee of any lease—"Tree" includes sapling  
5 and means any indigenous growing tree of any kind whatsoever.

2. After the passing of this Act no lessee of Crown Lands shall ringbark any trees on Crown Lands unless he be the holder of a permission to ringbark under the hand of the Minister And if any such lessee shall after the passing of this Act ringbark or permit or suffer  
10 any person on his behalf to ringbark any such trees without holding such permission or without holding a permission to ringbark granted before the passing of this Act by the Secretary for Lands or the Secretary for Mines or other Minister duly authorized in that behalf or shall ringbark or permit or suffer any person on his behalf to  
15 ringbark in contravention of the terms or conditions expressed in such permission or any of them such lessee shall on conviction be liable to a penalty for each tree so ringbarked of not more than ten shillings and not less than one shilling recoverable in a summary way before any two or more Justices upon the complaint of any officer of the  
20 Department of Mines or other person authorized by the Minister or upon the complaint of any police officer And on a second or subsequent conviction of a lessee of Crown Lands of any offence under this section committed after a first conviction of any such offence all his right to and interest in the lease wherein any such illegal or  
25 unauthorized ringbarking shall have taken place shall be liable to be forfeited by the Governor in Council But such forfeiture shall only take effect when the Minister shall cause a notification thereof to be published in the *Gazette* Provided every such permission as aforesaid shall be published in the *Government Gazette* within fourteen days  
30 after the granting of the same.

3. Any person Whosoever who shall ringbark trees on Crown Lands without holding such permission as is mentioned in the last preceding section or a written authority to ringbark such trees under the hand of the lessee of such Crown Lands shall on conviction be  
35 liable for each tree so ringbarked to the same penalty (recoverable in the same manner) as is declared in the said section ~~Provided that in the hearing of every complaint under this Act the defendant shall be a competent witness.~~

4. After the passing of this Act a lessee of Crown Lands shall not be entitled to be paid or to recover under the fifteenth section of the "Lands Acts further Amendment Act 1880" ~~from the person purchasing or obtaining a pre-emptive lease of land~~ any compensation in respect of ringbarking unless

(I.) The ringbarking which forms the subject of the claim for compensation is covered by a permission to ringbark granted by the Minister for the time being authorized to grant such permission and unless

(II.) The effect of such ringbarking on the land in question has been to increase the value thereof to any purchaser conditional or otherwise

50 And in every case the claim for compensation in respect of such ringbarking whether the same has been carried out before or after the passing of this Act shall be ~~limited to the actual cost thereof proved to the satisfaction of the Court to have been incurred~~ by the claimant or  
55 on his behalf or by the persons through or under whom he claims Provided that it shall not be lawful for any such Court to adjudge imprisonment in default of distress for non-payment of any compensation awarded under this Act. one shilling and sixpence per acre payable on the certificate of a Surveyor duly authorized in that behalf that  
60 the land has been ringbarked.

No ringbarking on Crown Lands without permission of Minister.

Penalty on persons other than lessees for illegal ringbarking.

Qualifications on claims to compensation for ringbarking.

*Ringbarking on Crown Lands Regulation (No. 2).*

5. In any proceeding under this Act it shall not be necessary for the informant to prove that the defendant has not a permission to ringbark but the onus of such proof shall lie on the accused.

Onus of proof of permission to ringbark to lie on accused.

5. For the purposes of this Act and the Act lastly cited and in all proceedings instituted thereunder the provisions following shall take effect and be complied with by all Courts and persons viz. :—

Legal procedure &c.

- (1.) At the hearing of every complaint the defendant shall be a competent witness.
- 10 (2.) If any question shall arise whether any person holds a valid permission to ringbark the burden of proof thereof in the affirmative shall lie on the defendant or person who claims to hold such permission.
- 15 (3.) In default of distress for non-payment of any sum awarded as compensation in respect of ringbarking imprisonment of the person in default shall in no case be ordered.

6. Nothing in this Act contained shall affect otherwise than as herein expressly provided the provisions of the "Crown Lands Occupation Act of 1861" relating to the cutting and use of timber by lessees or any provision in any Act relating to the alienation or occupation of Crown Lands or shall be construed to deprive the Crown of the right to proceed against any lessee by action of waste or otherwise.

Saving clause.

PROCEEDURES ACT (No. 2)

10. In any proceedings under this Act it shall not be necessary to prove the defendant's liability to the plaintiff for the tortious act complained of, but it shall be sufficient to prove that the defendant was negligent in the commission of the tortious act.

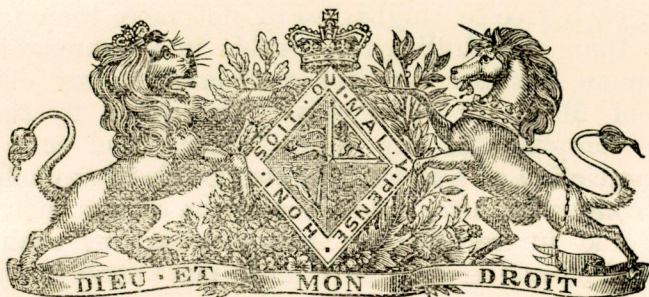
11. For the purposes of this Act the defendant shall be deemed to be negligent if he fails to take such precautions as a prudent person would take in the circumstances.

12. If any person shall be liable to a claim in respect of a tortious act, he shall be liable to pay to the plaintiff the amount of the plaintiff's damages, together with interest thereon at the rate of ten per cent per annum from the date of the tortious act to the date of the judgment.

13. In default of default the plaintiff shall be entitled to recover the amount of the plaintiff's damages, together with interest thereon at the rate of ten per cent per annum from the date of the tortious act to the date of the judgment.

14. Nothing in this Act contained shall affect otherwise than as herein expressly provided the provisions of the Crown Lands Ordinance, 1954, relating to the cutting and use of timber in forests or any provision in any Act relating to the allocation or occupation of Crown land, shall be construed to deprive the Crown of the right to proceed against any person by action of tort or otherwise.

New South Wales.



ANNO QUADRAGESIMO QUINTO

VICTORIÆ REGINÆ.

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No. VIII.

An Act to regulate Ringbarking on Crown Lands and to limit claims for compensation under the fifteenth section of the "Lands Acts further Amendment Act of 1880." [Assented to, 24th November, 1881.]

**W**HEREAS the practice of ringbarking on Crown Lands ought to be regulated by law 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:—

1. This Act may be cited for all purposes as the "Ringbarking on Crown Lands Regulation Act 1881" In its construction and for its purposes the expression "Crown Lands" means all lands vested in Her Majesty which have not been dedicated to any public purpose or which have not been granted or lawfully contracted to be granted in fee simple but includes all such Reserves as under the thirty-fourth section of the "Lands Acts Amendment Act 1875" are declared not to be withdrawn from pre-emptive lease or other pastoral leasehold—"Minister" means any Minister charged with the administration of this Act—"Ringbarking" or "to Ringbark" respectively means cutting or stripping or to cut or strip the bark of a tree for the purpose or in such a manner as would naturally have the effect

Preamble.

Short title.

Interpretation of terms.

*Ringbarking on Crown Lands Regulation.*

effect of killing or stopping the growth of such tree—"Lessee" means the holder or the promisee of any lease—"Tree" includes sapling and means any indigenous growing tree of any kind whatsoever.

No ringbarking on Crown Lands without permission of Minister.

2. After the passing of this Act no lessee of Crown Lands shall ringbark any trees on Crown Lands unless he be the holder of a permission to ringbark under the hand of the Minister. And if any such lessee shall after the passing of this Act ringbark or permit or suffer any person on his behalf to ringbark any such trees without holding such permission or without holding a permission to ringbark granted before the passing of this Act by the Secretary for Lands or the Secretary for Mines or other Minister duly authorized in that behalf or shall ringbark or permit or suffer any person on his behalf to ringbark in contravention of the terms or conditions expressed in such permission or any of them such lessee shall on conviction be liable to a penalty for each tree so ringbarked of not more than ten shillings and not less than one shilling recoverable in a summary way before any two or more Justices upon the complaint of any officer of the Department of Mines or other person authorized by the Minister or upon the complaint of any police officer. And on a second or subsequent conviction of a lessee of Crown Lands of any offence under this section committed after a first conviction of any such offence all his right to and interest in the lease wherein any such illegal or unauthorized ringbarking shall have taken place shall be liable to be forfeited by the Governor in Council. But such forfeiture shall only take effect when the Minister shall cause a notification thereof to be published in the *Gazette*. Provided every such permission as aforesaid shall be published in the *Government Gazette* within fourteen days after the granting of the same.

Penalty on persons other than lessees for illegal ringbarking.

3. Whosoever shall ringbark trees on Crown Lands without holding such permission as is mentioned in the last preceding section or a written authority to ringbark such trees under the hand of the lessee of such Crown Lands shall on conviction be liable for each tree so ringbarked to the same penalty (recoverable in the same manner) as is declared in the said section.

Qualifications on claims to compensation for ringbarking.

4. After the passing of this Act a lessee of Crown Lands shall not be entitled to be paid or to recover under the fifteenth section of the "Lands Acts further Amendment Act 1880" any compensation in respect of ringbarking unless—

- (I.) The ringbarking which forms the subject of the claim for compensation is covered by a permission to ringbark granted by the Minister for the time being authorized to grant such permission and unless
- (II.) The effect of such ringbarking on the land in question has been to increase the value thereof to any purchaser conditional or otherwise

And in every case the claim for compensation in respect of such ringbarking whether the same has been carried out before or after the passing of this Act shall be one shilling and three-pence per acre payable on the certificate of a Surveyor duly authorized in that behalf that the land has been ringbarked.

Legal procedure &c.

5. For the purposes of this Act and the Act lastly cited and in all proceedings instituted thereunder the provisions following shall take effect and be complied with by all Courts and persons viz. :—

- (I.) At the hearing of every complaint the defendant shall be a competent witness.
- (II.) If any question shall arise whether any person holds a valid permission to ringbark the burden of proof thereof in the affirmative shall lie on the defendant or person who claims to hold such permission.

(III.)



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*Ringbarking on Crown Lands Regulation.*

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(III.) In default of distress for non-payment of any sum awarded as compensation in respect of ringbarking imprisonment of the person in default shall in no case be ordered.

6. Nothing in this Act contained shall affect otherwise than as *Saving clause.* herein expressly provided the provisions of the "Crown Lands Occupation Act of 1861" relating to the cutting and use of timber by lessees or any provision in any Act relating to the alienation or occupation of Crown Lands or shall be construed to deprive the Crown of the right to proceed against any lessee by action of waste or otherwise.

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By Authority: THOMAS RICHARDS, Government Printer, Sydney, 1881.

[3d.]

