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An Act to consolidate and amend the Laws relating to the Crown Lands in South Australia.

[Assented to, 21st December, 1877.]
South Australia—Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, as follows:

**PART I.**

**INTRODUCTORY.**

1. This Act may be cited for all purposes as the "Crown Lands Consolidation Act," and is divided into Parts as follows:

**Part I,—Introductory, ss. 1-11:**

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1. By sale upon credit under agreement, ss. 12-23:
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**Part VI.—Leases and Licences for Miscellaneous Purposes, ss. 90-96:**

**Part VII.—Legal Procedure, Trespasses and Penalties, ss. 97-125:**

**Part VIII.—Miscellaneous, ss. 126-138:**

2. The Acts mentioned in the First Schedule hereeto, are hereby repealed; but such repeal, except where otherwise expressly provided, shall not affect any estate, right, interest, or liability, created by or existing under or by virtue of any of the Acts hereby repealed, and shall not prejudice or affect anything already lawfully done or commenced or contracted to be done under any of such Acts, or under any existing regulations, agreements, leases or licences; and all proceedings, matters, and things lawfully had or done, and all reservations of land, and all appointments and by-laws made or made valid, before the passing of this Act, by, under, or in pursuance of, the said repealed Acts, or any of them, shall be of the same force and effect to all intents and purposes, as if the said Acts were still in force; and no information, suit, appeal, or other proceeding, criminal or civil, at law, or in equity, which at the time of the passing of this Act, may be depending in any Court, or before any Judge or Justice, arbitrator, or other authority, shall abate or become discontinued, or in anywise prejudiced or affected; but shall be proceeded with, heard and determined, and the verdict, sentence, judgment, decree, rule, order, decision, or award enforced as if the said Acts were still in force. And except where otherwise expressly
Interpretation.

Crown lands.

3. In the construction and for the purposes of this Act, unless inconsistent with the context—

The term "Crown lands" means all lands in South Australia situated to the south of the twenty-sixth parallel of south latitude which

i. Shall not have been reserved for and dedicated to any public purpose:

ii. Shall not have been lawfully granted, or contracted to be granted, in fee simple by or on behalf of Her Majesty:

iii. Shall not be subject to any lease or licence lawfully granted by or on behalf of Her Majesty, with a right of purchase by the lessee, or for mineral purposes, or under Act No. 31 of 1872, or Part vi. of this Act:

iv. Or which having been lawfully held by any person for any such estate or interest, shall be lawfully forfeited or resumed, or shall by any means whatsoever have reverted to the Crown:

Country lands.

The term "country lands" means all surveyed Crown lands, not being town, park, or suburban lands, or reclaimed or improved lands or reserves:

Town lands.

The term "town lands" means all Crown lands reserved or surveyed, or laid out in lots as the site for a town:

Park lands.

The term "park lands" means lands adjacent to any town reserved for the use and benefit of the inhabitants of such town:

Suburban lands.

The term "suburban lands" means all Crown lands surveyed in sections of not greater than twenty acres each, situated within two miles of any town lands, or any land reserved for the purpose of a town, whether surveyed or unsurveyed, or within two miles of the park lands (if any) surrounding or adjoining any such town lands, or lands reserved for the purpose of a town, whether surveyed or unsurveyed:

The
The term "reclaimed lands" means all Crown lands reclaimed or improved by means of Government expenditure on drains or other public works and proclaimed as such:

The term "improved lands" means all Crown lands on which improvements have been made by purchasers on credit or lessees from the Crown and proclaimed as such:

The term "special country lot" means any single section of country lands which may be surrounded by land sold, or contracted to be sold, and which shall have been offered for sale and shall have been withdrawn from sale, and shall not have been dedicated for any public purpose; and also any section or block of country lands, not exceeding one hundred acres in extent, which may be required for the establishment of any industry that may be approved by the Governor:

The term "block" or "blocks of land" means one or more sections of land situate when there is more than one section of land contiguous to each other or separated only by a road:

The term "cultivation" means ploughing, digging, or trenching, and planting or sowing cereals, hemp, flax, pulse, lucern, or root crops:

The term "Commissioner" means the Commissioner of Crown Lands and Immigration for the time being:

The term "agreement" means any agreement entered into by any person with the Commissioner for the purchase of land upon credit, under the authority of this Act, or any repealed Act:

The term "land under agreement" means land purchased upon credit, under the authority of this Act, or any repealed Act, and not absolutely granted by the Crown:

The term "presiding officer" means any person appointed by the Commissioner to superintend the sale of land upon credit, and the proceedings under this Act for determining the purchaser:

The term "lessee" means as well the lessee of any land leased pursuant to this or any Act hereby repealed, as the assignee or personal representative of such lessee:

The term "cattle" means horses, geldings, mares, bulls, bullocks, and cows, and also foals and calves over six months old:

The term "sheep" means rams, wethers, and ewes, and lambs over six months old.

4. Under and subject to the provisions of this Act, the Governor in the name and on behalf of Her Majesty may grant convey or otherwise alienate, or may reserve or dedicate to the public use any Crown lands, for such estate or interest as in such case is authorized by this Act, and for none other, and all grants, conveyances, and other alienations, shall be made in such form as the Governor shall direct.

5. The
5. The Governor may, by Proclamation in the Government Gazette, giving a general or particular description, dedicate in such manner as may seem best for the public interests any Crown lands for the preservation of water supply, or for any public roads or other internal communications whether by land or water, or for any quay or landing-place, or public reservoir, aqueduct, or watercourse, or for the purpose of any hospital or asylum, or for any market place or abattoir, or for the purpose of any institution for public instruction or amusement, or for any public building [not being intended for ecclesiastical purposes], or for public use for the interment of the dead, or as places for the recreation and amusement of the inhabitants of any city or town, or for park lands, or other purpose of public safety, convenience, health, or enjoyment, or for any other public purpose, or for the purpose of building or endowing any common or district schools, not being denominational schools; and upon such Proclamation being published in the Government Gazette, such land shall become and be dedicated accordingly, and may at any time thereafter be granted for such purpose in fee simple: Provided that the delineation in the public maps of the said Province, of any public roads will be deemed a sufficient dedication thereof, without the publication of any other notice.

6. The Governor may, by Proclamation in the Government Gazette, reserve such portion of the Crown lands for the use and benefit of the aboriginal inhabitants of the said Province, or for any purposes of military defence, or as forest or mineral reserves, or reserves for gold mining purposes, or as travelling stock reserves, or as places for the recreation or amusement of the public, or for any railway or railway station, as may be described in such Proclamation, and may, in like manner, revoke any Proclamation as to the whole or any portion of such lands so reserved, and thereupon such lands, the Proclamation reserving which is so revoked, shall be dealt with as if the same had never been reserved as aforesaid: Provided always, that no Proclamation revoking any Proclamation reserving lands as aforesaid shall be issued, until a statement has been laid before Parliament for thirty days, setting forth the particulars of the Proclamation so proposed to be revoked.

7. The Governor may exchange any Crown lands for any lands alienated in fee simple for the purpose of completing or increasing in length or area any lands reserved for roads or other purposes, and for such other purposes as the Governor may think advisable for the public use or benefit.

8. The Governor may divide into counties and hundreds any Crown lands not already included in any county or hundred, and by Proclamation to be published in the Government Gazette may define the boundaries of such counties or hundreds and may distinguish each by a name; and, after such Proclamation, the land described therein shall constitute and be recognized as a county or hundred, as the
the case may be, by the name so given: Provided that it shall be lawful for the Governor, by Proclamation to be published in the Government Gazette, to declare that any county or hundred shall cease to exist as such, and to extend or diminish the area of any county or hundred, or to alter the boundaries or name thereof, and to add the area taken away from one county or hundred to any other adjacent county or hundred, and to divide any county or hundred into two or more counties or hundreds, and to give each a distinguishing name. In every such Proclamation the day from which the same shall take effect shall be mentioned, and no counties or hundreds shall be constituted under the authority hereof, unless a list of the counties and hundreds intended to be constituted shall be laid before Parliament thirty days prior to the Proclamation thereof.

9. The Governor may, by Proclamation to be published in the Government Gazette, declare what parts of the Crown lands are to be set apart for the sites of new towns and for suburbs thereto, and for park lands; and such lands shall thereupon be reserved and designated as town, suburban, or park lands, as the case may be.

10. The Commissioner may at any time withdraw from sale on credit or otherwise, or from being offered on lease, any Crown lands, either temporarily or permanently, and any Crown lands so withdrawn shall not again be offered for sale upon credit or otherwise, or on lease, respectively, until they shall have been re-advertised for one calendar month in the Government Gazette, as open for sale upon credit or otherwise, or upon lease, as the case may be: Provided that the period of time during which such lands shall be so withdrawn shall not be reckoned in any computation of time which may affect the period at which such lands may be dealt with.

11. The Governor may demise to any aboriginal native, or the descendant of any aboriginal native, any Crown lands not exceeding one hundred and sixty acres, for any term of years and upon such terms and conditions as the Governor shall think fit.

PART II.

ALIENATION.

(1.) By Sale upon Credit under Agreement.

12. No Crown lands shall be granted or contracted to be granted in fee simple under the provisions herein contained, unless the same shall have been surveyed and properly marked upon the ground and shall have been delineated in the public maps in the office of the Surveyor-General in such sections as may be deemed convenient, but so that no one section shall contain a greater area than five hundred acres; and after such lands shall have been so surveyed and delineated, the Commissioner may declare the same open for sale upon credit under this Act by publishing a notice
notice to that effect in the *Government Gazette*, describing generally the lands so surveyed and delineated, and referring to the said maps; but the date at which the said lands shall be first open for sale upon credit shall not be less than six weeks after the first publication of such notice.

13. The Commissioner, notwithstanding anything herein contained, may decline to accede to any application for the purchase upon credit or otherwise of any land known or supposed to contain gold, copper, or any other mineral.

14. Any country lands, reclaimed lands, and improved lands may be sold upon credit, to any person above the age of eighteen years, at the following minimum prices respectively, namely—Country lands at the price of One Pound per acre; Reclaimed lands at the price of One Pound per acre, with such an addition to cover the estimated cost of reclaiming the same, as may be fixed by the notice in the *Government Gazette* declaring such lands open for sale upon credit; Improved lands at the price of One Pound per acre, with such an addition as shall be equal to the value of any improvements effected on such land, such price to be fixed in respect of each section of improved lands, by the notice in the *Government Gazette*, declaring such lands open for sale upon credit, and such notice to specify the amount added to the price of such lands as the value of such improvements: Provided that after such improved lands shall have been open for sale and unsold for six months it shall be lawful for the Commissioner, by notice in the *Government Gazette*, from time to time, to reduce the amount payable for such improvements to such sum as he shall think fit, and thereafter and until any further reduction shall have been made the sum so fixed shall be the sum payable in respect of such improvements by the purchaser of such land.

15. Land open for sale upon credit as aforesaid, shall be sold at such times and places as the Commissioner shall appoint under and subject to the following regulations—

i. When the whole or any part of the land in any particular hundred is first declared open for selection, or re-opened for selection upon credit, the presiding officer shall offer for sale by auction, at an ‘upset price’ of One Pound per acre, the right to the first choice of such land open for sale upon credit the competition at such auction being confined to such persons qualified to become purchasers of land upon credit, as shall respectively declare their intention to reside personally on any land of which they may respectively become the purchasers:

ii. The highest bidder at such auction shall forthwith select any section or sections of land in the said hundred, which shall be unsold and open for sale upon credit, and which shall not contain more than the number of acres which such highest bidder is entitled to purchase upon credit: Provided that
that no person shall then be entitled to select two or more sections not forming one block:

iii. The person so selecting shall then be declared the purchaser of the sections so selected, and shall forthwith pay to the presiding officer a sum of money in the proportion of Ten Pounds per centum on the amount of his purchase-money; Provided that if such persons shall select reclaimed land, the estimated cost of reclaiming the same, as fixed by the Government Gazette, declaring the same open for sale upon credit, shall be added to the amount of such purchase-money, and the sum to be forthwith paid to the presiding officer shall be in the proportion of Ten Pounds per centum on the amount of such purchase-money and cost of reclamation; and provided also that if such person shall select improved land he shall, in addition to the aforesaid percentage on the purchase-money bid by him, forthwith pay to the presiding officer the full amount specified in the Government Gazette as the value of the improvements on such land:

iv. When the person having the first right to select shall have selected and been declared the purchaser, the right to the choice of the remaining land open for sale upon credit in the same hundred shall in like manner be successively offered for sale by auction among the persons qualified as aforesaid, declaring their intention to reside personally on the land, and the highest bidder at each such auction shall and the last remaining person may successively select land in the said hundred, and pay the percentage to be determined in manner before specified, with reference to the person having the first right of selection:

v. When no further bid shall be made at such auction for the right of selection as aforesaid, the presiding officer shall in a similar manner, offer for sale by auction, the right to the choice of land in the same hundred, remaining unselected and open for sale upon credit among persons not declaring their intention to reside personally on the land; and the aforesaid regulations with reference to selection and purchase by persons declaring their intention so to reside, shall apply to selections and purchase by persons not declaring their intention so to reside: Provided that every purchaser not declaring his intention to reside personally on the land, shall make a declaration in the form contained in the Fourth Schedule hereto, and hand the same to the presiding officer at the time of selecting the land:

vi. Any person, who having bid for any land aforesaid, and having been declared the purchaser thereof, shall refuse or neglect to forthwith pay to the presiding officer the sum of money payable by him, or who shall afterwards decline to sign an agreement to reside personally on the land in cases where personal residence is necessary, or in cases where personal
PART I

personal residence is not necessary, shall refuse or neglect to make, and at the time of selecting, hand to the presiding officer the declaration required by the preceding regulations, and any person not qualified to become a purchaser of land upon credit of any section of land among the sections then being offered for sale, who shall bid at any such auction, shall, on conviction, forfeit and pay for each offence a penalty of not more than Twenty-five Pounds:

vii. All country lands, the right to choice of which shall have been offered under the preceding regulations, and shall remain unselected, shall be open for sale upon credit by private contract at the price of One Pound per acre; and all reclaimed lands, and improved lands, the right to the choice of which shall have been so offered, and which shall remain unselected, shall be open for sale upon credit by private contract at the price of such land as mentioned in the Government Gazette, declaring the same open for sale upon credit. In case of simultaneous applications, the person declaring his intention to reside personally on any land shall be entitled to the first choice, and the right of choice between two or more such persons, or between two or more persons not declaring their intention to reside personally on the land, shall be decided by lot.

Receipt to be given.

16. The presiding officer shall cause a receipt to be given to each purchaser when determined under the preceding regulations, for the amount paid as aforesaid; and such amount shall be regarded as payment of interest in advance for three years upon the purchase-money of the land selected. Such receipt shall be in the form set forth in the Second Schedule hereto, or to the like effect, and in the event of the land purchased being improved land, such receipt shall also include the amount paid as aforesaid as the value of the improvements thereon.

Applicant may employ agent.

17. The acts mentioned in the three preceding clauses of this Act may be made, done, and suffered by any person in his own name, or through his duly-authorized agent acting in his behalf only, but such agent shall, before the commencement of the auction, declare his intention to bid as an agent, together with the name of his principal, and also furnish the presiding officer with satisfactory evidence of his authority so to act; and no person or firm of persons, shall, either personally or by his or their clerk or servant, act as agent for two or more competing purchasers.

Sums paid not bonâ fide may be forfeited.

18. If any person shall bid for the choice of land under the foregoing provisions for any other purpose than that of bonâ fide becoming the purchaser of the lands to be selected by him, all moneys paid by such person shall be absolutely forfeited; and it is hereby expressly declared that the Commissioner may declare any such forfeiture on any evidence which may appear to him sufficient; and a notice that any such forfeiture has been declared, signed by the Commissioner, and published in the Government Gazette, shall be conclusive evidence thereof, and shall be an effectual bar to any proceedings
proceedings which may be instituted by such person, or anyone claiming through or under him, for the recovery of any money so paid by him as aforesaid.

19. Within twenty-one days after any person shall have been declared the purchaser of any land under the provisions herein-before contained, the Commissioner shall cause an agreement in duplicate in the form contained in the Third Schedule hereto, or to the like effect, to be drawn up and left at the Land Office, or forwarded by post to the purchaser at any address which he may give to the presiding officer at the time of being declared the purchaser. Upon such agreement being delivered at the Land Office, duly executed by the purchaser in duplicate, within a further period of fourteen days, or such further time as the Commissioner may allow, the Commissioner shall also execute such agreement in duplicate, and shall cause one part thereof to be delivered or sent to the purchaser. Any purchaser who shall fail to deliver such agreement duly executed by him in duplicate at the Land Office, within such period of fourteen days, or such further time as may be allowed by the Commissioner, shall forfeit the sum of money paid by him under the foregoing provisions, and all right to purchase such land upon credit, and it shall be lawful for the Commissioner to declare such land again open for sale upon credit.

20. No person who shall have incurred any forfeiture under the preceding provisions of this Act shall afterwards be allowed to become the purchaser of the land which he may have selected prior to such forfeiture, or any part thereof.

21. The purchaser shall, within fourteen days from the termination of the third year from the date of every such agreement, pay to the Treasurer, or such person as he shall appoint, another amount equal to Ten Pounds per centum upon the purchase-money of the lands mentioned in such agreement, and such payments shall be regarded as payment in advance of interest for three years upon the amount of such purchase-money; and the purchaser shall, at the end or within fourteen days after the expiration of six years from the date of the said agreement, pay one-fourth of the purchase-money of the lands mentioned therein, and a further sum, in the proportion of Ten Pounds per centum, on the balance, of such purchase-money, which sum shall be regarded as interest thereon for the next three years; and the purchaser shall, at the end, or within fourteen days after the expiration of nine years from the date of the said agreement, pay the balance of purchase-money of the lands mentioned therein; and thereupon the purchaser shall, if he shall also have complied with the other conditions by this Act and by the said agreement imposed, be entitled to a grant in fee simple of the land mentioned in such agreement: Provided that any person who shall have purchased land upon credit under the condition of personal residence and shall have bona fide resided upon and cultivated the land purchased by him as aforesaid and shall have made
made improvements thereon to the value of Ten Shillings per acre, and otherwise fulfilled the requirements of his agreement and of this Act, shall be at liberty to pay the amount of the purchase-money for the same at the end of the first five years from the date of the said agreement without further interest thereon, and shall thereupon be entitled to a grant of the land in manner aforesaid.

22. The purchaser may at any time or times during the currency of his agreement pay off in sums of not less than Fifty Pounds, any part of the purchase-money accruing due under his agreement, not exceeding nine-tenths of the full amount of such purchase-money, and thereupon the interest paid in advance on the portion of the purchase-money so paid off by the purchaser shall be allowed to him on his next payment of interest or purchase-money under his agreement, and the amount of interest payable under such agreement shall thereafter be proportionately reduced; but such purchaser shall, notwithstanding such payment, be subject in all other respects to the provisions of this Act and the terms and conditions of his agreement.

23. Any selector under any Act repealed by this Act who shall be desirous of availing himself of the provisions hereof, or who, having two or more agreements of different dates upon credit under any Act so repealed, shall be desirous of obtaining a consolidation of such agreements at an average date, may apply in writing to the Commissioner accordingly; and, upon the approval of the Governor shall be entitled to surrender such agreements, and to enter into a fresh agreement under this Act in respect of such lands for the term unexpired under such agreements, calculated from the average date thereof, and at the total amount of the purchase-money and interest agreed to be paid in the said several agreements: Provided, that no such approval shall be granted by the Governor unless the selector so applying shall prove to the satisfaction of the Governor that he has complied with the conditions as to cultivation, and with all the other conditions under which he holds such lands, except that residence on the land held under any one of such agreements shall, for such purposes, be deemed a residence on the whole of such lands; and provided also, that before any such application shall be granted, notice thereof shall be published for three weeks consecutively in the Gazette.

(2.) Provisions Applicable to all Agreements.

24. The provisions contained in clauses 24 to 48, both inclusive, of this Act, shall apply to all agreements in force entered into under any repealed enactment, as well as to agreements under this Act, and to every purchaser upon credit under any agreement.

25. No person shall be entitled to hold as a purchaser upon credit under agreement more than one thousand acres of land, such maximum area of one thousand acres including all land which he may hold, and all land which he may have held under agreement other than agreements which may have been surrendered under clause No.
No. 30 of this Act, or under clause No. 26 of the Act No. 18 of 1872, also under clause No. 3 of the Act No. 22 of 1874, and also all land the purchase of which he shall have completed under any agreement; but no person shall be entitled to hold as a purchaser upon credit more than six hundred and forty acres of reclaimed lands; and no person shall hold under agreement at any one time more than three separate and detached blocks of country lands, reclaimed lands, or improved lands, or any of them. Anyone offending against the provisions of this clause shall be guilty of a fraud under this Act; and all land held by him under agreement, and all moneys paid by him on account thereof, shall be absolutely forfeited as hereinafter provided.

26. Land under agreement to which any person shall become entitled as the devisee or personal representative of any deceased holder in trust for any other person or persons, shall not be included in the maximum of one thousand acres, or three separate and detached blocks, referred to in the last preceding section: Provided that any person becoming so entitled shall, within three months from the date of his becoming so entitled, give notice in writing thereof to the Commissioner, and in default of such notice, shall not be entitled to select land so as to increase the total area to be held by him beyond one thousand acres: Provided also that when any such devisee or personal representative, having already selected land upon credit, shall take such lands for his own benefit, he shall be entitled to hold the lands to which he shall so become entitled as such devisee or personal representative, in addition to the land theretofore selected by him, although the aggregate thereof may exceed one thousand acres, but shall not thereafter be entitled to select land so as to exceed such aggregate.

27. In case any person holding land under agreement shall desire to transfer any portion of such land as a site for a school, church, chapel, institute, or hospital, or for any other public or charitable purpose, it shall be lawful for the Governor, at any time or from time to time, at the request in writing of such person, to grant any portion not exceeding two acres of the said land so held by such person to trustees for the purpose aforesaid, on payment to the Treasurer of purchase-money for the portion of land so granted at the same rate per acre as the purchase-money of the whole land included in the said agreement; and from and after such grant the said agreement shall be read and construed as if such portion of land so granted had been expressly excepted from the operation of such agreement, and the same interest shall continue to be payable as if such grant had not been made, but credit shall be given on the payment, or last payment of purchase-money, as the case may be, under such agreement for the sum paid for the purchase of the land so granted.

28. When more than one section or block of land is held by the same person under one or more than one agreement, the conditions as to improvements, ploughing, and cultivation shall be deemed to apply to such sections or blocks of land taken together unless any two
two or more of such sections or blocks of land are situated more than six miles apart, in which case the performance of the said conditions shall not apply to any land situated more than six miles from the land upon which such conditions are actually carried out: Provided that the performance of the residence condition on any one of such sections or blocks of land shall be deemed to apply to the whole of such sections or blocks of land wherever the same may be situated.

29. When any person, having entered into more agreements than one expiring at different dates, shall complete the purchase of the land included in any of such agreements, continued residence upon the land so purchased shall be deemed residence upon the land included in any other agreement entered into during the currency of such agreement so completed; and when any person at the time of entering into any agreement for the purchase of any land is residing upon land immediately adjoining the land which he so agrees to purchase, the Commissioner may consent to residence upon such first-mentioned land being deemed residence upon the land agreed to be purchased.

30. Upon application in writing by any person for permission to surrender his agreement, the Commissioner, if he is satisfied that such agreement was made bonâ fide for the purpose of cultivation, and not in any way for the purpose of infringing or evading the provisions of this Act or any repealed Act, may allow such person, upon forfeiting any money paid by him in respect of such agreement, to surrender such agreement, which shall be forthwith cancelled, and thereupon the land mentioned in such agreement shall be again declared, by notice in the Government Gazette, open for sale upon credit, and such person shall be entitled to become a purchaser upon credit of any other land in the same manner as if such agreement had not been made, but shall not be entitled to purchase again the land which he has thus surrendered.

31. In case any person holding land under agreement shall desire to obtain a mineral lease of any part thereof, it shall be lawful for the Governor to grant such mineral lease to such person in the same manner in all respects as if such land were Crown land. From and after such lease shall have been granted, the said agreement shall be read and construed as if that portion of the said land in respect of which such lease shall have been granted, had been expressly excepted from the operation of such agreement, and a proportionate reduction shall be made in the amount of the interest and purchase-money payable under such agreement.

32. Where, by reason of the time of year at which any selection is made, or the quality of the land selected, or any other special circumstances, it shall be shown to the satisfaction of the Commissioner that it would be impossible to comply with, or would inflict great hardship upon, the selector to enforce the condition as to cultivation in his agreement, then, and upon being satisfied that the selector has taken up the land bonâ fide, and for the purpose of
of cultivation, the Commissioner may, by a written permission, so relax the provision as to make the ploughing and cultivation of one-fifth of the land during the first two years a sufficient compliance with the conditions of the agreement in reference to cultivation for that period: Provided that no such permission shall be given unless the same is applied for within twelve months from the date of the agreement.

33. Every holder of land under agreement, shall, within fourteen days from the expiration of each of the first four years from the date of his agreement, deliver at the office of the Commissioner a return containing all the particulars mentioned in the Fifth Schedule hereto; and the omission to deliver any such return shall render the land in respect of which such return should have been delivered liable to forfeiture at the discretion of the Commissioner; and the wilfully making of any incomplete return, or any false statement in any such return, shall be a fraud under this Act; and the truth of the statements in every such return shall be declared before some one of the persons authorized by the 137th clause of this Act to take declarations, and every such return shall be deemed a declaration within the meaning of the said section: Provided that in case of the temporary absence from the said Province of any person holding land under agreement where personal residence is dispensed with, such declaration may be made by his attorney or agent.

34. No conveyance, transfer, or lease, or contract to convey, transfer, assign, or lease any lands held under agreement, shall have any force or effect, until after the same shall have been approved by the Commissioner; and the Commissioner may approve of a transfer being made to some person to be named as transferee, on being satisfied that the land was taken up bonâ fide for the use and benefit of the transferor, and not with the intention of evading the conditions of the agreement, and that the transferor is unable to occupy such land, from illness, physical incapacity, or necessary absence from the said Province, or in cases where a woman holding lands under agreement shall marry, or on the application of the personal representatives, or devisee, of a deceased purchaser's land, or where it is satisfactorily shown that continued occupation will inflict a personal hardship upon, or be the occasion of great loss to the holder of any land under agreement; and that the person named as transferee has agreed to purchase the interest of the selector upon credit so desirous of transferring, and thereupon the person so agreeing to purchase as aforesaid shall be bound by all the conditions of the agreement, in the same manner as if he had been the original purchaser upon credit: Provided also, that no such transfer shall be made so as to enable any person to hold under agreement more than one thousand acres, except as is provided by the 26th clause of this Act: Provided also, that no person, except a person becoming entitled under clause 26 of this Act, who has transferred any land under agreement under this clause shall be allowed to purchase any land upon credit until after the expiration of five years from the date of such transfer.

35. Any
35. Any condition contained or implied in any agreement, or imposed on any person holding land under agreement, may be performed or completed by the transferee, personal representatives, or devisees of such person; and any person becoming entitled to any land under agreement, as the transferee, personal representative, or devisee of any such deceased person, shall hold the same upon the same terms and under the same conditions as the transferor or as such deceased person, except that it shall not be obligatory on such personal representative or devisee to comply with the conditions requiring personal residence.

36. Any person having selected a section of land may, at any time before signing the agreement, apply to the Commissioner to cause the said section to be divided into two or more parts, and held under two or more agreements by himself and any other person or persons, to be named by him and approved by the Commissioner: Provided that such person shall, on so applying, pay the costs of such division: Provided also that the Commissioner may decline to allow any such division.

37. Whenever in this Act, or in any repealed Act, a time is fixed for the payment of the whole or any instalments or balance of purchase-money of land sold for cash or upon credit, or interest thereon, such Act shall be construed as if the Commissioner were vested with the power in all cases where he considers it just and equitable to do so, of authorizing the receipt of such purchase-money or interest thereon after the same shall have become due, upon such terms as to the payment of any penalty or otherwise, as the Commissioner may think fit to impose; and any action heretofore taken by the Governor, the Treasurer, or the Commissioner, in receiving or authorizing the receipt of any purchase-money, or interest, after the date appointed for the payment thereof respectively, is hereby declared to have been valid.

38. No person under the age of eighteen, nor married woman, except a married woman who has obtained a decree for judicial separation or a protection order, binding according to the laws in force in the said Province, shall be entitled to hold, directly or otherwise any land upon credit under this Act, unless such person or married woman shall become entitled to such lands as the personal representative or devisee of any selector: Provided that should a woman holding lands upon credit subsequently marry, it shall be lawful for her to transfer the lands held by her, but nothing herein contained shall be construed to authorize a breach of the 25th clause of this Act.

39. If any person holding land under agreement shall be adjudicated insolvent, or shall assign his estate for the benefit of his creditors, his interest in such land may, by the consent of the Commissioner, be offered for sale by the assignees of such insolvent at
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at public auction, of which not less than fourteen days' notice has been given by advertisement, and it shall be lawful for any person to purchase the same, and such purchaser shall thereupon be substituted for the person so becoming insolvent, or assigning his estate as aforesaid, and shall have the same advantages and be under the same liabilities in all respects in regard to such agreement and the land mentioned therein as the original holder of the land: Provided that no person shall be entitled to purchase as aforesaid, who would not be qualified under this Act to purchase such land upon credit, if such land were open for sale upon credit: And provided that if such land shall not be so purchased with such consent as aforesaid within six calendar months after the date at which the original holder of the land shall have been adjudicated insolvent or assigned his estate as aforesaid, such agreement shall be void, and the land mentioned therein shall revert to the Crown.

40. Except under the 17th clause of this Act, no person shall purchase any land upon credit as agent, servant, or trustee of or for any other person, or enter into agreement to permit any other person to acquire, by purchase or otherwise, any land under agreement; and every contract, agreement, security, or bond which shall be entered into, made, or given with the intent of violating or evading any of the provisions of this Act, directly or indirectly, is hereby declared to be a fraud under this Act, and between all the parties thereto illegal and absolutely void at law and in equity.

41. The sum of money which shall be paid for improvements by any purchaser of any improved lands upon credit shall be allowed to him in computing the amount required to be expended by such purchaser in improvements under the provisions of this Act.

42. The Commissioner or any person authorized by him in writing, may by summons, in the form of the Sixth Schedule hereto, or to the like effect, require any holder of land under agreement to appear before such Commissioner, or before any two Justices of the Peace, to be examined touching and concerning any land under agreement, and touching and concerning the compliance by him or by any other holder of land under agreement with, or the breach or violation by him or any other holder of land under agreement of, the provisions of this Act or any repealed Act, or the terms and conditions of any agreement; and if any such holder of land under agreement shall, without sufficient excuse to the satisfaction of the said Commissioner, fail to attend to be examined in accordance with any such summons, or shall refuse to answer any question relating to the premises, he shall forfeit and pay a penalty of not less than Twenty Pounds and not exceeding One Hundred Pounds; and if he shall refuse to answer any question relating to any land held by him under agreement, he shall, in addition to such penalty, forfeit all land comprised in any such agreement, and all moneys paid in respect thereof, and such land shall revert to the Crown; and such agreement may be revoked and possession of the land mentioned therein

PART II.

No agent to buy in his own name for another.

Improvements.

Purchaser on credit may be summoned.
PART II.

Witnesses may be examined.

43. If the Commissioner, or any person authorized by him in writing to examine witnesses, shall desire to examine any person other than a holder of land under agreement as a witness touching or concerning any land under agreement, or the holder thereof, or the breach of the provisions of this or any repealed Act, or the terms and conditions of any agreement, the Commissioner, or such person so authorized by him may lay an information in the form in the Seventh Schedule hereto, or to the like effect, before any Justice of the Peace, whereupon the Justices of the Peace may proceed to require and enforce the attendance of any such witness, and may hear and examine him and enforce his giving evidence, and shall reduce his evidence to writing in like manner as upon information laid before a Justice of the Peace for an indictable offence; and the evidence given by such witness so reduced to writing shall be forthwith forwarded to the Commissioner by the Justices of the Peace taking the same: Provided, always, that in the event of any person summoned under this and the preceding clause being found to have complied with the terms of his agreement, he shall be paid the expenses of himself and witnesses in attending on the said summons.

Evidence.

44. No person shall be protected from answering any questions which may be put to him under the last two preceding sections of this Act by reason only that his answer would subject him to fine or penalty by reason of any breach of or offence against this Act or any repealed Act; but no evidence given by him under the provisions hereof shall be used or receivable in any proceedings against him, except under this Act, and except upon an information for perjury in respect of such evidence; and any such person who shall willfully make a false statement before the Commissioner or any Justice of the Peace upon being examined under the provisions of this Act, shall be deemed guilty of perjury, and shall be liable to the penalties of perjury, and all land held by him under agreement, and all moneys paid by him on account thereof, shall be absolutely forfeited.

Form of summons

45. Such summons to witnesses may be in the form in the Eighth Schedule hereto, or to the like effect, or in the form and manner in which Justices of the Peace now proceed by law to enforce the attendance of witnesses, at the option of the Justice of the Peace.

False declaration to cause forfeiture.

46. If any person shall willfully make any false statement in any declaration made pursuant to this Act he shall be guilty of a fraud thereunder, and all land held by him under agreement, and all
all money paid by him on account thereof, shall be absolutely forfeited.

47. The Commissioner on being satisfied that any person holding land under agreement has committed any act rendering such land liable to forfeiture, or has been guilty of fraud under this Act, or has violated, or failed to perform any of the conditions contained or implied in or by his agreement, may publish in the Government Gazette a notice in the form or to the effect of the Ninth Schedule hereto, which notice shall either before or after its publication in the Government Gazette be also served upon such person, or posted to his last known address, or the place of residence mentioned in his agreement; and during the month following the publication of the said notice it shall be lawful for the said person to furnish to the Commissioner any documentary evidence which he shall consider expedient, such documentary evidence to consist of a statement or statements in writing, signed by him, or any person desiring to testify to any facts on his behalf, and declared to be true before some one of the persons authorized to take declarations under this Act that he has not committed any act rendering the land held by him under agreement liable to forfeiture, or that he has not been guilty of fraud under this Act, or has not willfully violated or failed to perform the conditions of his agreement mentioned in the said notice (as to which the burden of proof shall be upon such person); and if such person shall furnish no such evidence, or if the evidence so furnished by him shall fail to prove to the satisfaction of the Commissioner that he has not committed any act rendering the land held by him under agreement liable to forfeiture, or that he has not been guilty of fraud under this Act, or has not willfully violated or failed to perform the conditions of his agreement as mentioned in the said notice, it shall be lawful for the Commissioner at any time after the expiration of the said month from the publication of the said notice to revoke the said agreement and resume possession of the land therein described; and thereupon no claim at law or in equity under such agreement (except as against the purchaser thereunder) shall be made, entertained, or enforced in any Court; but such purchaser shall be taken to have forfeited all right, title and interest under his agreement and all money paid thereunder, and to be, as to the land therein described, a mere trespasser; and the production of a copy of the Government Gazette containing a notice by the Commissioner of such revocation and resumption shall be conclusive evidence that such agreement has been lawfully revoked and that the land therein mentioned has been lawfully resumed.

48. No person whose agreement shall be so revoked shall be entitled or allowed to become the purchaser of the same or any other land, upon credit under this Act for the space of five years from the date of such revocation, anything hereinbefore contained to the contrary notwithstanding: Provided always that when such revocation shall be occasioned by fraud on the part of such person, he
PART II.

he shall be debarred from again purchasing land on credit under this Act.

(3.) Sale by Private Contract and by Auction.

49. Any Crown lands, not being town or suburban lands, which have heretofore been offered at auction and not sold, and which still remain unsold, and have not been withdrawn from sale, and any Crown lands which may be offered for sale at auction under the provisions of this Act and not sold, and which shall still remain unsold, and shall not have been withdrawn from sale, may be sold for cash or credit by private contract at prices not less than the respective upset prices at which such lands have been respectively last offered at auction.

50. Town and suburban lands shall be sold by auction for cash, and not upon credit or by private contract.

51. Any country lands which have not heretofore been offered at auction, and which shall have been open for sale upon credit under the provisions of any repealed Act or of this Act for a period of one year, and shall remain unsold, and any reclaimed lands or improved lands which shall have been open for sale upon credit, and shall have remained unsold for a like period, may be offered for sale at auction for cash or on credit in the case of country lands, at an upset price of One Pound per acre, and in the case of reclaimed lands or improved lands, at such an upset price, not being less than One Pound per acre, as may be fixed by the Governor: Provided that no such country lands, reclaimed lands, or improved lands shall be offered for sale for cash or on credit until after a statement has been laid before Parliament for thirty days, showing the particulars of the lands proposed to be so offered for sale, and the price at which it is proposed to offer the same respectively.

52. Any special country lots, and any portions of the Crown lands described in the Tenth Schedule hereto, and any addition thereto made by Proclamation as hereinafter provided, may be sold by auction for cash or on credit.

53. The Governor may fix an upset price at which town and suburban lands, and special country lots, and the Crown lands described in the Tenth Schedule hereto, and any addition thereto made by Proclamation as hereinafter provided, may be respectively offered at auction, and may from time to time raise and lower such upset prices: Provided always, that such upset prices shall not be less in any case than One Pound per acre.

54. No lands shall be offered at auction until after a statement shewing the particulars of such lands, and the upset price at which it is proposed to offer the same respectively, and the time and place at which such auction will be holden, has been published for four consecutive weeks in the Government Gazette.

55. Nothing
Crown Lands Consolidation Act.—1877.

55. Nothing in this part of this Act shall prevent any Crown lands open for sale, not being town or suburban lands, being sold upon terms of credit, under the foregoing provisions of this Act, at any time prior to the day of sale by auction of such lands: Provided, that should the lands so offered for sale be not sold, the said lands shall remain open for sale upon credit or sale by private contract for cash.

56. No Crown lands shall be sold for cash at public auction unless on condition of the purchaser paying at the time of sale, in ready cash, a deposit of at least Twenty Pounds per centum of the purchase-money, and of paying the residue of such purchase-money within one calendar month next after the time of such sale by auction; and in case of the failure of such purchaser to pay the residue of such purchase-money within one calendar month, the deposit shall be forfeited, and the sale of the said lands shall be null and void.

PART III.

LEASES WITH RIGHT OF PURCHASE.

57. Any country lands which have been heretofore offered, or shall, after the coming into operation of this Act, be offered for sale by auction and not sold, and which shall have remained unsold for a period of five years from the date or respective dates on which the same were so offered for sale may be offered in blocks of not more than one thousand two hundred and eighty acres on lease for ten years at an annual rental of not less than Sixpence per acre, with a right of purchase at the expiration of the lease of the whole of the land comprised therein at the price of One Pound per acre.

58. Any portions of the Crown lands described in the Tenth Schedule hereto, which shall have remained unsold for the space of one month after having been offered for sale by auction under the provisions of Part II. of this Act, may be leased in blocks not exceeding two square miles in area for a term of twenty-one years at an annual rent of not less than Ten Shillings for every square mile or part of a square mile, with a right of purchase by the lessee of the whole of the land comprised in such lease at any time during the last eleven years of the term, at the price of One Pound per acre; and it shall be lawful for the Governor, by Proclamation, to be published in the Government Gazette, at any time to declare that any other surveyed Crown lands which shall have been offered at auction and remained open for sale by private contract for the space of one month shall be open for leasing in the same manner as if they had been included in the said schedule; and after one month shall have elapsed from the publication of such Proclamation, the Crown lands described therein may be demised under the provisions of this part of the Act: Provided that a list of such lands shall be laid before Parliament thirty days prior to the Proclamation thereof.

59. Whenever
PART III.

Leases to be offered at auction.

Rent.

Where lease not sold.

No person to hold more than 3,200 acres.

59. Whenever any portion of the Crown lands is to be leased under the provisions hereof, the right to the lease thereof shall be offered for sale by public auction, and the person to whom such lease shall be granted, shall be the person who, at such auction, shall offer the highest sum for the yearly rent of the lands intended to be comprised in such lease; and the time and place at which every such auction will be holden, and what lands are to be offered thereat, shall be declared with all practicable certainty by notice in the Government Gazette, not less than one nor more than three calendar months before the day of holding such auction.

60. Every lease granted under the provisions of this part of the Act shall contain a covenant by the lessee to pay the rent therein reserved yearly in advance, and also in the case of leases granted under the authority of the 58th clause hereof a covenant by the lessee every year to clear wood and timber from not less than one-fortieth part of the land demised until one-half of the same is rendered available for agricultural purposes as far as the nature of the land will permit, and every lease granted under the authority of this part of this Act shall contain a proviso for forfeiture in case of breach or non-observance of any of the covenants contained in such lease.

61. Whenever the right to the lease of any portion of the Crown lands has been offered for sale by public auction under this part of the Act, and no person has offered such a sum for the yearly rent of such lands as herein is provided, or where the purchaser at such sale by auction afterwards refuses to accept such lease, it shall be lawful for the Governor to grant a lease of such lands, so offered as aforesaid, or comprised in such lease so forfeited, to any person applying for the same without again offering such lease for sale by public auction: Provided that no such lease shall be so granted for any less rent than was offered for the same at public auction without the right to such lease being again offered at auction; and provided that the Governor may, if he shall think fit, cause the right to any such lease, or the right to the lease of any portion of the lands comprised therein, to be again offered for sale by public auction, notwithstanding any application which may be made for the same, as hereinafter mentioned.

62. No person shall be entitled to hold or shall hold, either in his own name or in the name of any other person for or on his behalf, or be capable or competent to have any interest whatever in more than three thousand two hundred acres of land, leased pursuant to this part of this Act; if any person shall so hold or have any interest in any such land in excess of the quantity hereby limited, all leases of land so held by him or on his behalf, or in which he has any interest, shall be forfeited; and no person who shall have forfeited any lease shall afterwards be entitled to become the lessee of the Crown lands therein comprised.

63. No
63. No lessee, to whom a lease of any portion of the Crown lands shall hereafter be granted under this part of the Act, shall, by virtue of such lease, be entitled to any rights of commonage, or to depasture any cattle or sheep on the Crown lands within any hundred.

PART IV.

LEASES AND LICENCES FOR PASTORAL PURPOSES.

64. The Governor may demise, for pastoral purposes, any portion of the Crown lands not included in any hundred, and not subject to any lease for pastoral purposes, for any term not exceeding twenty-one years, and at the expiration of such term, the land so demised, and all improvements thereon, shall revert absolutely to Her Majesty, Her heirs and successors: Provided that the Governor, after having given twelve months' notice in the Government Gazette, published on or next after the 1st day of January, the 1st day of April, the 1st day of July, or the 1st day of October in any year, shall have full power, at any time during the currency of any lease for pastoral purposes, granted under the authority of this Act, to resume possession of the whole or any part of the land so demised, should the same be required for sale, or any other purpose which the Governor may approve: And provided also, that it shall be lawful for the Governor to refuse to grant any such lease in any case where it shall appear to him inexpedient to do so: Provided that not less than three years' notice shall be given before possession is resumed of the lands held on lease situate northward of the line described in the Eleventh Schedule hereto.

65. Any person who being the lessee, or having a preferential claim to a lease of any Crown lands for pastoral purposes not within the limits comprised in the First and Second Schedules of Act No. 17 of 1869-70, and not comprised in Districts A or B, defined in the Fifth Schedule to the said Act, shall be desirous of obtaining a lease for pastoral purposes under this Act, shall give notice in writing to the Commissioner, within twelve months from the coming into operation of this Act, of his desire to surrender his present lease, or preferential claim, and to obtain a lease under this Act in lieu thereof, which notice, if by a lessee, may be in the form, or to the effect following, that is to say —

To the Commissioner of Crown Lands and Immigration.

Sir—I, , of , being the lessee of that portion of the Crown Lands included in lease numbered , do hereby give you notice that it is my desire to surrender such lease, and obtain a lease under the Crown Lands Consolidation Act in lieu thereof.

Dated this day of , 18

And if such notice shall be given by any person having a preferential claim to a lease, the form thereof may be altered to suit the case.

66. On
66. On receipt of such notice by the Commissioner, it shall be lawful for the Governor to accept a surrender of the lands included in the lease or claim mentioned in such notice, and to demise such lands to the lessee or person giving such notice, for the unexpired portion of the term comprised in the lease so surrendered, or for the term to which the person giving such notice is entitled under any preferential claim so surrendered, and every lease granted under the authority of this clause shall be at the same rent, and upon the same terms and conditions in all respects, as other leases for pastoral purposes granted under the authority of this Act.

67. The yearly rent to be reserved in every lease of land demised for pastoral purposes under the provisions of this part of the Act, shall be a sum equivalent to Twopence per head on the average number of sheep, and One Shilling per head on the average number of cattle actually depasturing on the lands included in the lease, such average number to be computed as hereinafter provided; but in no case shall such yearly rent be less than the sum of Two Shillings and Sixpence for each square mile of land so demised.

68. Every such lease shall compute from the first day of January or the first day of July in any year, and the rent reserved thereby shall be payable half-yearly in the following manner, that is to say—the rent for the half-year ending on the thirtieth day of June and the thirty-first day of December respectively in each year during the term granted by such lease shall be paid on or before the next succeeding thirty-first day of July and thirty-first day of January respectively. And for the purpose of ascertaining the average number of sheep and cattle actually depasturing on the land included in any such lease, and for fixing the amount to be paid, on such respective days every lessee of any of the land included in any such lease, or in the event of the absence of any such lessee, then the overseer or other person having the care and management of such land shall, on or before the twenty-first day of June in each year during the said term, fill up and deliver at, or forward by post to, the office of the Commissioner, in Adelaide, a statement or return, in the form contained in the Twelfth Schedule hereto, of the number of all sheep and cattle, whether belonging to such lessee or not, which, at the hour of noon on the first day of February, on the first day of April, and on the first day of June then last past, were, with the consent of such lessee or overseer, or other person as aforesaid, actually upon or depasturing on such land; and such lessee, overseer, or other person as aforesaid shall also, on or before the twenty-first day of December in each year during the said term, fill up and deliver at, or forward by post to, the office of the Commissioner, in Adelaide, a like statement or return, in the form also contained in the said Twelfth Schedule hereto, of the number of all sheep and cattle as aforesaid, whether belonging to such lessee or not, which, at the hour of noon on the first day of August, and on the first day of October, and on the first day of December then last past, were, with the consent of such lessee or overseer, or other person
person as aforesaid, actually upon or depasturing on such land as aforesaid; and such statement or return, to be forwarded in December as aforesaid, shall also contain a statement of the total number of sheep actually shorn on such land, or removed from such land for the purpose of being shorn at the shearing then last past, and the rent to be paid as aforesaid on the thirty-first day of July and the thirty-first day of January respectively, shall be calculated on the average number of sheep and cattle which, with the consent of such lessee, overseer, or other person as aforesaid, were actually upon or depasturing on such land on the dates mentioned in such statement or return, and next preceding such thirtieth day of June or thirty-first day of December, as the case may be. All lambs shall be considered six months old in December and returned as such. If there shall be no sheep or cattle upon or depasturing on the land included in any such lease, upon such dates preceding the said thirtieth day of June or the thirty-first day of December, a statement to that effect shall be made and delivered, or forwarded, in manner and at the dates aforesaid.

69. Every lessee of any lands included in any such lease, or in case of the absence of any such lessee, then the overseer or other person having the care and management of the lands included in any such lease, shall within twenty days from the first day of February, April, June, August, October, and December, in each year, fill up and forward to the Commissioner of Crown Lands, through the medium of the General Post Office, a statement or return in the form in the Thirteenth Schedule hereto, of the number of all sheep and cattle not being the property of such lessee, or depasturing on such lands with his consent, which, on the first day of the aforesaid months, were actually upon or depasturing on the land including in such lease; and such return shall also give the names and addresses of the owners, and of the persons in charge thereof, so far as such can be ascertained; and such statement or return shall be signed by the lessee, overseer, or other person making the same, and shall be certified by him to be correct in all particulars. And such returns shall be made in all cases, notwithstanding that no sheep or cattle may be depasturing as aforesaid.

70. In addition to the return required to be forwarded by the last preceding section, every lessee, overseer, or other person as aforesaid, shall, on or before the twenty-first day of June and the twenty-first day of December in each year, fill up and forward in the like manner as is prescribed in reference to the returns required to be forwarded by the said section a statement or return in the form in the Fourteenth Schedule hereto, of all sheep and cattle the property of such lessee which, within the six months next preceding the date of such return shall have been travelling over any of the Crown lands whether held under lease or not (except such lands as are leased to the said lessee), giving the brands, or other marks of such sheep or cattle, and the name of the person in charge thereof, and such return shall also state where to the best of the knowledge of such lessee, overseer, or other person, such sheep or cattle actually were on the first
first day of the months of February, April, and June, or August, October, and December, as the case may be, next preceding the date of such statement or return, which shall be signed by the lessee, overseer, or other person making the same, and shall be certified by him to be correct in all particulars.

71. In cases where contiguous lands included in more leases than one, are occupied or used together as one run, the statements or returns by this Act required, may be made in the same manner, as if the whole of such lands were included in one lease.

72. Every statement or return under the 68th, 69th, 70th, or 71st clauses of this Act, shall be signed by the lessee, overseer, or other person making the same, and shall be certified by him to be correct in all particulars; and if any such lessee, overseer, or other person, shall wilfully make, sign, deliver, or forward any false statement, or return under any of such clauses, or shall make or practise any fraudulent contrivance or device whatever, with intent thereby to conceal or misrepresent the number of sheep or cattle actually upon or depasturing on any land demised under this part of this Act, at the respective dates mentioned in such statement or return, such lessee, overseer, or other person so offending, shall, for every such offence, forfeit and pay a sum of not less than Fifty Pounds, nor more than Two Hundred Pounds, or in default of payment be imprisoned in any gaol in the said Province, for a period of not less than six months, nor more than two years, and the lease of any land, in respect of which such false statement or return is made, may be declared to be forfeited as hereinafter mentioned. And it shall be lawful for the Commissioner or any person acting under his authority, to enter upon any Crown lands, whether leased or not, and count the sheep and cattle belonging to any lessee or other person directed to make any return as aforesaid, and for such purpose, it shall be lawful for the Commissioner or any person acting under his authority, to place such sheep or cattle in yards or paddocks for the purpose of counting the same with greater facility.

73. The Commissioner shall forthwith forward a copy of the returns made in pursuance of the 69th clause of this Act to the owners of any sheep or cattle therein mentioned; and if such owner shall be the holder of any lease under this Act, or of any lease for pastoral purposes under any other Act, the Commissioner shall notify to such owner that he is liable, and he shall be liable accordingly, to pay in addition to any rent payable under any lease or leases held by him, a sum equivalent to One Penny for every head of sheep, and Sixpence for every head of cattle included in any such return, and therein stated to belong to him; and if any such owner shall neglect or refuse to pay the amount so notified to be due by him in respect of such sheep or cattle at the time when the rent payable under any lease held by him next becomes due, he shall be liable to the like penalties and to have all leases held by him forfeited in like manner as if he had made default in the payment of rent under any of such leases as hereinafter provided.

74. The
74. The owner of all sheep or cattle included in any return made in pursuance of the 69th or 70th clause of this Act shall be liable to pay, in addition to any other payments to be made by him, a sum equivalent to One Penny for every head of sheep and Sixpence for every head of cattle included in such return, unless such owner can show, to the satisfaction of the Commissioner (whose decision on any such question shall be final), that any of the sheep or cattle included in such return have also been included in any return made in pursuance of the 68th clause of this Act, in which case such owner shall only be liable to pay in respect of such of the said sheep or cattle as have not been included in any such last mentioned return: Provided that if it shall appear to the Commissioner that any such sheep or cattle are not bonâ fide travelling to market, or to land belonging to or held by the owner of such sheep or cattle, such owner, whether a lessee or not, shall forfeit and pay a penalty of One Shilling for every such head of sheep, and Six Shillings for every such head of cattle; and if any owner shall neglect or refuse to pay any amount payable by him under this section, in respect of such sheep or cattle, at the time when the rent payable under any lease held by him next becomes due, he shall be liable to the like penalties, and to have all leases held by him forfeited in like manner as if he had made default in the payment of rent under any such leases, as hereinafter provided.

75. If the owner of any sheep or cattle included in any return made in pursuance of the 69th clause of this Act shall not be the holder of any lease under the said Act, or if the owner thereof cannot be ascertained, the Commissioner may, by writing under his hand, authorize any Police Trooper, Crown Lands Ranger, or other person as to him may seem expedient, after showing his authority, to demand from such owner, or the person in charge of such sheep or cattle, a sum equivalent to One Penny for every head of sheep, and Sixpence for every head of cattle included in any such return, and therein stated to belong to such owner or to be in charge of such person, together with the amount of any penalty payable by such owner under the last preceding clause hereof: Provided that the number of sheep or cattle respectively in respect to which such sum is claimed, and the brands or other marks by which the same are distinguishable, shall so far as practicable be specified in such authority; and such owner or person in charge as aforesaid shall be liable to pay the amount so demanded; and if he shall neglect or refuse for twenty-four hours after such demand, to pay the amount so demanded, such Police Trooper, Crown Lands Ranger, or other person as aforesaid, may seize and detain such sheep or cattle, wherever found; and if payment of such amount, together with the cost of seizing, detaining, and maintaining such sheep or cattle, is further delayed for the space of five days, such sheep and cattle shall, as soon as convenient thereafter, be sold by private contract or public auction, for the best prices that can reasonably be obtained for the same; and the proceeds shall be applied in payment of all expenses in connexion with such seizure and sale, and of the amount mentioned in
in such authority as due in respect of such sheep or cattle; and the balance, (if any) shall be paid over to the owner, or person in charge of such sheep or cattle: Provided that no greater number of such sheep or cattle shall be sold than may be reasonably considered necessary for the purposes aforesaid.

76. The authority in writing, signed by the Commissioner, authorizing any Police Trooper, Crown Lands Ranger, or other person as aforesaid to make any demand as aforesaid shall be a sufficient authority for seizing and selling any sheep or cattle therein mentioned in case default shall be made by the owner or person in charge in paying the amount demanded as provided by the last preceding clause.

77. Upon the expiration of any lease granted under the authority of this part of the Act, or upon the resumption of the whole or any part of the land comprised therein, the person who shall last have been beneficially interested in the land included in such lease, or in the land so resumed, shall be paid, within six months from such expiration or resumption, the value thereof out of the general revenue of the said Province for all wells, reservoirs, tanks, or dams of a permanent character available for the use of cattle or sheep, which may increase the carrying capability of the land included in such lease, such value to be decided in such manner as may be prescribed by the regulations to be made under this Act.

78. If any of the land included in any lease under this part of the Act shall be resumed under the power in that behalf herein contained at any time during the first half of the term granted by such lease, the full value of all substantial and useful improvements made upon such land shall be paid to the lessee out of the general revenue of the said Province; if any such land shall be so resumed during the third quarter of the term of years granted by any such lease, one-half of the value of all such improvements shall be paid to the lessee out of the general revenue of the Province; if such land shall be so resumed during the last quarter of the term of years granted by any such lease, one-fourth of the value of all such improvements shall be paid to the lessee as aforesaid, and any lessee, for pastoral purposes of any Crown lands leased under the authority of this part of the Act, who having in view the purposes for which such land shall then be used, shall fence in or enclose, with a good and sufficient wall or post and wire fence, the whole or any portion of such lands of which he shall for the time be lessee, in any block or blocks of not less than twenty-five square miles each, or less should such lesser area include the whole of the run held by that lessee, may, upon the completion of such fence or wall, give notice thereof, and of the cost thereof, to the Commissioner of Crown Lands for the time being, accompanied by a statutory declaration setting forth the completion of such fence or wall, and specifying the cost and precise locality thereof; and thereupon such lessee shall, for the period of five years ensuing the delivery of such notice and statutory declaration, be entitled to deduct and retain from the annual
annual rent of such lands so fenced in or enclosed as aforesaid, all
amounts of rent or assessment chargeable on such lands so fenced
in or enclosed in excess of the minimum rent as fixed by this Act:
Provided, that if the Commissioner of Crown Lands for the time
being shall, on the receipt of such notice and statutory declaration
as aforesaid, give notice to such lessee that he requires further
evidence of the fact of such fencing in or enclosure, or of the
nature and cost of such fencing in or enclosure, and the locality
thereof; such deductions as aforesaid shall not be made until the
Commissioner of Crown Lands for the time being is satisfied by
such further evidence as he may require of the matters aforesaid:
Provided also, that the amount to be paid for improvements in
respect of any such fence or wall shall be reduced by the amount
of rent so deducted.

79. It shall be lawful for the Commissioner to grant annual leases
of Crown lands included in any hundred, and also commonage
licences for the depasturing of cattle or sheep on such Crown lands,
and also preferential rights to make application for leases of such
Crown lands as may lawfully be leased for pastoral purposes;
and such annual leases, commonage licences, and preferential rights
shall be granted upon such terms and conditions as may be
prescribed by any regulations under this Act at any time in force
in that behalf: Provided, that whenever any land included in
any lease for pastoral purposes shall have been resumed for the
purpose of being included in any hundred, the former lessee of such
land shall have a preferential claim to an annual lease thereof,
during such time as the term of years granted by the said lease for
pastoral purposes shall be unexpired; but every annual lease shall be
subject to the rights of commonage of purchasers of land within
such hundred.

80. The owner, or person in charge, of any sheep or cattle which
shall be on any land included in any lease granted for pastoral
purposes, under the authority of this Act without the consent of
the lessee thereof, or the overseer of such lessee, or other person in
charge of such land on behalf of such lessee, shall for every day or
part of a day that such sheep or cattle shall be upon such land be
liable to pay to such lessee, overseer, or other person as aforesaid,
the sum of Sixpence for every one hundred sheep, or part of one
hundred sheep, and Sixpence for every twenty or part of twenty
head of great cattle, which may be upon such land as aforesaid;
and in default of payment on demand by any person entitled to
receive payment as aforesaid it shall be lawful for such lessee,
overseer, or other person as aforesaid, to seize and detain such sheep
or cattle, whether the same shall be upon such land or not; and if
payment of the amount due, together with payment at the same
rate for such period as such sheep or cattle may be so detained, is
not made during the space of five days, such sheep or cattle may, as
soon as conveniently may be thereafter, be sold by private contract
or public auction for the best price that can reasonably be obtained for
the
the same, and the proceeds of such sale shall be applied in payment of all expenses in connexion with such seizure and sale, and the amount so due to such lessee, overseer, or other person as aforesaid, and the balance (if any) shall be paid over to the owner or person in charge of such sheep or cattle: Provided that no greater number of such sheep or cattle shall be sold than may be reasonably considered necessary for purpose aforesaid: Provided, also, that nothing herein contained shall be construed to affect or in any way alter the provisions of clause No. 3 of the Scab Act, 1863.

81. In every lease to be made under the authority of this Act there shall be included a covenant on the part of the lessee to keep in good condition and repair all houses, fences, and other substantial and useful improvements on the lands included in such lease, reasonable wear and tear, and damage by fire, storm, and tempest only excepted, and also a covenant to pay all local rates which may be charged or imposed upon the said lands; but, save as last mentioned, the due payment of the rents by this Act authorized to be reserved in such leases shall be in full of all taxes, rates, assessments, or impositions upon the land included in such lease, or on the stock depasturing thereon, to be imposed by the Parliament of the said Province or otherwise, save and except any general taxes or impositions which may be imposed upon the lands or stock within the said Province; and every such lease shall contain a covenant by the lessee to stock the demised land within three years from the date of such lease by placing and keeping thereon sheep in the proportion of ten head per square mile, or cattle in the proportion of three head to every two square miles, unless it shall be shown to the satisfaction of the Commissioner that it would be impossible or would inflict great hardship upon the said lessee to comply with such condition, in which case it shall be in the discretion of the Commissioner to extend such period, and every such lease shall contain such other covenants by the lessee, and be upon such other terms and conditions as the Governor may think fit to impose.

PART V.

LEASES AND LICENCES FOR MINERAL PURPOSES.

(1.) Leases.

82. It shall be lawful for the Governor to grant leases of any Crown lands in blocks not greater than six hundred and forty acres, for the purposes of mining for any minerals or metals except gold, for any period not exceeding ninety-nine years, but every lessee to whom any such lease shall be granted may surrender the same, on giving three months' notice in writing to the Commissioner of his intention to do so; and every such lease shall be by deed, and in duplicate, and one part thereof shall be signed by the Governor, and sealed with the seal of the said Province, and the other part shall be signed, sealed, and delivered by the lessee.

83. Any
83. Any person who being the lessee of any land for mineral purposes under any repealed Act, shall be desirous of obtaining a lease for mineral purposes under this Act, shall, within one year from the coming into operation of this Act, give notice in writing to the Commissioner of his desire to surrender his present lease, and to obtain a lease under this Act in lieu thereof, which notice may be in the form, or to the effect following, that is to say—

To the Commissioner of Crown Lands and Immigration.

Sir—I, , of , being the lessee for mineral purposes of that portion of the Crown lands included in lease No. , do hereby give you notice that it is my desire to surrender such lease, and obtain a mineral lease under the Crown Lands Consolidation Act in lieu thereof.

Dated the day of , 18 .

Upon receipt of such notice by the Commissioner, it shall be lawful for the Governor to accept a surrender of the land included in the lease mentioned in such notice, and to grant a new lease of such land to the lessee giving such notice, and every lease granted under the authority of this clause shall be upon the same terms and conditions, and similar in all respects to other leases for mineral purposes granted under the authority of this Act.

84. If any person shall seek to obtain a lease for mineral purposes of any Crown lands upon which any improvements shall have been made, such person shall, previous to obtaining such lease, pay into the Treasury such a sum as in the opinion of the Commissioner shall be equivalent to the value of such improvements, and no such lease shall be granted until such payment shall have been made.

85. Any person who shall be the lessee for mineral purposes under this Act, of any contiguous blocks of land, by virtue of more than one lease, may give notice in writing to the Commissioner of his desire to surrender such leases, and obtain one lease in lieu thereof, which notice may be in the form or to the effect following, that is to say—

To the Commissioner of Crown Lands and Immigration.

Sir—I, , of , being the lessee for mineral purposes of those portions of the Crown lands comprised in leases numbered respectively , do hereby give you notice, that it is my desire to surrender such leases and obtain one mineral lease under the Crown Lands Consolidation Act in lieu thereof.

Dated the day of , 18 .

Upon receipt of such notice by the Commissioner, it shall be lawful for the Governor to accept a surrender of the land included in the leases mentioned in such notice, and to grant a new lease of such land to the lessee giving such notice, and every lease being granted under the authority of this section, shall be upon the same terms and conditions, and similar in all respects to other leases for mineral purposes granted under the authority of this Act: Provided that
no such lease so granted shall include more than six hundred and forty acres of land.

86. The annual rent reserved in every such lease shall be One Shilling per acre, and a further sum equal to Sixpence in the pound sterling on the net profits obtained from the occupation and working of all mines and the sale of all metals and valuable minerals which shall be obtained from the land comprised in such lease, and such rent shall be paid half-yearly at the Treasury, in Adelaide, on or before the twenty-eighth day of February and thirty-first day of August in each year under the penalties hereinafter provided.

87. For the purposes of ascertaining the amount of rent so to be paid, the lessee of such land or the person having the management thereof shall, within thirty days after the thirtieth day of June and thirty-first day of December in each year, deliver at the office of the Commissioner a full and true return in the form of the Fifteenth Schedule hereto, certifying the amount divided as profit, or in the case of other than public companies the amount of realized profits, which shall have resulted from the working of the said land during the six months immediately preceding such thirtieth day of June and thirty-first day of December respectively: Provided that in case no profits have been divided or realized, a certificate to that effect shall be sent in on such last-mentioned dates; and any such lessee or other person wilfully forwarding any false return shall be liable for each offence to a penalty not exceeding Five Hundred Pounds, and not less than Fifty Pounds: And for the purpose of verifying such account and return it shall be lawful for any person appointed by the Commissioner at any time that he may require, to inspect, and take extracts from all books of account, vouchers, and documents in any way relating to the said land, or the metals or valuable minerals obtained therefrom, and any lessee or other person refusing to allow any person so appointed to make such inspection as aforesaid, or preventing such extracts being taken, shall for each offence forfeit and pay a penalty of not less than Twenty Pounds, and not exceeding one Hundred Pounds.

88. Every lease so granted shall contain the following covenants by the lessee, that is to say—

1. That he will pay the rent reserved in such lease as and when such rent shall become due:

2. That he will not without permission in writing from the Commissioner use the demised land for any other purpose than that of mining and smelting:

3. That he shall expend in every two years during the term a sum, equal to at least Six Pounds for each and every acre of the land comprised in such lease, in working the mines on such land, or at the option of the lessee, that he will, during nine months in each year during the term, employ and keep employed
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employed not fewer than three men for every eighty acres of the land demised in mining upon such land, and in searching for and raising metals or other valuable minerals, and that he will furnish the Commissioner, whenever required by him, with satisfactory evidence that such sum of money has been laid out or such number of men have been employed in mining as aforesaid:

iv. That he will forward the returns required by this Act, and observe all the provisions of the same:

v. That he will permit the occupier of any adjoining Crown lands under any lease for pastoral purposes to have free access at all times to any surface water or any water which may have been obtainable by artificial means on the said land previous to such lease for mineral purposes being granted, with or without cattle, horses, sheep, and other live stock, and to use and enjoy such water for the purposes of consumption by such cattle, horses, sheep, and live stock, and generally for his own benefit, use, and advantage, as he shall think proper.

Every lease so granted shall contain a proviso that the same shall be liable to forfeiture upon breach of any covenant therein contained to be performed by the lessee.

(2.) Licences.

89. The Commissioner may, on application, and on payment of a fee of Twenty Shillings, grant a licence to any person to search for and remove any minerals or metals, except gold, for samples and analysis only, not exceeding one ton, from any portion of the Crown lands not exceeding eighty acres in extent; and any such licence shall be in force for the period of twelve months from the date thereof, and shall authorize the person therein named, his assigns, licencees, servants, and workmen, during the currency of such licence to mine and work the land described therein, and to remove and carry away any minerals and metals thenceforth for samples or analysis only, and such licence may be renewed for a further period of twelve months, but no renewed licence shall be granted after an application has been made for a lease of the land described in such licence; and the holder of any licence under this or any repealed Act shall have a preferential right to a lease of the land described in such licence at any time during the currency of the licence: Provided always that no person shall hold more than six hundred and forty acres at any one time under such licences.

PART VI.

LEASES AND LICENCES FOR MISCELLANEOUS PURPOSES.

90. The Governor may grant leases for any term not exceeding twenty-one years, at such rent and upon such terms and conditions as he may think fit, of any aboriginal reserves, in blocks not exceeding
exceeding one hundred square miles: Provided that such leases shall be subject to a right of renewal so long as it can be shown, to the satisfaction of the Governor, that they are required for and applied to the use of the aboriginal inhabitants.

91. The Governor may grant to any bonâ fide discoverer of any coal, guano, petroleum, or other valuable substance or deposit, a lease of any portion of the Crown lands, not exceeding six hundred and forty acres, on which such discovery may be made; and such lease shall be granted on such terms and conditions, and at such rent as the Governor may think fit: Provided that a copy of any such lease shall be laid before both Houses of Parliament within one month from the date of such lease, or if Parliament be not then in Session, within one month after the next meeting of Parliament.

92. The Governor may grant leases of any Government reserves, proclaimed under Clause 6 of this Act, or of any Government buildings not required for Government purposes, or of any Crown lands, for any term not exceeding twenty-one years from the date thereof, at such rent and upon such terms and conditions as he may think fit, for any of the following purposes, that is to say—

i. For obtaining and removing therefrom guano or other manure:

ii. For obtaining and removing therefrom stone, clay, or other earth:

iii. For sites of inns, stores, smithies, bakeries, or other buildings which the Governor may approve, in thinly-populated districts:

iv. For sites of bathing-houses, bathing places, mail stations, lodges, fences, toll or punt houses:

v. For sites of tanneries, factories, saw-mills, or paper-mills:

vi. For sites of wharves, quays, jetties, or landing places, and for sites for the depositing of materials or produce:

vii. For the working of mineral springs:

viii. For sites for ship or boat building, or repairing:

ix. For the manufacture of salt:

x. For sites for smelting works, or any other purpose approved by the Governor:

xi. For any other purpose approved by the Governor:

Provided that every such lease shall be offered for sale by auction to the highest bidder, at such times and places, and at such upset price, as shall be prescribed by notice, signed by the Commissioner, and published in the Government Gazette not less than four consecutive weeks before the day of holding such auction.

93. Every
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93. Every lease so granted under the preceding clause shall be subject to such covenants and conditions as to the payment of such rent or royalty not being less than the rent offered by such highest bidder at such auction as in the last clause mentioned, as the Governor may think fit to impose; and shall contain a covenant by the lessee to use the demised land bona fide for the purpose for which it shall have been demised, and not to use it for any other than such purpose; and a proviso for forfeiture upon breach of any covenant contained in the lease.

94. The Governor, or any person duly authorized by him in that behalf, may grant licences to enter upon any Crown lands, to be described in such licence, for any of the following purposes, that is to say—

i. To cut, dig, and take away any live or dead timber, gravel, stone, limestone, salt, guano, manure, shell, seaweed, sand, loam, clay, or other earth:

ii. To occupy the sites of fishermen's residences and drying grounds:

iii. To occupy the sites of fellmongering establishments, slaughterhouses, brick or lime kilns:

iv. To occupy any tenement vested in the Crown:

v. To erect pumps:

vi. To collect ballast:

vii. For any of the purposes for which leases may be granted under this part of the Act:

viii. To enter with sheep, cattle, horses, or other animals upon any park lands, reserves, or other Crown lands not under lease and not forming part of any common, and to depasture the same.

95. Every licence issued under this part of the Act shall bear date of the day on which it was issued, and shall continue in force for a period not exceeding one year from such date, and shall be subject to the payment of such fee, and with such restrictions, limitations, and conditions, as the Governor shall think fit to impose.

96. Notwithstanding anything hereinbefore contained, the Commissioner may, by notice in the Government Gazette, declare that no person, even although he be duly licensed or otherwise authorized, shall cut, dig, or remove live or dead timber, or particular description of timber, or bark, stone, gravel, sand, loam, clay, or other earth, from such portions of the Crown lands as may be described in such notice, or shall exercise on any such portions the powers or any of them conferred by any licence granted under the authority of this part of the Act, and if after the publication of such notice as aforesaid any licensee or person otherwise authorized shall commit any act in contravention of such notice, such licence or other authority shall be void.
PART VII.

LEGAL PROCEDURE, TRESPASSES, AND PENALTIES.

97. The Commissioner may appoint a sufficient number of persons to be Crown Lands Rangers, and every such Crown Lands Ranger shall, during his continuance in office, do, on behalf of Her Majesty, and on behalf of the Commissioner, in respect of any Crown lands, all acts for preventing intrusion, encroachment, and trespass on such lands, and for taking possession of any said lands in case of forfeiture, and for such other purposes as the Commissioner may desire.

98. It shall be lawful for every Crown Lands Ranger, appointed as aforesaid, to give any notice, make any claim or demand, and make or depute, or authorize any person to make any entry, which shall be requisite or expedient to be given or made, by or on behalf of Her Majesty, Her heirs or successors; and every such notice, claim, or demand, which shall be given or made in writing under the hand of any Crown Lands Ranger, and every such entry which shall be made by any such Crown Lands Ranger, or any person so deputed or authorized to make the same as aforesaid, shall be good, valid, and effectual, to all intents and purposes whatsoever, and shall have such and the like force and effect to all intents and purposes as if the same were respectively given or made by Her Majesty, Her heirs or successors.

99. If any cattle or sheep shall be found unlawfully trespassing upon any Crown lands, it shall be lawful for any Crown Lands Ranger, or any person authorized by him, or for any person authorized by the Commissioner in that behalf, either generally or in that particular case, to impound the cattle or sheep so trespassing, to be dealt with according to law.

100. It shall be lawful for any Crown Lands Ranger, or other person authorized in writing by the Commissioner in that behalf, to lay an information against the owner or person in charge of any cattle or sheep found upon any travelling stock reserve not then bona fide travelling either to the station of the owner or to market, or against the owner or person in charge of any cattle or sheep travelling up or down the said reserves for the purposes of depasturing thereon, or who, being so bona fide travelling, shall not travel at least five miles a day. And such owner or person in charge shall be liable to a penalty of Two Shillings per head for every head of cattle and One Pound for every hundred sheep or part of every hundred sheep so found upon any such travelling stock reserve; and upon the hearing of every such information the onus of proving that such cattle or sheep were so bona fide travelling shall be upon the owner or person in charge of such cattle or sheep.

101. Whosoever shall depasture any cattle or sheep, goats or pigs, upon any Crown lands, without having obtained a valid licence or other lawful authority in that behalf, or shall depasture on the Crown lands
lands a greater number of cattle or sheep, than shall be authorized by such licence or authority, shall forfeit and pay, on conviction, the following penalties, that is to say—for the first offence, a sum not exceeding Five Pounds; for the second offence, a sum not less than Five Pounds, nor more than Ten Pounds; and for the third and any subsequent offence, any sum not less than Twenty Pounds, nor more than One Hundred Pounds, and, in addition thereto, for each offence, the sum of Threepence per head for every head of sheep, goats, or pigs, and One Shilling and Sixpence for every head of cattle.

102. Any person who shall injure, fell, or destroy any tree or sapling growing on Crown lands, or shall cut, saw, remove, or sell any timber lying or being on Crown lands, without a valid licence, or other lawful authority in that behalf, and any person who shall unlawfully remove and take away, or sever, excavate, quarry, or dig for, with intent to remove and take away, any metal, or ore containing metal, or any stone, sand, gravel, or other material from any Crown lands, without a valid licence, or other lawful authority in that behalf, shall, on conviction, forfeit and pay, in addition to the value of the material, a penalty of not less than Two Pounds, nor more than Five Pounds, or be imprisoned with hard labor for any period not exceeding two calendar months for each such offence; and it shall be lawful for any Crown Lands Ranger, or any person authorized by him, or for any police constable to apprehend any person found committing any offence against this clause, and forthwith to take such person before any neighboring Justice of the Peace, to be dealt with according to law.

103. Whosoever shall wilfully deface, injure, destroy, or remove any survey-picket or other land-mark, placed, erected, or being on Crown lands, without the leave of the Surveyor-General, or some person authorized to grant such leave, shall, on conviction, for every such offence, forfeit and pay a penalty of not less than Ten Pounds and not exceeding Fifty Pounds.

104. Whosoever shall, by casting or placing timber, stones, rubbish, or materials, or by any other means, except by gates approved by the Commissioner, wilfully stop, obstruct, or injure any public or reserved road or way, vested in Her Majesty, and not being a main road, nor within the limits of any District Council, so as to prevent, hinder, or interrupt the free passage of any carriage, or of Her Majesty’s subjects, on any such road or way, shall, on conviction, for every such offence, forfeit and pay a penalty of not less than Two Pounds nor more than Ten Pounds, over and above the expense of removal; and it shall be lawful for any Crown Lands Ranger, or any person whom he may in that behalf appoint, by writing under his hand, without any warrant, forthwith summarily to remove and prevent every such obstruction, at the cost of the party causing the same, to be recovered summarily, as hereinafter provided.

105. If
PART VII.

Penalty for driving stock off run to evade correct return.

106. If any lessee, or any overseer or other person in the employment of such lessee, shall drive or cause to be driven any sheep or cattle off the lands leased to such lessee on to any other lands, or from any unfenced land to fenced land, and thereby diminish the number of sheep or cattle actually upon or depasturing on any lands leased at the respective times when, according to the statement and return beforementioned in Part IV. of this Act, the number of such sheep or cattle so actually upon or depasturing on such lands must be certified by such lessee, overseer, or other person as aforesaid, with intent to diminish the number of sheep or cattle which should have been included in such statement and return, such lessee, overseer, or other person shall for every such offence forfeit and pay a sum of not less than Fifty Pounds nor more than Two Hundred Pounds, and the lease of the lands off which such sheep or cattle shall be so driven as aforesaid may be declared to be forfeited as hereinafter mentioned.

Lessee and overseer both liable.

106. If any overseer, manager, or other person as aforesaid shall be convicted under the last preceding or the 72nd clause of this Act, he shall be personally liable to pay any fine imposed; and the lessee in whose employment such overseer or person may be shall also be liable to pay a fine of a like amount to that imposed upon the overseer or other person as aforesaid.

Penalty for omitting to forward returns.

107. If any lessee, overseer, manager, or other person shall omit to fill up and forward each and every statement or return required by this Act, at the times provided for forwarding the same, a sum of Five Pounds, and after notice in the Government Gazette a further sum of Five Pounds for every week during which such omission continues shall be added to the rent payable under the lease in respect of which such omission has been made; and in case such lessee, overseer, or other person shall omit to forward any such statement or return for the space of one calendar month, or shall forward any false return, any lease in respect of which such statement or return has been omitted to be forwarded, or in respect of which any false return has been forwarded, may be declared to be forfeited as hereinafter provided: Provided that the Commissioner may remit the whole or any portion of such penalties as he may think fit.

Penalties on non-payment of rent.

108. If the rent or any other sum payable under any lease granted under the authority of this Act is not paid on or before the days whereupon the same is hereby made payable, a penalty of Ten Pounds per centum shall be added to such rent; and if the said rent or sum and penalty be not paid within one calendar month thereafter a penalty of Twenty Pounds per centum shall be added; and if the said rent and penalty be not paid within one calendar month after such first month, the same shall be recoverable by the Commissioner by action in his own name in any Court of competent jurisdiction, and the lease in respect of which such rent or sum and penalty continues unpaid shall be liable to be absolutely forfeited: Provided nevertheless that it shall be lawful for the Governor to waive such forfeiture upon
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upon payment of the rent and penalty, or upon such other terms as he shall see fit.

109. If any lease shall be liable to be forfeited under any of the provisions of this Act, or if the Commissioner shall suspect that any lessee has committed a breach of any covenant contained in his lease, or that any lessee, overseer, or other person has forwarded any false statement or return, or has otherwise endeavored to evade the provisions of this Act, or if such lessee, overseer, or other person shall omit to forward each and every such statement and return as hereinbefore provided for the space of two calendar months, then, and in any or either of such cases, the Commissioner may apply to the Supreme Court of the said Province for a rule, which shall be granted, as of course, calling upon such lessee to show cause, on a day to be mentioned in such rule, why the lease held by such lessee should not be forfeited on any of the grounds aforesaid to be set forth in such rule; and the said rule may be served either upon the lessee, or, in case of his absence from the said Province, upon his attorney or agent, the overseer, or other person having the care and management of the lands included in the said lease as aforesaid, and such service may be effected by serving such rule personally upon such lessee, attorney, or agent as aforesaid, or by sending the same to him through the medium of the General Post Office, addressed to such lessee, attorney, or agent, at his last known or usual place of abode or business in the said Province.

110. If on the day mentioned in such rule, or if the Court shall not sit on that day, on the first day thereafter that the Court shall be sitting; or on other the day appointed for the hearing thereof, such lessee does not attend, either personally or by counsel, or being in attendance shall not, by affidavit or otherwise, to the satisfaction of the Court, disprove the charges set forth in such rule on which it shall be sought to have such lease declared forfeited, the said Court may and it is hereby authorized and empowered to order and declare such lease to be forfeited, and thereupon such lease shall become absolutely null and void; and such order of the Court shall be binding upon all parties, whether such parties were before the Court or not, and shall not be liable to be avoided or set aside for any irregularity in the service of the rule to show cause, or on any ground whatever; nor shall there be any appeal from any such order, which shall be absolutely final and conclusive.

111. The said Court, on the hearing of any such rule to show cause as aforesaid, may give to any such lessee such time as to the Court may seem reasonable for the purpose of enabling him to file such affidavits as he may consider necessary for the purpose of disproving the charges set forth in the said rule, and may also allow further time to the Commissioner to file any affidavits in reply as to the Court may seem expedient; and the said Court may also, if it shall see fit, direct the truth of the charges set forth in the said rule to
to be decided otherwise than by affidavit, and for that purpose may
direct one or more issue or issues to be tried by a jury in the like
manner as issues directed by the Court in its Equitable Jurisdiction
are tried, but in all such proceedings the proof that the charges set
forth in such rule are untrue, shall lie on the defendant.

112. The party obtaining judgment in any such action shall be
entitled to full cost of suit as between party and party, which may
be enforced or recovered in the like manner as in ordinary actions
in the said Court.

113. Upon the expiration or determination of any lease or tenancy
of any messuage or tenement, granted under the authority of Part
VI. of this Act, or under any other authority, or upon the expiration
or determination of any licence to occupy any messuage or tenen-
tment, it shall be lawful for the Commissioner, by any writing
under his hand, to authorize any person to take possession of any such
messuage or tenement, upon behalf of the Crown, and it shall be lawful
for any person so authorized, to forcibly eject any person who may
be then in possession of any such messuage or tenement and take
possession thereof on behalf of the Crown.

114. The rent reserved in any lease granted under the authority of
this Act may be levied or recovered by or under the authority of the
Commissioner, in like manner as any rent or fine is or shall be
leviable or recoverable by law in cases where Her Majesty’s subjects
only are concerned, and in case such rent shall be levied by distress,
an order under the hand of the Commissioner shall be a sufficient
warrant and authority to distrain, any law or enactment to the con-
trary notwithstanding.

115. Any person who shall unlawfully occupy any Crown lands,
either by residing or by erecting any building or hut thereon, or by
clearing, enclosing, or cultivating any part, or who shall knowingly
make any false statement with regard to commonages in hundreds,
shall be liable on conviction thereof to the penalties following, that
is to say—For the first offence, a sum not exceeding Ten Pounds;
for the second offence, a sum not exceeding Twenty Pounds, nor less
than Ten Pounds; for the third, or any subsequent offence a sum
not exceeding Fifty Pounds, nor less than Twenty Pounds: Pro-
vided always, that no information shall be laid for any second or
subsequent offence, until the expiration of fourteen clear days from
the date of the previous conviction.

116. When any person shall occupy, or be in possession of any
Crown lands, or messuage or tenement, under or by virtue, or under
color, of any lease, licence, or agreement granted or entered into
under this Act or any repealed Act, which is void, or has expired, or
become forfeited, or has been revoked under this Act, or any repealed
Act, or shall remain in an unauthorized occupation or possession
of such lands, messuage, or tenement, and shall refuse or neglect to
deliver
deliver up possession of the same to any person authorized by the Commissioner in that behalf, such last-mentioned person, or any other person authorized by the Commissioner, may apply, upon an information to be laid by him, in the form or the effect set out in the Sixteenth Schedule to this Act, to any Justice of the Peace for the said Province, and such Justice shall issue a summons in the form or to the effect set forth in the Seventeenth Schedule to this Act, calling upon the occupier of such lands, messuage, or tenement to appear, at a time and place to be therein specified, before a Special Magistrate, or any two or more Justices of the Peace, who may hear and determine the matter of such information in a summary way, ex parte or otherwise; and, upon proof to the satisfaction of the Special Magistrate or Justices who may hear the complaint at the time and place so specified, or at any adjourned hearing of the said complaint, that the lands, messuage, or tenement referred to in such summons are held under or by virtue, or under color of any lease, licence, or agreement which is void or has expired, or become forfeited, or has been revoked, and that such lands, messuage, or tenement are in the unauthorized possession or occupation of the person summoned, a warrant shall be issued by the said Special Magistrate or Justices, in the form or to the effect set forth in the Eighteenth Schedule to this Act; and every constable or bailiff to whom such warrant is directed, may forthwith execute the same according to the tenor and exigency thereof in the same manner as any warrant of possession, or writ of habere facias possessionem, may now be executed by virtue of any law existing at the present time in the said Province; and the jurisdiction of such Special Magistrate or Justices shall not be taken away or deemed to be ousted by any claim of title, question of property, or suggestion of right, whether made bona fide or otherwise, which may be raised by the occupant at any such hearing as aforesaid, but all matters relevant to, and arising out of, the information laid as aforesaid, shall be heard and finally determined by such Special Magistrate or Justices.

117. Whosoever shall forge, counterfeit, or alter, or shall utter, or make use of, knowing the same to be forged, counterfeited, or altered, any lease, licence, or other document purporting to be a lease or licence, or any authority from Her Majesty or the Governor, or any person acting on behalf of Her Majesty, to occupy any Crown lands in the said Province, or any document authorized by this Act, shall be guilty of a misdemeanor, and being convicted thereof, shall be liable to be imprisoned, with hard labor, for any term not exceeding eight years, at the discretion of the Court.

118. All proceedings under this Act may be had and taken, and all penalties, fines, forfeitures, and sums of money incurred or imposed, or payable, under this Act, may be sued for and recovered at the suit of the Commissioner or any Crown Lands Ranger, or such other officer as the Commissioner from time to time may in that behalf appoint.

119. In
119. In any action, suit, or proceeding under this Act, the averment that any lands are Crown lands shall be sufficient without proof of such fact, unless the defendant prove the contrary; and if any question shall arise whether the defendant was authorized to do the act complained of, the proof thereof shall lie upon such defendant; and all licences, certificates, maps, plans, and office copies, purporting to be certified as true under the hand of the Surveyor-General of the Province, or of any officer of his department, shall, in all matters relating to the said respective offices, be sufficient evidence without production of original records, and without the personal attendance of such officers, or proof of their signatures; and in any proceeding for the recovery of any penalty for making a false statement or return, as provided by the 72nd clause of this Act, or for driving cattle or sheep off any leased land, as provided by the 105th clause of this Act, the averment that the defendant has committed the act complained of shall be sufficient without proof of the fact, unless the defendant prove to the contrary.

120. All proceedings for the recovery of any pecuniary penalty by this Act imposed for any omissions, defaults, acts, or offences shall be had and taken, and may be heard and determined in a summary way, by any Special Magistrate or two Justices of the Peace of the said Province, under the provisions of Act No. 6 of 1850, or of any Act hereafter to be in force relating to the duties of Justices of the Peace with respect to summary convictions and orders, and all convictions and orders may be enforced as in the said Act, or in any other Act is or shall be provided; and the said Special Magistrate or Justices of the Peace may also, in case any penalty is imposed, order the defendant, in default of payment thereof, to be imprisoned, with or without hard labor, for any period not exceeding six calendar months.

121. There shall be an appeal from any conviction by any Special Magistrate or Justices for any offence against this Act, or from any order dismissing any information or complaint, which appeal shall be to the Local Court of Adelaide of Full Jurisdiction only, and the proceedings on such appeal shall be conducted in manner provided by the said Act, No. 6 of 1850, for appeals to Local Courts, or any Act hereinafter to be in force regulating such appeals; and the Local Court of Adelaide aforesaid may make such order as to the payment of the costs of appeal as it shall think fit, although such costs may exceed Ten Pounds.

122. The Local Court of Adelaide, upon the hearing of any appeal, may state one or more special case or cases for the opinion of the Supreme Court, and the Supreme Court shall hear and decide such special case or cases according to the practice of the Supreme Court on special cases, and the Supreme Court shall make such order as to the costs of any special case as to the said Court shall appear just; and the Local Court of Adelaide, shall make an order in respect to the matters referred to the Supreme Court, in conformity
conformity with the certificate of the said Supreme Court, or of any Judge thereof; which order of the said Local Court shall be enforced in manner provided for the enforcement of orders of Justices, under the said Act, No. 6 of 1850, or other Act as aforesaid.

123. All moneys received for penalties imposed for offences against this Act, shall be paid to the Treasurer on behalf of Her Majesty, Her heirs, and successors, for the public uses of the said Province, and in support of the Government thereof.

124. It shall and may be lawful for the Governor to pay or cause to be paid out of the public Treasury of the Province, the costs or charges of any suit or action which shall or may be brought by or against any Justice of the Peace, Crown Lands Ranger, Constable, or other person acting under the authority and in the execution of this Act.

125. All actions for anything done under this Act shall be commenced within six calendar months after the cause of action shall have arisen, and not afterwards; and notice in writing of such action, and the cause thereof, shall be given to the defendant one calendar month at least before the commencement of the action; and in every such action the defendant may plead the general issue, and give this Act and the special matter in evidence at any trial to be had thereupon; and no plaintiff shall recover in any such action if tender of sufficient amends shall have been made before such action brought, or if a sufficient sum of money shall have been paid into Court after such action brought, by or on behalf of the defendant, together with the costs incurred up to that time.

PART VIII.

MISCELLANEOUS.

126. Whenever any Crown lands subject to any lease for pastoral purposes shall be demised under the authority of Part V., or Part VI. of this Act, the term of years in such land which have been granted for pastoral purposes shall upon such demise at once cease and determine, and every lease for pastoral purposes which shall comprise such land, shall after such demise be read and construed as if such land had been expressly excepted thereout.

127. The Governor may, with the consent of the lessee, at any time, and from time to time, grant to trustees, at a price to be agreed upon, as a site for a school, church, chapel, or hospital, or for any other public or charitable purpose, any portions not exceeding two acres of the land comprised in any lease granted under this Act; and from and after such grant the land included therein shall be excepted from the operation of such lease.

128. All
128. All leases and documents heretofore granted by the Governor, purporting to be leases of any Crown lands 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.

129. Any lessee of any Crown lands under Act No. 26 of 1870-71 may obtain a lease of the land comprised therein under Part V. of this Act and vice versa.

130. It shall be lawful for the lessee of any Crown lands to surrender his lease of such lands at any time during the currency thereof, and 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.

131. 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.

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

133. 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.

134. It shall be lawful for the Governor, upon and in accordance with an address from the Legislative Council and House of Assembly, by Proclamation in the Government Gazette, to appoint any place in the said Province a Land Office for the purchase of land upon credit and
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and the conduct of sales under the Part II. of this Act; and the Governor may, upon the like addresses, declare that any such place so appointed shall cease to be a Land Office.

135. All unbranded wild cattle above the age of twelve months which shall at any time be running and feeding on any Crown lands, and which shall have no reputed or apparent owner, shall be and shall be deemed and taken to be the property of Her Majesty; and it shall be lawful for the Commissioner to cause the same to be sold and disposed of by public auction or by tender, so that the time and place of such auction, or at and before which such tender is to be made and the cattle to be sold shall be notified in the Government Gazette at least one month next preceding the time of or for such auction or tender; and the purchaser of such cattle, on obtaining the written authority of the Commissioner for that purpose, shall be at liberty within two months next after the date of such authority, or such further term as the Commissioner may in writing allow, with necessary and proper assistance, to take possession of such cattle, and for that purpose to enter upon any Crown lands where the same may be running or feeding.

136. The Governor shall have power to make all such regulation, as to him shall seem fit, for the carrying out the objects, purposes, and provisions of this Act and the various Parts thereof, respectively, and every regulation when published in the Government Gazette, shall have the force of law; but any regulations hereafter to be made under the authority of this Act, shall be laid before Parliament within fourteen days after the publication thereof, if the Parliament be then sitting, and if the Parliament be not then sitting within fourteen days from its next sitting for the dispatch of business.

137. Declarations under this Act may be made and declared before the Commissioner, the Surveyor-General, Justices of the Peace, Notaries Public, Commissioners for taking affidavits in the Supreme Court, or such other persons, as the Governor may appoint for that purpose; and if any person wilfully make any false statement in any declaration made in pursuance of this Act, he shall be guilty of a misdemeanor, and be punishable as if guilty of wilful and corrupt perjury.

138. This Act shall commence and come into operation on a day to be fixed by the Governor by Proclamation to be published in the Government Gazette.

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

WM. F. DRUMMOND JERVOIS, Governor

SCHEDULES
SCHEDULES REFERRED TO.

FIRST SCHEDULE.

<table>
<thead>
<tr>
<th>No. of Act</th>
<th>Title of Act</th>
</tr>
</thead>
<tbody>
<tr>
<td>9 of 1853</td>
<td>An Act to regulate the occupation of Crown Lands in South Australia.</td>
</tr>
<tr>
<td>5 of 1857-8</td>
<td>And Act for regulating the Sale and other disposal of Waste Lands belonging to the Crown in South Australia.</td>
</tr>
<tr>
<td>18 of 1858</td>
<td>An Act to Amend the &quot;Waste Lands Act.&quot;</td>
</tr>
<tr>
<td>8 of 1865-6</td>
<td>An Act to amend Act No. 18 of 1858, intituled &quot;An Act to amend the Waste Lands Act.&quot;</td>
</tr>
<tr>
<td>20 of 1858</td>
<td>An Act for an Assessment on Stock, and for other purposes therein mentioned.</td>
</tr>
<tr>
<td>7 of 1861</td>
<td>An Act to amend an Act No. 20 of 22nd Victoria, intituled &quot;An Act for an Assessment on Stock, and for other purposes therein mentioned.&quot;</td>
</tr>
<tr>
<td>16 of 1862</td>
<td>An Act to provide for an appeal against Assessments of the Waste Lands of the Crown for leased Pastoral Purposes.</td>
</tr>
<tr>
<td>22 of 1862</td>
<td>An Act to further amend an Act No. 20 of 22nd Victoria, intituled &quot;An Act for an Assessment on Stock, and for other purposes therein mentioned.&quot;</td>
</tr>
<tr>
<td>13 of 1863</td>
<td>An Act to provide for the reduction of the Assessment of certain Pastoral Lands.</td>
</tr>
<tr>
<td>8 of 1864</td>
<td>An Act to authorize certain reductions in the valuations of runs under the Act intituled &quot;An Act for an Assessment on Stock, and for other purposes therein mentioned; and to provide for the compensation for improvements, to be allowed on resumption, to lessees of Pastoral Lands under renewed leases.&quot;</td>
</tr>
<tr>
<td>22 of 1864</td>
<td>An Act to extend the terms of certain leases of the Waste Lands of the Crown for pastoral purposes; and to make provision for payment, in certain cases, for improvements effected on lands comprised in leases granted for renewed terms, under the Act No. 20 of 1858, intituled &quot;An Act for an assessment on Stock, and for other purposes therein mentioned.&quot;</td>
</tr>
<tr>
<td>16 of 1866-6</td>
<td>An Act to amend the laws relating to the Leasing of the Waste Lands of the Crown within the Province of South Australia, for Pastoral Purposes.</td>
</tr>
<tr>
<td>21 of 1867</td>
<td>An Act to amend the Laws relating to the Leasing for pastoral purposes, of certain Waste Lands of the Crown in the Province of South Australia, and for other purposes.</td>
</tr>
<tr>
<td>11 of 1872</td>
<td>An Act to amend &quot;The Waste Lands Amendment Act, 1867.&quot;</td>
</tr>
<tr>
<td>17 of 1869-70</td>
<td>An Act to amend the laws relating to the Leasing for Pastoral Purposes, of certain of the Waste Lands of the Crown in the Province of South Australia, and for other purposes.</td>
</tr>
<tr>
<td>24 of 1872</td>
<td>An Act to enable the holders of certain pastoral Leases to come under the provisions of the &quot;Waste Lands Amendment and Procedure Act, 1869-70.&quot;</td>
</tr>
<tr>
<td>6 of 1861</td>
<td>An Act to declare the powers of the Governor with reference to constituting Counties and Hundreds.</td>
</tr>
<tr>
<td>17 of 1873-71</td>
<td>An Act to authorize the Leasing and Alienation of certain of the Waste Lands of the Crown on the Murray Plains, in the Province of South Australia.</td>
</tr>
<tr>
<td>31 of 1872</td>
<td>An Act to authorize the Granting of Miscellaneous Leases of the Waste Lands of Crown, and for other purposes.</td>
</tr>
<tr>
<td>3 of 1872</td>
<td>An Act to regulate the Sale of Land in the Agricultural Areas of Mount Muirhead and Mayura.</td>
</tr>
<tr>
<td>20 of 1872</td>
<td>An Act to regulate the Sale of certain Township and Suburban Lands, and for other purposes.</td>
</tr>
<tr>
<td>21 of 1873</td>
<td>An Act to amend Section Eighteen of &quot;The Waste Lands Alienation Act, 1872.&quot;</td>
</tr>
<tr>
<td>22 of 1874</td>
<td>An Act to Amend &quot;The Waste Lands Alienation Act, 1872.&quot;</td>
</tr>
<tr>
<td>21 of 1866-7</td>
<td>An Act to authorize the granting of Leases with right of purchase, of certain Waste Lands of the Crown in South Australia.</td>
</tr>
<tr>
<td>2 of 1867</td>
<td>An Act to amend &quot;The Scrub Lands Act, 1866.&quot;</td>
</tr>
<tr>
<td>25 of 1870-71</td>
<td>An Act to extend the provisions of &quot;The Scrub Lands Act, 1866.&quot;</td>
</tr>
<tr>
<td>17 of 1875</td>
<td>An Act to revive certain Escheats relating to Scrub Lands.</td>
</tr>
<tr>
<td>55 of 1876</td>
<td>An Act to validate certain Leases of the Waste Lands of the Crown and for other purposes.</td>
</tr>
</tbody>
</table>

SECOND
SECOND SCHEDULE.

Form of Receipt for payment in advance of first instalment of interest on purchase-money.

Received this day from the sum of being three years' interest in advance upon the purchase-money for Section No. in the Hundred of County of acres (Clause 16).

of land [If the receipt is for improved land, add—and also the sum of being the amount paid for the value of the improvements on such land] and the said is to enter into an agreement within twenty-one days from the date of this receipt, in accordance with the Crown Lands Consolidation Act.

Dated this day of , 18 .

A.B. [Treasurer or officer appointed by him.]

THIRD SCHEDULE.

Form of Agreement of Sale and Purchase on Credit.

No.

MEMORANDUM of agreement made the day of , between the Commissioner of Crown Lands and Immigration of the Province of South Australia, hereinafter called the vendor of the one part, and of hereinafter called the purchaser of the other part, whereby it is agreed between the parties hereto, that the vendor shall sell, and the purchaser shall purchase, all that piece of land, being in fee simple at the price of £ , to be paid in the manner provided by the Crown Lands Consolidation Act.

It is also agreed by the said parties as follows, that is to say—

1. The purchaser shall and will take possession of the said land within three months from the date hereof, and, after the first six months therefrom, shall continue to reside [or, in cases of substituted residence, keep a male substitute over eighteen years of age continually residing] on the same during nine months out of every twelve months thereafter, until the payment of the last instalment of the purchase-money.

2. The purchaser shall and will make substantial improvements upon the said land before the end of the second year, to the extent of five shillings per acre; before the end of the third year, to the extent of seven shillings and sixpence per acre; before the end of the fourth year, to the extent of ten shillings per acre; such improvements to consist of all or any of the following, that is to say—erecting a dwelling-house or farm buildings, sinking wells, constructing water tanks or reservoirs, putting up fencing, draining, and clearing and grubbing the said land.

3. No fence shall be deemed to be a fence within the meaning of this agreement unless the same shall be a wire fence, or constructed of posts and rails, or wires, or of stone, or other substantial material, and ordinarily capable of resisting the trespass of great cattle.

4. Any person, authorized by the vendor, may at all reasonable times, enter upon the said land, to view the said lands, and any improvements thereon.

5. The purchaser shall and will, during the first year, plough and have under cultivation at least one-tenth of such land, and during each and every subsequent year, until the whole of the purchase-money has been paid, plough and have under cultivation at least one-fifth of such land. But if the purchaser shall be desirous of engaging in the cultivation of osiers, olives, mulberries, vines, apples, pears, oranges, figs, almonds, potatoes, onions, beetroot, mangold-wurzel, or hops, or other such plants as the Governor in Council may at any time define by Proclamation in the Government Gazette, the planting and cultivating in a husbandlike manner of one acre of land with any of the above trees or plants shall, for all purposes of this agreement, be deemed to be equivalent to the cultivation of six acres of such land as hereinafter defined: Provided that such cultivation be bona fide continued and kept up to the satisfaction of the Commissioner until full payment of the purchase-money, but not otherwise.

6. The
Crown Lands Consolidation Act.—1877.

6. The purchaser shall and will send in to the vendor true returns, as provided by the Crown Lands Consolidation Act.

7. All improvements, ploughing, and cultivation, made by the purchaser, shall be subject to the valuation or inspection, as the case may be, of such officer as the vendor may appoint for that purpose, whose valuation shall be conclusive, and binding on the parties hereto.

8. The purchaser shall and will pay interest on the purchase-money, and pay the amount of such purchase-money on the days and at the times on and at which the same respectively shall become due and payable, as provided by the Crown Lands Consolidation Act.

9. The purchaser shall and will not at any time, until he has paid the whole of his purchase-money, assign, transfer, or make over the said lands, or his rights under this agreement, nor shall he attempt so to do, nor shall he grant any lease or other tenancy of or over the said land, unless and until he has obtained the consent of the vendor for that purpose.

10. This agreement is made subject to the provisions of the Crown Lands Consolidation Act, and of any regulations made or to be made thereunder, and any such regulations which may hereafter be made shall be equally binding and obligatory on the parties hereto, as if this agreement had been made subject thereto.

11. Upon breach of any of the foregoing conditions, or upon the publication of a notice in the Gazette that the Governor has revoked this agreement, or if the purchaser shall do any act declared by the Crown Lands Consolidation Act to be a fraud thereunder, then, in either of such cases, the purchaser shall forfeit all benefit under this agreement, and shall deliver up to the vendor, or whomsoever he may appoint, the said lands and all improvements thereon; and this agreement shall become void, and the purchaser may be dealt with under the Crown Lands Consolidation Act as a person in unauthorized occupation of such lands.

In witness, &c.

(Signatures) , Vendor (L.s.).

(Signatures) , Purchaser (L.s.).

FOURTH SCHEDULE.

Clause 5.

I, , of , in the Province of South Australia, do hereby declare my intention to actually and bond fide cultivate the Section , in the Hundred of , County of , this day, purchased by me upon credit, and I make the said purchase solely and entirely for my own use and benefit: And I do hereby solemnly and sincerely declare that no other person is interested with me, either directly or indirectly, in the purchase of such land as aforesaid: And I make this my solemn declaration conscientiously believing the same to be true.

A.B. Declared at , in the Province of South Australia, this day of , 18 , before me. C.D.

[To be written or printed at the foot of every declaration]—Note.—If any of the statements contained in the above declaration are untrue, the person making the same will be liable to the penalties of wilful and corrupt perjury.

FIFTH SCHEDULE.

Return rendered in conformity with the Crown Lands Consolidation Act, showing the Nature, Extent, and Value of all Improvements and Cultivation made during the year ending , 18 , upon Land purchased on Credit and length of residence thereon.

Name of Purchaser

Hundred or Area in which the Land is situated.

Nos.
Nos. of Sections.

<table>
<thead>
<tr>
<th>Nature and Extent of Improvements</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BUILDINGS.</strong></td>
<td>£</td>
</tr>
<tr>
<td>(State whether dwellings or farm</td>
<td>s.</td>
</tr>
<tr>
<td>buildings, and give the dimen-</td>
<td>d.</td>
</tr>
<tr>
<td>sions of the buildings, and ma-</td>
<td></td>
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<tr>
<td>terials of which they are con-</td>
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<tr>
<td>structed.)</td>
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</tr>
<tr>
<td><strong>FENCES.</strong></td>
<td></td>
</tr>
<tr>
<td>(State the kind of fence put up,</td>
<td></td>
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<tr>
<td>and the length.)</td>
<td></td>
</tr>
<tr>
<td><strong>WELLS, TANKS, OR RESERVOIRS.</strong></td>
<td></td>
</tr>
<tr>
<td>(Give description and measure-</td>
<td></td>
</tr>
<tr>
<td>ment.)</td>
<td></td>
</tr>
<tr>
<td><strong>DRAINING, CLEARING, OR GRUBBING.</strong></td>
<td></td>
</tr>
<tr>
<td>(Give description of timber and</td>
<td></td>
</tr>
<tr>
<td>area cleared.)</td>
<td></td>
</tr>
<tr>
<td>Total.............................</td>
<td></td>
</tr>
</tbody>
</table>

Quantity of land under cultivation, and nature of such cultivation.

Length of time that the selector has resided on the land during the year [if such selector is not personally residing on the land, state the Christian and surname of the person who has been residing thereon, and the time he has so resided].

1. the undersigned, being the purchaser upon credit, of the sections above described, hereby declare that the above is a true and correct statement according to the best of my knowledge and belief.

Signature

Dated the day of , 18

Witness—

---

SIXTH SCHEDULE.

South [Royal Arms.] Australia. Crown Lands Department—Summon to Purchasers upon Credit.

To Mr.

You are hereby commanded that, laying aside all and singular business and excuses, you be and appear in your proper person before at the hour of o’clock in the noon of the same day, and so from day to day, until discharged, to testify all and singular those things which you know touching or concerning the acts, rights, duties, and obligations of A.B., a purchaser of upon credit of land situate at: And you are also commanded to bring with you and produce to the said all documentary evidence in your custody, possession, or control relating to the said land, or to the said A.B. in relation thereto.

Dated this day of one thousand eight hundred and

C.D., Commissioner of Crown Lands and Immigration [or E.F., authorized in writing by the Commissioner of Crown Lands and Immigration.]
SEVENTH SCHEDULE.

Information by, on, or behalf of the Commissioner of Crown Lands and Immigration in aid of an examination of witnesses in respect of Land under agreement.

South \[Royal Arms\] Australia.

The information and complaint of \[Commissioner of Crown Lands and Immigration \[or of \] the said Province, authorized by the Commissioner of Crown Lands and Immigration in writing to examine witnesses\] taken this day of \[in the year of our Lord \] one thousand eight hundred and \[before\] the undersigned, one of Her Majesty's Justices of the Peace in and for the Province of South Australia, saith that this informant is desirous of examining witnesses in respect of the acts, rights, duties, and obligations of A.B., \[in the said Province\], a purchaser upon credit of land situate \[in respect of the said land, and prayed that the said Justice will proceed to summon witnesses accordingly, and therein proceed in the premises according to law.\] Taken before me the day and year first above-mentioned at \[in the said Province\].

EIGHTH SCHEDULE.

Crown Lands Department.—Summons to Witness in respect of Lands purchased upon credit.

South \[Royal Arms\] Australia.

To \[\] of \[in the Province of South Australia\].

Whereas information has been laid by the Commissioner of Crown Lands and Immigration \[or by \] a person authorized in writing, by the Commissioner of Crown Lands and Immigration to examine witnesses\] before the undersigned, one of Her Majesty's Justices of the Peace in and for the said Province, setting forth that the informant is desirous of examining witnesses in respect of the purchaser upon credit of land situate \[in respect of the said land, and praying that I, the undersigned, would proceed to summon witnesses accordingly, and proceed therein according to law: These are therefore to require you to be and appear on \[the day of \] the \[of \] 18, at eleven o'clock in the forenoon, at the \[before such Justice of the Peace for the said Province as may then be there, to testify what you know concerning the matters referred to in the said information.\] Given under my hand and seal this day of \[in the year of our Lord one thousand eight hundred and \] at Adelaide, in the Province aforesaid.

C.D., Justice of the Peace.

NINTH SCHEDULE.

Notice of Intention to Revoke Agreement for the Purchase of Land on Credit.

To \[\] of \[the purchaser of \] the said \[under an Agreement\] under the "Crown Lands Consolidation Act," \[or as the case may be\] dated the \[day of \] 18 .

Take notice, that it has been shown, to the satisfaction of the Commissioner of Crown Lands, that you, the above-named \[have \] been guilty of an act rendering your land under agreement liable to forfeiture \[or \] [been guilty of fraud under the said Act], \[or \] [have violated, or failed to perform, some of the conditions of the above-mentioned agreement], inasmuch as you have \[or have not\] within the terms and meaning of such agreement, and of the said Act, and the regulations
Crown Lands Consolidation Act.—1877.

regulations in that behalf duly made [state nature of the act, fraud, or breach of conditions complained of]: And further take notice, that during the month following the publication hereof in the Gazette, you are at liberty to furnish to the Commissioner of Crown Lands any documentary evidence that [you have not been guilty of such act], or [that you have not been guilty of the fraud under the said Act above mentioned], or [that you have not violated, or failed to perform the conditions of your agreement as above mentioned], as to which the onus of proof is upon you: And further take notice, that if you furnish no such evidence, or if the evidence furnished by you fails to prove to the satisfaction of His Excellency the Governor by and with the advice and consent of the Executive Council, that you have not [been guilty of such act], or [been guilty of the above-mentioned fraud under this Act], or [violated, or failed to perform, the above-mentioned conditions of your agreement], it will be lawful for His Excellency, by and with the advice and consent aforesaid, to revoke the said agreement, and resume the lands therein described, after the expiration of one month from the publication hereof in the said Gazette.

Dated this day of 18 .

Commissioner of Crown Lands.

TENTH SCHEDULE.

1. All that piece of land bounded by a line commencing at a point on the eastern boundary of the Hundred of Balaklava, about one mile south of Section No. 9, and running thence true west for a distance of about twelve miles sixty chains; thence about south 31° 30' east for about six miles thirty-two chains, to the north-eastern corner of Annual Lease No. 110; thence east for about two and a half miles to the eastern boundary of the Hundred of Inkerman; thence north, by the said Hundred boundary, for about one mile fifty-six chains; thence east to the eastern boundary of the Hundred of Balaklava; thence north, by the said Hundred boundary, to the point of commencement.

2. All that piece of land bounded by a line commencing at a point on the north boundary of the Hundred of Brinkley, about one mile west of Section No. 1090, and running thence westerly by north boundary of said Hundred, to its north-west corner; thence in a north-westerly direction, by the north boundary of the Hundred of Freeling, to the Bremer Trigonometrical Station; thence south for about six miles eight chains; thence east for about twelve miles fifty-six chains; thence north for about five miles, to the point of commencement.

3. All that piece of land bounded by a line commencing at a point on the eastern boundary of the Hundred of Monarto, about nine miles north of its south-east corner; thence running west for two miles sixteen chains; thence south to intersect the south boundary of the Hundred of Monarto; thence easterly, by the south boundary of said Hundred, to its south-east corner; thence north, by the eastern boundary of said Hundred, to the point of commencement.

4. All that piece of land bounded by a line commencing at the south-western corner of the Hundred of Fisher, and running thence easterly by the south boundary of the said Hundred, a distance of about two miles eight chains; thence north about three miles twenty-six chains; thence west for about two miles twelve chains, to the boundary between the Hundred of Fisher and Bagot; thence north by the said Hundred boundary, for about five miles twelve chains; thence south 80° 35' west for about one mile fifty-four chains; thence about south 1° 0' west, to a point on the south boundary of the Hundred of Bagot, about one mile sixty-two chains west of its south-west corner; thence easterly, by the south boundary of the said Hundred, in the south-western corner of the Hundred of Fisher, to the point of commencement.

5. All that piece of land bounded by a line commencing at the south-eastern corner of the Hundred of Angas, and running thence true east for a distance of five miles twenty-eight chains; thence about north 9° 20' west for four miles thirty-six chains, to a point about one mile south of North Rhine River; thence in a north-westerly and westerly direction, following the bends of the said river at a distance of one mile south, until it intersects the eastern boundary of Lot 141; thence south to a point on
on the south boundary of the Hundred of Angas, about three miles 13.36 chains west of its south-eastern corner; thence easterly, to the south-eastern corner of said Hundred, the point of commencement.

6. All that piece of land bounded by a line commencing at the south-eastern corner of the Hundred of Younghusband, and running thence north by the eastern boundary of the said Hundred for a distance of about one mile to its intersection with the south boundary of Annual Lease No. 16; thence in a westerly and south-westerly direction by the south and east boundaries of Leases No. 16 and 11 to intersect the south boundary of the Hundred of Younghusband; thence easterly by the south boundary of said Hundred to its south-eastern corner, the point of commencement.

7. All that piece of land bounded by a line commencing at the south-eastern corner of the Hundred of Burdett, and running thence west by south boundary of the said Hundred for a distance of four miles; thence north for about two miles forty-six chains to intersect the south boundary of Annual Lease No. 49; thence about north 70° east for two miles four chains; thence about north 28° 15' west for three miles thirty chains to the south angle of Annual Lease No. 11; thence in a north-easterly and northerly direction by the eastern boundary of said lease until it intersects the north boundary of the Hundred of Burdett; thence easterly by the northerly boundary of the Hundred of Burdett; thence south by the eastern boundary of the said Hundred, to its south-eastern corner, to the point of commencement.

8. All that piece of land bounded by a line commencing at the south-eastern corner of the Hundred of Bonney, and running thence north for about eight and three-quarter miles; thence about south 44° 20' west to intersect the south boundary of the said Hundred at a point about eight and a-half miles west of its south-east corner; thence east by the south boundary of the said Hundred to its south-eastern corner, the point of commencement.

9. All that piece of land bounded by a line commencing at the north-eastern corner of the Hundred of Stuart, and running thence south by the eastern boundary of the said Hundred to its intersection with the north boundary of Annual Lease No. 48; thence west for a distance of about one mile to intersect the north-eastern boundary of Annual Lease No. 18; thence about north 33° 15' west by the north-eastern boundary of the said lease to its intersection with the north boundary of the Hundred of Stuart; thence easterly by the north boundary of the said Hundred to its north-eastern corner, the point of commencement.

10. All that piece of land bounded by a line commencing at the south-eastern corner of the Hundred of Cooper, and running thence north by the eastern boundary of said Hundred for a distance of about one mile thirty-two chains to its intersection with Annual Lease No. 17; thence south 78° 0' west for about three miles; thence about south 3° 30' west for two miles; thence south 24° 40' west for about eight miles thirty chains; thence about south 33° 10' east for four miles fifty chains; thence about south 36° 50' west for two miles sixty chains; thence in a southerly direction by a line forming the eastern boundary of Annual Lease No. 16 at a distance of four miles from and parallel to the River Murray until it intersects the south boundary of the Hundred of Morphett; thence easterly by the south boundary of the said Hundred to its south-eastern corner; thence north by the eastern boundaries of the Hundreds of Morphett and Giles to the south-eastern corner of the Hundred of Cooper, the point of commencement.

11. All that piece of land in the Hundred of Kondoparinga, bounded by a line commencing at the north-eastern corner of Section 2016, and running thence southerly along the eastern boundaries of Sections 2016 and 2017 to the northern boundary of 2019; thence in an easterly and north-easterly direction along the northern boundaries of Sections 2019, 2021, 1742, 2033, and along the north-western boundaries of 2032 and 2036, to the south corner of 2046; thence north-westerly along the south-western boundaries of Sections 2046, 2047, 2048, 2049, and 2056, to a point opposite the south-eastern corner of Section 2083; thence westerly, northerly, and easterly along the southern, western, and northern boundaries of said Section to its north-eastern corner; thence northerly and north-westerly along the western boundary of Section 1821, and the south-western boundaries of Sections 2102, 2101, and 2092; thence westerly and south-westerly along the south boundaries of 1837, 1902, and the south-eastern boundaries of 2133, the Cemetery Reserve, and Section 2029, to the south corner of the latter Section; thence in a south-easterly and southerly direction along the east side of the road forming the north-eastern boundaries of Sections 2098, 2096, and
and the eastern boundaries of Sections 2344, 2079, 2078, 2347, 2014, 2013, and 2015, to the north-western corner of Section 2016; thence easterly to the north-eastern corner of said Section, the point of commencement.

12. All that piece of land in the Hundred of Bremer, bounded by a line commencing at the south-western corner of Section 2001, in the said Hundred, and running thence northerly by the western boundaries of Sections 2001, 3000, and across the road to the south boundary of Section 2778; thence westerly by the south boundaries of Sections 2778, 391, 312, 506, 507, 508, 509, and their production to the south-east boundary of Section 2007; thence south-westernly by the south-eastern boundaries of Sections 2007, 2008, 2009, 2010, 2041, 2042, 2044, 2045, to the north corner of Section 2049; thence south-easterly and easterly by the north-eastern boundary of 2040 and northern boundaries of 736, 738, 739, 740, 741, 742, and 743, to the north-eastern corner of the latter Section; thence in a north-easterly direction by a straight line to the south-western corner of Section 2001, the point of commencement.

13. All that piece of land in the Hundred of Alexandrina, bounded on the east and south by a line commencing at the south-western corner of Section 2074, in the Hundred of Bremer, and running thence southerly at an angle of 90° from the Hundred boundary for about thirty-five chains; thence easterly at right angles to the south-western corner of Section 77; thence southerly by a line, being the production of the western boundary of Section 77, to a point opposite the south-western corner of Section 66; thence westerly, at an angle of 90°, for about sixty chains; on the north by the north boundary of the Hundred of Alexandrina, from the south-western corner of Section 2074, to a point two miles and seventy-three chains westerly of south-west corner of said Section; and on the south-west by a line starting from the last-mentioned point, and running thence south-easterly at an angle of 59° 40' from Hundred boundary to intersect the south boundary before described.

14. All that piece of land in the Hundreds of Balaklava and Inkerman, bounded by a line commencing at the south-eastern corner of the Hundred of Balaklava, running thence west and along the south boundary of the said Hundred to a point one and a-half miles east of the south-western corner; thence true north for about sixty chains; thence true west for about two miles; thence north-westerly to the south-western corner of Scrub District No. 1; thence along the south boundary of the said district to the west boundary of the Hundred of Balaklava; thence north by the said Hundred boundary to the south-western corner of Section 94; thence east to the south-east corner of Section 59; thence south along the eastern boundary of the Hundred of Balaklava to the south-eastern corner of the said Hundred, the point of commencement.

15. All that piece of land in the Hundreds of Stow, Hall, and Blyth, bounded by a line commencing at the north-eastern corner of the Hundred of Stow, and running thence west along the north boundary of the said Hundred to a point one mile east of the north-eastern corner of Section 113; thence true south for six miles; thence south-easterly to a point on the Telegraph line, sixty chains east of the bend in said line near Section 346; thence north-easterly along said line for about a mile and sixty chains; thence magnetic north to intersect the north-western boundary of the Hundred of Hall; thence north-easterly along the said Hundred boundary to a point one mile and sixty chains south-west of the south-western corner of Section 79, in the Hundred of Blyth; thence about north-north-west at right angles to the Hundred boundary for about three miles; thence about west-south-west to the south-eastern corner of Section 77 in the Hundred of Everard; thence south-easterly along the north-eastern boundary of said Hundred to the north-eastern corner of the Hundred of Stow, the point of commencement.

16. All that piece of land in the Hundred of Bagot, bounded by a line commencing at the south-western corner of Section 13, in the said Hundred, and running thence west along the south boundary of the said Hundred a distance of four miles; thence true north for about six miles; thence north-easterly to a point in the north boundary of the Hundred, two miles east of the north-eastern corner of Section 109; thence east to the north-eastern corner of said Hundred; thence south along the east boundary of the Hundred to the north-east corner of Scrub District No. 4; thence westerly and southerly by the north and west boundaries of said District to the south-western corner of Section 13, the point of commencement.

17. All that piece of land in the Hundred of Neales, bounded by a line commencing at the south-eastern corner of the said Hundred, and running thence north along the eastern boundary of said Hundred to its north-eastern corner; thence
thence west along the north boundary of said Hundred about seven miles; thence south-easterly at an angle of 35° from said Hundred boundary, for about two and a half miles; thence true east for about three miles; thence southerly to a point on the south boundary of the Hundred, one and a-quarter miles east of the south-eastern corner of Section 39; thence east along the south boundary of said Hundred to its south-eastern corner, the point of commencement.

18. All that piece of land in the Hundred of English, bounded by a line commencing at the south-east corner of the said Hundred, and running thence west along the southern boundary of the said Hundred, a distance of about two and a-half miles; thence north-westerly at an angle of 53° from the Hundred boundary for about two and a-half miles; thence true north to intersect the north boundary of the Hundred; thence easterly by north boundary of said Hundred to its north-eastern corner; thence south to the south-eastern corner of said Hundred, the point of commencement.

19. All the unsold Crown lands in the Hundreds of Yankalilla, Freeling, Myponga, Nkangkita, Goolwa, and Encounter Bay.

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**ELEVENTH SCHEDULE.**

Line of demarcation, to the northward of which it is not proposed to resume pastoral lands, except on three years’ notice of resumption.

**Definition of Boundaries.**

Commencing at the north-east corner of County Buckingham; thence west, along north boundaries of Counties Buckingham and Cardwell, for a distance of fifty-six miles; thence true north to a point true east of the north-east corner of County Derby; thence west to said corner, and along the north boundary of said County to the south-east corner of County Taunton, and north to its north-eastern corner; thence west, along north boundary of County Taunton to Patawarta Trigonometrical Station; thence true north to the latitude of Mount Nor'east Trigonometrical Station; thence west to said station; thence true south to the north-eastern shore of Lake Torrens; thence in a southerly direction by the eastern shore of Lake Torrens to its southern extremity; thence south-westerly, by a straight line to Mount Nonning Trigonometrical Station; thence westerly to Neuranippe Hill Trigonometrical Station, and the same line produced to a point twenty miles north-east from the coast line at Streaky Bay; thence in a west-north-westerly and westerly direction, by a line generally parallel to, and twenty miles distant from, the coast line, to the western boundary of the Province.
### A Return of all Sheep and Cattle Departuring on the Crown Lands included in Leases No.

<table>
<thead>
<tr>
<th>Number of Sheep and Cattle Departuring on 1st January, 18...</th>
<th>Average number of Sheep and Cattle Departuring on 1st January to 1st July, 18...</th>
<th>Number of Sheep and Cattle Departuring on 1st February, 18...</th>
<th>Number of Sheep and Cattle Departuring on 1st April, 18...</th>
<th>Number of Sheep and Cattle Departuring on 1st June, 18...</th>
<th>Number of Sheep and Cattle Departuring on 1st August, 18...</th>
<th>Number of Sheep and Cattle Departuring on 1st October, 18...</th>
<th>Number of Sheep and Cattle Departuring on 1st December, 18...</th>
</tr>
</thead>
<tbody>
<tr>
<td>£ s. d.</td>
<td>£ s. d.</td>
<td>£ s. d.</td>
<td>£ s. d.</td>
<td>£ s. d.</td>
<td>£ s. d.</td>
<td>£ s. d.</td>
<td>£ s. d.</td>
</tr>
</tbody>
</table>

I, A.B., of ..., in the Province of South Australia, the lessee [or overseer, or manager for the lessee, as the case may be] of the Crown lands included in Lease No., do hereby certify and declare that the above return is a true and correct return in all particulars of the total number of sheep and cattle, whether belonging to me [if return made by overseer, say whether belonging to the said] or to any other person or persons, actually upon or departuring on the lands comprised in such lease, on the days above specified [if the declaration is made in reference to the December return add here—and also of the number of sheep actually shorn at the shearing last past at all the stations on the lands comprised in such lease], and I further declare that I have not, nor has any person or persons, to the best of my knowledge and belief, driven off, or caused to be removed from the lands comprised in such lease, any sheep or cattle, with intent thereby to diminish the number of sheep or cattle which should have been included in this statement and return; and I further declare that the lands comprised in the leases above referred to are contiguous.

Signed this day of 18... by me, A.B.

Witness— (signature)

A Return of all Sheep and Cattle Departuring on the Crown Lands included in Leases No.

<table>
<thead>
<tr>
<th>Number of Sheep and Cattle Departuring on 1st January, 18...</th>
<th>Average number of Sheep and Cattle Departuring on 1st January to 1st July, 18...</th>
<th>Number of Sheep and Cattle Departuring on 1st February, 18...</th>
<th>Number of Sheep and Cattle Departuring on 1st April, 18...</th>
<th>Number of Sheep and Cattle Departuring on 1st June, 18...</th>
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<th>Number of Sheep and Cattle Departuring on 1st December, 18...</th>
</tr>
</thead>
<tbody>
<tr>
<td>£ s. d.</td>
<td>£ s. d.</td>
<td>£ s. d.</td>
<td>£ s. d.</td>
<td>£ s. d.</td>
<td>£ s. d.</td>
<td>£ s. d.</td>
<td>£ s. d.</td>
</tr>
</tbody>
</table>

Number of Sheep shorn at last shearing, or removed for the purpose of being shorn.
Crown Lands Consolidation Act.—1877.

THIRTEENTH SCHEDULE.

A Return of all Sheep and Cattle which, on the first day of the first day of travelling over the Crown Lands included in Leases No. 18,

<table>
<thead>
<tr>
<th>Number of Sheep and Cattle travelling</th>
<th>Name of Owner (if known)</th>
<th>Name of Person in charge (if known)</th>
<th>From whence travelling (if known)</th>
<th>Destination (if known)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sheep ..................................</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cattle ..............................</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

I, , of , in the Province of South Australia, the lessee [or overseer, or manager for the lessee, as the case may be] of the Crown lands included in Leases No. 18, do hereby certify and declare that, to the best of my knowledge and belief, the above is a true and correct return in all particulars of the total number of sheep and cattle, not being my property [if return made by overseer, say not being the property of the said ], or depasturing on the said lands with my consent, which, on the first day of 18 , were actually upon, travelling over, or depasturing on the lands comprised in such lease; and I further declare that the lands comprised in the leases above referred to are contiguous.

Signed this day of 18 , by me,

A. B.

Witness—

FOURTEENTH SCHEDULE.

A Return of all Sheep and Cattle, the property of [name of Lessee], which, within the six months next preceding the first day of 18 , have been travelling over any of the Crown Lands, except such lands as are held under lease by the said [name of Lessee].

<table>
<thead>
<tr>
<th>No. of Sheep and Cattle</th>
<th>Name of Person in charge</th>
<th>Marks or Brands</th>
<th>If travelling, from whence</th>
<th>If travelling, destination</th>
<th>Where supposed to be on the 1st day of</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sheep ........................</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>As the case may be.</td>
</tr>
<tr>
<td>Cattle ........................</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

I, , of , in the Province of South Australia, the lessee [or overseer, or manager for the lessee, as the case may be] of the Crown lands included in Lease No. 18, do hereby certify and declare that, to the best of my knowledge and belief, the above is a true and correct return in all particulars of all sheep and cattle, being my property [if return made by overseer, say being the property of the said ], which within six months next preceding the first day of 18 , have been travelling over any of the Crown lands, whether under lease or not, except such lands as are included in leases held by me [if return made by overseer, say held by the said ].

Signed this day of 13 , by me,

A. B.

Witness—

FIFTEENTH
FIFTEENTH SCHEDULE D.

To the Commissioner of Crown Lands.

Sir,—I, , of , being for mineral purposes, of those portions of the Crown lands comprised in leases numbered respectively , do hereby certify that (£ ) is the true and correct amount of divided (or realized) profit for the six months ending 18

Dated the day of 18

Witness—

SIXTEENTH SCHEDULE.

Form of Information and Complaint against unauthorized occupation of Crown Lands South Australia, ) The information and complaint of A. B., to wit. ) on behalf of the Commissioner of Crown Lands taken this day of in the year of our Lord, 18 ; before the undersigned one of Her Majesty's Justices of the Peace, in and for the Province of South Australia, now seith that C. D., of is the unauthorized occupant of certain Crown lands [or messuage or tenement] to wit held by him under an agreement [or lease or licence] bearing date day of 18 , which said agreement [lease or licence] has been forfeited [or is void, or has expired, or has been revoked] under the provisions of the Crown Lands Consolidation Act. Sworn before me the day and year first above-mentioned, at J.P.

SEVENTEENTH SCHEDULE.

Form of Summons to Dispossess Unauthorized Occupant.

South Australia, ) In the matter of the "Crown Lands Consolidation Act," to wit. ) and between , on behalf of the Commissioner of Crown Lands and Immigration, complainant, and occupant; You are hereby summoned to appear at before a Special Magistrate, or two or more Justices of the Peace, on the day of at o'clock in the forenoon, to answer the complaint of on behalf of the Commissioner of Crown Lands and Immigration, that you are in the unauthorized and illegal occupation of certain Crown lands to wit held by you under an agreement [or lease or licence], dated the day of 18 , which said agreement [or lease or licence] has been revoked [or is void, or has expired, or has become forfeited], under the provisions of the "Crown Lands Consolidation Act," and that you neglect and refuse to deliver up possession of the said lands. Dated the day of 18 .

In case you fail to attend this summons, upon proof of reasonable notice to you of the same, the complaint will be heard in your absence, and such order made as to the Special Magistrate or Justices shall seem fit.

EIGHTEENTH SCHEDULE.

Form of Warrant to Dispossess Unauthorized Occupant.

South Australia, ) In the matter of the "Crown Lands Consolidation Act," and to wit. ) between on behalf of the Commissioner of Crown Lands and Immigration, complainant, and A. B., occupant.

To , the Bailiff of and all constables and peace officers. Whereas it has been made to appear to us, and we have adjudged that the said
said A. B. in the unauthorized and illegal occupation of [here state description of lands]

These are, therefore, to require you, the said and others, to deliver peaceable and quiet possession of the said land and premises to the said complainant, and eject the said A. B., and all other persons therefrom, and for which this shall be a sufficient warrant.

Given under our hands and seals this day of 18, at

in the Province aforesaid.