ANNO QUADRAGESIMO QUINTO ET QUADRAGESIMO SEXTO

VICTORIAE REGINAE.

A.D. 1882.

No. 271.

An Act to consolidate the Acts to regulate the Sale and other disposal of the Waste Lands of the Crown in that portion of the Province of South Australia commonly styled the Northern Territory.

[Assented to, November 17th, 1882.]

WHEREAS it is desirable to consolidate the Acts relating to the alienation by sale, lease, or other disposal of the unsold lands situated in the Northern Territory, and to repeal the Acts mentioned in the First Schedule hereto to the extent in such Schedule mentioned—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, in this present Parliament assembled, as follows:

1. This Act may be recited and referred to for all purposes as "The Northern Territory Crown Lands Consolidation Act, 1882."

2. The following terms within inverted commas shall, for the purposes of this Act, bear the meanings set against them respectively, unless where the context implies otherwise—

"Business"—Any profession, trade, calling, or occupation, except mining, and any vending or disposing of any goods, wares, merchandise, or chattels, whether by hawking of milk, butter, vegetables, or other farm or garden produce:

"Cattle"—Horses, horned cattle, camels, mules, asses, sheep, and goats:

"Country"
The Northern Territory Crown Lands Consolidation Act.—1882.

“Country lands”—All surveyed lands situated in the Northern Territory, not being town, township, or suburban lands or reserves:

“Special country land”—Any single section or block of country lands which may be surrounded by sold or selected lands, and which shall have been heretofore offered for sale and not sold, or have been withheld from sale, or which may not have been dedicated for any public purpose:

“Claim”—A parcel of waste lands which each person or company shall be entitled to occupy, or to occupy and mine in by virtue of any miner’s right, licence, or lease issued under Part v. of this Act, and every holding whatsoever occupied by virtue of the said Part v.:

“Commissioner”—The Commissioner of Crown Lands and Immigration for the time being of the said province, or other the Minister having the control of, or in whose department the management of the Northern Territory may be for the time being, or such person or persons as the Governor may appoint to exercise and carry out in the Northern Territory the powers and provisions of this Act:

“Gazette”—The South Australian Government Gazette, or such other official gazette or newspaper, or publication or notification in any newspaper published and circulating in the said Northern Territory as hereinafter mentioned, as may be published under the authority of the Government in the Northern Territory:

“Gold”—As well any gold as any earth, clay, quartz, stone, mineral, or other substance containing gold, or having gold mixed therein, or set apart for the purpose of extracting gold therefrom:

“Land worked out” shall mean lands which, in the opinion of the warden of the district, have been finally abandoned after having been bonâ fide completely worked for auriferous deposits.

“Mining purposes”—The searching and working of land for removal therefrom of any natural mineral body other than gold, coal, mineral oil, or water:

“Northern Territory”—So much of the Province of South Australia as lies to the northwards of the twenty-sixth parallel of south latitude and between the one hundred and twenty-ninth and one hundred and thirty-eighth degrees of east longitude, together with the bays and gulf there situated, and all and every the islands adjacent to any main land within such limits as aforesaid, with their rights, members, and appurtenances:

“Selector”—Any person who shall enter into a lease containing a stipulation for the purchase of land upon credit under this Act, and, except where repugnant to or restricted by the context,
context, the devisee or personal representative of any such person, or any transferee of any such lease under the provisions of this Act:

“Suburban lands”—All surveyed lands situated in the immediate vicinity of any town or township lands, and which may be declared by notice in the Gazete to be suburban lands:

“Town lands” and “township lands”—All lands reserved, surveyed, and laid out in lots as and for the site of any town or township:

“Warden”—Any person appointed by the Governor to exercise the powers and functions conferred on a warden by “The Northern Territory Gold Mining Act, 1873.”

“Waste lands”—All lands in the Northern Territory vested in Her Majesty which have not been, or may not hereafter be, reserved for, or dedicated to any public purpose, or which have not been granted, or lawfully contracted to be granted, to any person in fee-simple; and all lands which, at the time of the coming into operation of this Act, may have become, and which thereafter may become, forfeited by reason of any breach in the conditions on which the same have been granted or leased, or contracted to be granted or leased.

3. This Act shall be divided into Parts, namely—

**PART I.**—Repeal of Acts and Regulations:

**PART II.**—General Provisions:

**PART III.**—Selections and Sales upon Credit:

**PART IV.**—Sales for Cash:

**PART V.**—Provisions respecting Mining:

**PART VI.**—Provisions respecting Pastoral Occupation, Timber, and Stone Licences, Commonage, Pearl, Pearlshell, and Trepang Fishing:

**PART VII.**—Provisions respecting Lands required for Plantations of Rice, Sugar, Coffee, Tea, Indigo, Tobacco, or Cotton, or for special purposes:

**PART VIII.**—Provisions respecting Licensed Surveyors:

**PART IX.**—Legal Procedure:

**PART X.**—Miscellaneous Matters.

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**PART I.**

**REPEAL OF ACTS AND REGULATIONS.**

4. From and after the coming into operation of this Act, the Acts mentioned in the First Schedule hereto, to the extent to which the same
same is therein expressed to be repealed, and all rules and regulations made thereunder shall be, and the same are, hereby repealed, saving always all rights, claims, penalties, and liabilities already accrued or incurred, or in existence: Provided always that no action, suit, or proceeding, in any Court of Law or Equity already commenced under or by virtue of any existing Act, law, or regulation, in respect of any contract already entered into, shall abate, or be waived, prejudiced, or hindered by such repeal, but shall be enforced and continued to their termination as if this Act had not been passed.

5. From and after the coming into operation of this Act, none of the Acts mentioned in the Second Schedule hereto, and none of the rules and regulations made thereunder respectively, shall be of any force or effect whatever in the Northern Territory.

PART II.

GENERAL PROVISIONS.

6. From and after the coming into operation of this Act all waste lands in the Northern Territory shall be sold, demised, or otherwise disposed of and dealt with in the manner and subject to the provisions of this Act, and not otherwise.

7. No waste lands shall be granted, or contracted to be granted, in fee-simple, under the provisions hereinafter contained, before the same shall be surveyed and delineated in the public maps in the survey office at Adelaide, and in the land office at Palmerston, or at such other places as the Governor may appoint, in such sections as may be deemed convenient; but no one section shall contain a greater area than six hundred and forty acres; and a notice shall be published by the Commissioner in the Gazette, describing generally the lands so surveyed and delineated, and referring to such maps, after which publication the lands referred to in such notice will be open for selection.

8. Subject to the provisions of this Act, the Governor, in the name and on behalf of Her Majesty, may grant in fee-simple, or for any less estate or interest, to the purchaser thereof, any waste lands, which grants shall be in such forms as shall from time to time be deemed expedient by the Governor, and shall be signed by the Governor, and sealed with the public seal of the said province, and being so signed and sealed, shall be valid and effectual in law to transfer to and vest in any such purchaser any such lands as aforesaid so purchased by him.

9. All leases of waste lands, pursuant to the provisions of this Act, shall be made by the Governor in the name and on behalf of Her Majesty, and shall be executed in duplicate, whereof one part shall
shall be signed by the Governor, and sealed with the seal of the province, and the other part shall be signed, sealed, and delivered by the lessee.

10. The Commissioner may, and he is hereby authorised and empowered to give any notice, make any claim or demand, and make or depute, or authorise any person to make any entry on waste lands and country lands 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 such Commissioner, and every entry which shall be made by such Commissioner, or any person so deputed or authorised 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.

11. The Commissioner, by himself, or any person whom he shall for that purpose depute, may make distress for any rent which shall be due, in arrears, or unpaid, from any lessee, assignee, occupier, or tenant of any waste lands, and the goods, chattels, and effects so restrained, to impound, sell, and dispose of as in ordinary cases of rent in arrear.

12. Whenever any selector, lessee, or other person liable to pay the same shall be in arrear in payment of any rent due under any lease of any waste lands or country lands, for the space of thirty days after the day when such rent shall have accrued due, he shall thereby absolutely forfeit his lease, and be deemed to be in unauthorised occupation or possession of the lands thereby demised, and may be proceeded against under Part ix. of this Act, and not be allowed to select land upon credit nor in anywise occupy or become a tenant of waste or country lands during a period of two years next ensuing the day whereon such rent shall have accrued due, unless such rent in arrear be fully paid up: Provided, nevertheless, that it shall be lawful for the Governor to waive such forfeiture upon the payment of the rent and a penalty of Twenty-five Pounds per centum thereon, and upon such other terms as may be deemed reasonable.

13. The Governor may, from time to time, by Proclamation in the Gazette, reserve, or dedicate, or grant in trust, either for a term of years or in fee, any lands which are or may be deemed to be required for quays, landing-places, tramways, railways, railway stations, roads, bridges, ferries, canals, or for their respective approaches, or within the distance of twenty miles of any railway that may be constructed, or for other purposes, necessarily appertaining to any such works, or for the preservation of water supply, or for reservoirs, aqueducts, or watercourses, or for the use or benefit of the aboriginal inhabitants of the said Northern Territory, or for the sites...
sites of market-places, abattoirs, public baths, institutions for public education, not being of an ecclesiastical or denominational character, public buildings, public gardens, or experimental farms and parks, agricultural and horticultural societies, hospitals, asylums, infirmaries, establishments for the relief of indigent persons, lock-ups, police stations or paddocks, gaols, places for the interment of the dead, or for public health, convenience, recreation, or amusement, or for forest or mineral reserves, or for any other purpose of public defence, safety, utility, convenience, or enjoyment, and for otherwise facilitating the improvement and settlement of the said Northern Territory.

14. The delineation in the public maps of the said Northern Territory of any public roads shall be and be deemed to be a sufficient dedication to the public of such roads, anything in the last preceding section to the contrary notwithstanding.

15. Whosoever shall, by casting or placing timber, stones, rubbish, or materials, or by any other means, wilfully stop, obstruct, or injure any public or reserved road or way vested in Her Majesty, 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 the Commissioner, 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.

16. The Governor may, from time to time, by Proclamation in the Gazette, revoke any Proclamation as to the whole or any portion of lands reserved as mentioned in section 13 of this Act, and thereupon such lands shall be dealt with as if the same had never been reserved as aforesaid: Provided, nevertheless, that a plan of the reserves intended to be resumed shall be laid before Parliament thirty days before such Proclamation is issued.

17. The Governor may, from time to time, by notice published in the Gazette, declare what parts of the waste lands are to be set apart for the sites of new towns or townships, and for suburbs thereto, and such lands shall thereupon be reserved and designated as town, township, or suburban lands, as the case may be.

18. The Governor may withdraw any waste lands, country lands, town, township, or suburban lands from selection upon credit, sale by auction, or otherwise for cash, and from lease, for either pastoral or mineral purposes.

19. The Commissioner, notwithstanding anything in this Act contained, may decline to accede to any application for selection and purchase on credit, or for purchase for cash, of any waste lands known or supposed to contain gold, copper, or any other mineral, coal, or mineral oil.

20. When
20. When any country lands, sold upon credit and held under lease, and when any waste lands held under lease under the provisions of this Act, shall be or have been forfeited, resumed, or vested in the Crown, under the provisions of this Act, such lands shall be considered waste lands within the meaning of this Act, and such lands may be dealt with as may seem expedient to the Governor.

21. Every Proclamation heretofore issued by the Governor, and published in the *Gazette*, for the constitution of any County or Hundred in the Northern Territory, shall be deemed and be taken to be legal and valid.

22. The Governor, by Proclamation in the *Gazette*, from time to time may declare that the lands in such Proclamation mentioned shall constitute a County or Hundred, and in any such Proclamations may define the boundaries of any such County or Hundred, and such boundaries from time to time may alter and vary; and in such Proclamation shall be mentioned the day from which such Proclamation shall take effect.

23. All money received in respect of purchase-money, rent, licence-fees, or otherwise, by virtue of or pursuant to this Act, shall be carried to the credit of the revenue of the said Northern Territory, and applied to the repayment of the Northern Territory loans and interest, and to the payment of the cost of governing the said Northern Territory and the general improvement thereof.

**PART III.**

**SELECTIONS AND SALES UPON CREDIT.**

24. Subject to the provisions of this Act, all country lands shall be open for selection, and may be sold upon credit at Twelve Shillings and Sixpence per acre.

25. Any person who may be desirous of purchasing country lands open for selection under this Act, shall apply to the Commissioner in the form set out in the Third Schedule to this Act, or to the like effect, and shall pay, in ready money, at the time of making such application, a deposit of Sixpence for every acre for which he may so apply.

26. The Commissioner shall cause a land office or land offices at Palmerston, or at other suitable place or places in the Northern Territory, to be kept open for the receipt of applications for the purchase of country lands as aforesaid, between the hours of ten and twelve in the forenoon on such days as may be fixed by the regulations to be made in manner hereinafter contained; and shall also cause a box to be kept in such land office or land offices in which such applications, immediately on receipt, and without being opened...
The Northern Territory Crown Lands Consolidation Act.—1882.

PART III.

If more than one applicant.

Receipt for deposit to be handed to purchaser.

27. If, on opening the box, as aforesaid, it shall be found that there is only one application for any section of country land, and if the amount of deposit is enclosed and the application be in proper form, the applicant shall be immediately thereupon declared the purchaser of such section, and the proper officer shall thereupon hand him a receipt for the amount of such deposit in the form in the Fourth Schedule, or to the like effect; and in case there shall be more applicants than one, such officer shall deliver to the applicant entitled thereto, pursuant to this Act, a like receipt.

Purchaser may decline to take less than the number of sections applied for.

28. If any person shall apply for more than one section of country land, and shall be declared the purchaser of less than the number of sections of such land for which he applied, he may, by giving notice in writing to the Commissioner, within two days from the date of such declaration, decline to become the purchaser of any of such sections.

Excess of 1,280 acres may be purchased for cash.

29. If, at the opening of the box for the receipt of applications as hereinbefore mentioned, it shall be found that any one person has by himself, or his duly authorised agent, applied for a greater area than one thousand two hundred and eighty acres, he shall not be entitled to be declared the purchaser on credit of any area in excess of such last-mentioned number of acres, but shall pay in cash to the Commissioner the purchase-money of the acreage so in excess.

Lease to be entered into by purchaser.

30. Within two months after any person shall have been declared the purchaser of any country land under the provisions hereinbefore contained (unless such person shall have declined to purchase under the provisions of section 28 of this Act), a lease, in the form contained in the Fifth Schedule of this Act, shall be drawn up by the Commissioner, and executed by him in duplicate, and being so executed, shall be left at the land office whereat such land was selected; and if the purchaser shall neglect or refuse to execute such lease in duplicate for a further period of fourteen days, or such further time as may be allowed by the Commissioner, the amount paid by such purchaser as deposit, upon making application for such lands, and all his right, title, or interest to or in such lands and deposit, shall be absolutely forfeited, and such lands shall again be open for selection as if such former application had never been made.
31. The conditions and provisions to be contained in every such lease shall be the following—

I. That the term of every such lease shall be ten years, to be computed from the first day of January or July, whichever date may be nearest to the date of the purchaser's application:

II. That the lessee will purchase the lands thereby demised at the price or sum of Twelve Shillings and Sixpence per acre, and will, before the expiration of the said term, duly pay the said purchase-money and all rent due in respect of such lands:

III. That the annual rent to be reserved in every such lease, for every acre or fraction of an acre comprised therein, shall be the sum of Sixpence, and shall be payable yearly in advance during the continuance of the said term of ten years; and in case of default in payment for thirty days after the day appointed for payment thereof, the lease shall be absolutely forfeited and vacated, and the lands selected, and all improvements thereon, shall revert to the Crown: Provided that the Governor shall have power to waive such forfeiture upon payment of the rent in arrear and of a penalty of Twenty-five Pounds per centum thereon, and upon such other terms as he may deem reasonable:

IV. That the lessee will, within six months of the date of his lease, erect, and thereafter during the continuance of the term of such lease, maintain boundary posts or marks at each corner of the boundary lines of the lands comprised in such lease:

V. That the lessee may, at any time during the term of his lease, pay the purchase-money of the lands thereby demised:

VI. That upon payment of the purchase-money, and all arrears of rent, the lessee shall be entitled to a grant of the fee-simple of the said lands:

And such other conditions as by the regulations to be made in manner hereinafter contained may be imposed.

32. Nothing herein contained shall entitle any person to hold at any one time upon credit a larger area of country lands than one thousand two hundred and eighty acres; and no person shall hold, as aforesaid, more than three separate and detached blocks of land; and such area shall, when practicable, be comprised in one block: Provided always that in case the block selected shall be surrounded by land not open for selection, so that the area thereof is less than one thousand two hundred and eighty acres, such person selecting may also select either one or two blocks until the total of one thousand two hundred and eighty acres is made up; but if any person shall be interested, directly or indirectly, at any one time in

No person to hold more than 1,280 acres.
Leases may be cancelled within twelve months on forfeiting deposit.

Who may not hold land on terms of credit.

Nothing shall prevent bond fide applicant employing agent to buy in applicant's name.

Certain contracts to be void.

In certain cases the agreement may be revoked.

PART III.

Leases may be cancelled within twelve months on forfeiting deposit.

33. Any person entitled under any lease to purchase any lands under this Act may, at any time within twelve months from the date of such lease, have such lease cancelled, by giving to the Commissioner a written notice of his desire to forfeit the amount paid by him as deposit, and to be released from such lease, and by surrendering his part thereof; and thereupon such land shall again be open for selection, and such person shall be entitled to make any other selection in the same manner as if such lease had never existed.

34. No person under the age of eighteen, nor any married woman, except a married woman who has obtained a decree for judicial separation, shall be entitled to hold, either directly or otherwise, any land upon credit under this Act, unless such person or married woman shall become entitled to such land as the personal representative or devisee of any selector: Provided that should a woman, holding land upon credit, subsequently marry, it shall be lawful for her to transfer the land held by her to her husband, upon his entering into such agreement as may be required by the regulations hereinafter mentioned.

35. Nothing herein shall prevent any bond fide applicant from employing an agent duly authorised to make application in the name and for the declared use and benefit of such applicant; and all contracts, agreements, and securities which shall be entered into, made, or given with the intent of violating or evading any of the provisions of this Act shall be, and are hereby declared to be, frauds upon this Act, and illegal, and absolutely void at law and in equity between all the parties thereto.

36. The Commissioner, on being satisfied that any selector has been guilty of fraud under this Act, or has violated or failed to perform any of the conditions contained in or implied by his lease, may publish in the Gazette, a notice in the form or to the effect of the Sixth Schedule in this Act, which notice shall, either before or after its publication in the Gazette, be also served upon the selector, or posted to his last known address, or the place of residence mentioned in his lease; and during one calendar month following the publication of the said notice the selector may furnish to the Commissioner any documentary evidence that he has not been guilty of fraud under this Act, or has not wilfully violated or failed to perform the conditions of his lease as alleged in the said notice; and if the selector shall not furnish such evidence, or if the evidence so furnished by him shall fail to prove to the satisfaction of the Governor that the selector has not been guilty of fraud under this Act, or has not wilfully violated or failed to perform the conditions of his lease as alleged
alleged in the said notice, it shall be lawful for the Governor, at any
time after the expiration of the said month, to revoke the said lease
and resume possession of the land therein described; and thereupon
no claim at law or in equity under such lease (except as against the
selector) shall be made, entertained, or enforced in any Court; but
the selector shall be taken to have forfeited all right, title, and
interest under his lease, and all money paid thereunder, and to be,
as to the land therein described, a mere trespasser; and a produc-
tion of a copy of the Gazette containing a notice by the Commissioner
of such revocation and resumption shall be conclusive evidence that
such lease has been lawfully revoked, and that the land therein men-
tioned has been lawfully resumed.

37. No selector, whose lease shall be so revoked, shall be entitled
or allowed to select or become the purchaser of the same or any
other land upon credit under this Act for the space of two years
from the date of such revocation, anything hereinbefore contained to
the contrary notwithstanding.

PART IV.

SALES FOR CASH.

38. Country lands may be sold for cash by private contract for
the sum of not less than Twelve Shillings and Sixpence per acre.

39. If any person shall apply in writing to the Commissioner for a
special survey of any waste lands of not less area than twenty acres,
and shall specify the locality of such waste lands, and shall, at the
time of making such application, deposit with the Commissioner an
amount to be fixed by the Commissioner, as the cost of such survey, such
person shall be entitled to have the said waste lands surveyed by the
said Commissioner, and after the said survey shall have been made,
to purchase the same for cash at the price of Twelve Shillings and
Sixpence per acre, and the actual cost of survey; and the said
Commissioner shall thereupon deliver to him a grant of such lands:
Provided always, that the said Commissioner may refuse to entertain
any such application: And provided also, that notice of every such
application shall be given by advertisement in the Gazette.

40. Town or township and suburban lands shall be sold by auc-
tion for cash, and not upon credit.

41. The Governor may, from time to time, fix an upset price at
which town, township, country, special country, or suburban lands
may be respectively offered by public 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 Twelve Shillings and
Sixpence per acre.

42. No
PART IV.
Lands to be gazetted before offered at auction.

Purchase-money of lands sold by auction, when to be paid

PART V.
PROVISIONS RESPECTING MINING.

44. Every holder of a miner's rights or right under the provisions of "The Northern Territory Gold Mining Act, 1873," or any rules or regulations made thereunder shall, during the continuance thereof, subject to the terms and conditions hereinafter mentioned, be entitled to occupy for the purpose of cultivation an area not exceeding ten acres of such portion of the waste lands of the Crown as shall not, at the time of making the application hereinafter mentioned, have been found to be auriferous, or of such of the said waste lands as shall have been at the time of such application worked out.

Mode of application.

45. Every such holder desirous of occupying land for the purposes aforesaid, shall make application to the warden of the district wherein the said lands are situated, in the form in the Seventh Schedule hereto, and shall, to such application, annex a plan of the land so applied for, delineating therein, as precisely as possible, the size, shape, and the position thereof in connection with some natural or other feature in the neighborhood thereto, and also delineating therein such portion of any river, stream, or watercourse as passes through the said land, or along any boundary thereof; and every such application shall be accompanied by a fee of Twenty Shillings. A copy of such said application shall also, at the time of such application, be posted by such holder in a conspicuous position upon the said land, and shall remain so posted for a period of not less than ten clear days.

Notice of objections to grant of licence.

46. Within ten days from the delivery of the said application to the said warden, any person desirous of opposing the granting of an occupation licence to such applicant shall lodge with the said warden a notice of opposition, setting forth concisely the grounds of
of such objection. After the expiration of ten days from the lodging of such application, and whether the same be opposed or not, the said warden may, in his discretion, grant or refuse such licence.

47. Every such licence shall be signed and issued by the warden of the district, and shall be in the form in the Eighth Schedule hereto, and upon the expiration thereof such holder shall, upon renewal from time to time of his miner's right, be entitled, upon payment of a fee of Twenty Shillings, to a renewal of the said licence; and such renewal shall be in the form in the Ninth Schedule hereto, and shall be indorsed on or annexed to the original licence.

48. If at any time it shall be made to appear to the satisfaction of the warden granting the said licence, or any renewal thereof, that after the issue thereof the holder is not a bonâ fide cultivating the said land, or that he is not bonâ fide cultivating the said land, or that he is using the same for other than cultivation purposes, the said warden may give to such holder a notice in writing that the said licence, from and after a date in such notice mentioned, will be revoked; and after personal service of such notice, or if personal service cannot be effected, after posting the same on a conspicuous place on the land, the said licence shall, and for all purposes shall, be deemed to be absolutely void; and any occupation of the said lands by such holder shall thereafter be deemed to be unauthorised, and such holder may, on continuing to occupy after such notice, be dealt with as a person in unauthorised occupation of waste lands of the Crown.

49. It shall not be lawful for the holder of any such licence to assign or transfer his said licence, or any interest therein, or to carry on upon the said lands any mining operations, or to use the said land otherwise than for cultivation purposes: Provided that it shall be lawful for the said holder to surrender his said licence at any time during the currency thereof.

50. No occupation licence for cultivation purposes shall be granted or renewed if, in the opinion of the said warden, the land for which such licence is sought is auriferous; and for the purpose of ascertaining at any time whether the said land, or any part thereof, is auriferous, it shall be lawful for any holder of a miner's right, upon paying to the holder of the said licence a sum for compensation (to be fixed by the said warden) to enter upon the said land, or any part thereof, notwithstanding the currency of such licence, and thereupon prospect for gold.

51. No occupation licence for cultivation purposes shall be granted under this Act for lands held under any subsisting mining lease, notwithstanding that the lessee or lessees may have ceased to carry on operations thereon, nor shall any such licence be granted for lands whereon are erected at the time of the application any buildings or machinery.

52. No
52. No occupation licence for cultivation purposes shall be granted for lands having thereto rivers, watercourses, or surface waters, which, in the opinion of the warden of the district, are required for public purposes.

53. It shall be lawful for any licencee under this Act to erect upon the land held under his licence all necessary buildings, stables, cowsheds, and fences; and, upon the determination of the licence under which the said lands are occupied, or of any renewal thereof, whether by effluxion of time or otherwise, the said licencee shall be at liberty to remove all buildings, erections, and fences.

54. The Commissioner may grant to any bonâ fide miner, or other person actually engaged in mining pursuits, whether for mineral, metal, or gold, a licence to occupy, for the purpose of residence only for himself and his family, any portion of the waste lands not exceeding in extent half an acre, and such licence may be for such period not exceeding seven years, and at such annual rent, payable in advance, not exceeding Ten Shillings, as may be prescribed by the regulations to be made under this Act; and such licence shall be transferable and may be renewed until such land shall be alienated in fee-simple or be resumed by the Crown for public purposes: Provided that, in respect to any lands held under a mineral lease, no licence shall be granted without the consent of the lessee.

55. When any land included in any licence so granted as aforesaid is sold or alienated in fee-simple from the Crown, or set apart for any public purpose, during the term for which such licence is granted, the licence shall thereupon cease, but the licencee shall be entitled to such compensation as the Commissioner may consider just for the loss of so much of the said term as may then be unexpired; and if such land is sold or alienated in fee-simple, the value of any improvement made thereon shall be paid to such licencee by the purchaser of the fee-simple.

56. Any mineral lease to be issued shall contain a provision to the effect that residence licences, as last aforesaid, may be issued for the lands demised by such lease, or any part thereof, under regulations to be made as hereinafter provided.

57. If any unlicensed person shall reside on any such lands as aforesaid, or any person having been licensed shall hold over any such lands after the expiration of his licence, whether by effluxion of time or by any other determination thereof, he shall, on conviction thereof before any Special Magistrate or two Justices of the Peace for the said province, forfeit and pay a penalty of not exceeding Ten Pounds for such offence; and the proof that such person is the holder of a valid existing licence shall rest upon him.

58. The Commissioner may grant licences to applicants to search for and remove minerals and metals, except gold, from waste lands,
and every such licence shall be in force for the period of twelve months from the date thereof, and shall authorise 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 such minerals and metals therefrom; and such licences may be from time to time renewed for twelve months, subject to the provision in the next clause contained.

59. The holder of any licence shall have a preferential right to make application for a lease of the land described in such licence, and no lease shall be granted of such land to any other person except after reasonable notice to the holder of the licence; but no renewed licence shall be granted after an application has been made for a lease of the land described in such licence.

60. It shall be lawful for the Governor to resume any portion of the lands comprised in any such lease for the purpose of laying out a township, or other purpose of public convenience; and at any sale that may be made of any of the lands so resumed, the right of working for minerals shall be reserved to the Crown for the benefit of the lessee from whom the land so sold may have been resumed.

Copper and other Mineral Mining.

61. Waste lands may be leased, in blocks not exceeding six hundred and forty acres, for the purpose of mining for any mineral or metal, except gold, for a period not exceeding fourteen years, at an annual rental of Two Shillings and Sixpence per acre, with a right of renewal for two further periods of fourteen years, on payment of a fine on each renewal of not more than One Hundred Pounds per acre of the land so leased.

62. Every lessee shall have power to determine the lease on giving three calendar months’ notice in writing to the Commissioner.

63. Any lessee desirous of obtaining a renewal of his lease shall make application to the Commissioner for renewal at least twenty-four calendar months before the expiration of the current term of such lease; and in default of such application the right of the lessee to a renewal shall be forfeited.

64. The amount of fine hereinbefore made payable on any renewal shall be fixed by the Governor, at least eighteen calendar months before the expiration of the term of lease.

65. Leases shall be in the form in the Tenth Schedule to this Act, or to the effect thereof, and shall be by deed; and each lease shall be in duplicate, one part whereof shall be signed by the said Governor and be sealed with the seal of the province, and the other part shall be signed, sealed, and delivered by the lessee, and shall bind such lessee, his heirs, executors, administrators, and assigns, to occupy,
occupy, mine, and work the said land, and the minerals and metals therein and thereunder, under and subject to the conditions and stipulations and clauses of forfeiture as are set forth in the Eleventh Schedule to this Act, and such conditions and stipulations shall be inserted in every such lease.

66. On surrender of any such lease, and on the forfeiture of any such lease, and on the expiration of any such lease, as in the last preceding clause mentioned, a lease of the lands comprised therein shall, within six months after the date of such surrender, be offered for sale by public auction to the highest bidder, of the time and place of which sale at least one calendar month's notice shall be given in the Gazette; and in case such lease is not sold the land comprised therein may be treated as waste lands.

67. If the rent reserved in any such lease be not paid yearly in advance, or if three men for every block of land leased be not employed for at least six months in each year of the term of the lease in working on the land leased and in searching for or raising ores, or if the lessee shall permit any portion of the land to be occupied for other than mining purposes without the permission in writing of the Commissioner, such lease shall be liable to forfeiture, and the lessee or occupier may be proceeded against in manner provided by section 104.

PART VI.

PROVISIONS RESPECTING PASTORAL OCCUPATION, TIMBER AND STONE LICENCES, COMMONAGE, PEARL, PEARL-SHELL, AND TREPANG FISHING.

68. The Governor may demise, for any period not exceeding twenty-five years, for grazing and other pastoral purposes, any waste lands in blocks not exceeding four hundred square miles, to the first applicant therefor, without previously offering the same for sale by public auction, and may reserve in any such demise such rent payable in advance, and may insert therein such conditions and clauses of forfeiture and of resumption as shall be prescribed by any regulations hereinafter authorised to be made touching waste lands demise for grazing and other pastoral purposes: Provided that, if any such demise shall terminate, either by effluxion of time or otherwise, the land comprised therein shall not be relet for pastoral purposes without a lease of the same having been first offered to the person bidding the highest rent for the same at public auction: And provided that such leases shall not be offered at auction at a less rental than Sixpence per square mile for the first seven years, and Two Shillings and Sixpence per square mile for the remainder of the term.

69. The Governor may, from time to time by Proclamation in the Gazette, withdraw any waste lands from the operation of the
last section, and may demise any such lands for any period not exceeding twenty-one years, for grazing and other pastoral purposes, in rectangular blocks not exceeding four hundred square miles, and may reserve in any such demise such rent payable in advance or otherwise, and may insert therein such conditions as to resumption of town and suburban sections, railways, roads, or public reserves, and of land within the distance of twenty miles from any railway that may be constructed, and such other provisions as may be deemed necessary for securing to the public the right of passing over the said land, and for authorising the searching for and removing minerals therefrom, and clauses of forfeiture, as may be prescribed by any regulations to be made under this Act: Provided that plans of the lands intended to be withdrawn shall be laid before both Houses of Parliament for fourteen days and deposited in the office of the Surveyor-General before such Proclamation is issued.

70. The said lands shall not be let as aforesaid unless the lease to be granted in respect thereof shall have been first offered for sale by public auction; and before such lease shall be offered for sale by auction, notice of the intention to offer the same by auction shall be published in the Gazette for not less than two months, describing the land proposed to be offered, date of sale, the upset price, and the term of lease. If the land should not be sold it shall be again offered at a reduced upset price, or may be otherwise dealt with as the Governor may think fit.

71. The Governor, if he shall think fit, whenever any lease for pastoral purposes shall have been determined by reason of the land thereby demise having been included in any hundred, may grant annual leases for pastoral purposes of the land demise by such lease to the former lessee thereof, or his assigns, during the residue of the term by such lease granted, without such land having been first offered on lease to the person biding the highest rent for the same at public auction: Provided that every such annual lease shall be subject to the rights of commonage of purchasers of land within such hundred as the same from time to time be declared by any regulations to be issued under authority of this Act: And provided further, that the person beneficially interested in the lands thus resumed shall be paid out of the general revenue of the said Northern Territory for any wells, dams, and reservoirs which may have been made during the term of such lease, and which may be of a permanent character and increase the carrying capacities of the lands comprised therein; and the value of such improvements shall be deced by some person or persons to be appointed by the Governor, and such valuation, on being confirmed by the Governor, shall be forthwith published in the Gazette.

72. The Commissioner shall, by notice in the Gazette, once in every year, declare the proportionate number of great cattle and small cattle which may be depastured on waste lands (not being lands which have been leased for grazing or other pastoral purposes)
in respect of any given number of purchased acres, whether the same shall have been purchased on credit or for cash, under the provisions of this Act; and every such notice shall regulate for the then ensuing year the proportion of cattle to be so depastured by the occupiers of such purchased land, six head of small cattle being deemed equal to one head of great cattle; and the occupiers of such purchased land, and no other persons, shall be entitled to depasture cattle on such waste lands, in the proportion aforesaid: Provided that nothing herein contained shall prevent the sale of any part of such waste lands, nor affect the enjoyment of the purchaser or occupier thereof when purchased.

73. No person shall be entitled to such commonage or pasturage until he shall make, and afterwards deposit with the Commissioner, a declaration of the number of purchased acres lawfully occupied by him, in the form contained in the Twelfth Schedule to this Act; and particulars contained in such declaration shall, from time to time, be published in the Gazette for general information; and any person knowingly making any false statements in any such declaration shall, on conviction, for every such offence forfeit and pay a penalty or sum of not less than Fifty Pounds nor more than One Hundred Pounds.

74. The Commissioner may grant to any person, for any period not exceeding twelve calendar months, a licence to cut, fell, and remove any timber growing, lying, or being upon any waste lands, or to remove, take, and carry away any salt, stone, sand, gravel, or other material from any such waste lands, upon payment of such fee as the Governor may from time to time fix.

75. The Commissioner may grant licences to fish for pearls, pearl-shell, and trepang, on such terms and conditions as the Governor, by regulations, may from time to time fix.

76. Any person who shall injure, fell, or destroy any tree or sapling growing on waste lands, or shall cut, saw, remove, or sell any timber lying or being on waste 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 waste lands without a valid licence, or other lawful authority in that behalf, shall, on conviction, forfeit and pay a penalty not exceeding Five Pounds, including costs, or to be imprisoned with hard labor for any period not exceeding two calendar months for each such offence; and it shall be lawful for the Commissioner, or any person authorised 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 two Justices of the Peace, to be dealt with according to law.
PART VII.

PROVISIONS RESPECTING LANDS REQUIRED FOR PLANTATIONS OF RICE, SUGAR, COFFEE, TEA, INDIGO, TOBACCO, OR COTTON, OR FOR SPECIAL PURPOSES.

77. Whenever any applicant for selection of country land shall state in his application that he intends to use the land applied for in the cultivation of rice, sugar, coffee, tea, indigo, tobacco, or cotton, any or all of them, or any other merchantable tropical or semitropical production, he shall be allowed to select a block of country lands, in area not less than three hundred and twenty acres, nor more than one thousand two hundred and eighty acres, at an annual rental of Sixpence per acre, payable annually in advance; and, in case any applicant so selecting such land shall prove to the satisfaction of the Commissioner, within thirty days after the expiration of five years from the date of his application, that he had, at the expiration of two years from the date of his application, cultivated in a husbandlike manner one-fifth of the entire area of land selected by him with any of the aforesaid productions, and that after such second year he has annually cultivated in a similar husbandlike manner an additional one-tenth of the entire area of his said land, and that, at the expiration of the said term of five years, he had one-half of the entire area of land selected under cultivation with any of such productions as aforesaid, and that the whole of such land is enclosed with a fence, wall, or permanent hedge, he shall be relieved, on application for his land grant, from any further payment, and the money theretofore paid as rent shall be and be deemed to have been payment of the purchase-money; and the Governor shall thereupon execute a grant to such applicant of the land; but in all other respects, before the proof by this section required shall have been given, and the said land grant executed and delivered to such applicant, he shall be liable to the same conditions and covenants as any other selector under the provisions of this Act: Provided that any two or more selectors may amalgamate their selections and cultivate the land selected by them either in co-partnership or as a registered company, subject, however, to the same regulations and conditions as apply to individual selectors; and provided also that before any such relief shall be granted, or land grant be executed, notice of the application for the same shall be published in the Gazette for one calendar month.

78. No application under the last preceding clause shall be allowed after the first day of January, one thousand eight hundred and ninety.

79. The Governor may lease for special purposes any portion of waste lands to any person or company for any special purpose, such as for the erection of wharves, storehouses, slips for building and repairing ships and other vessels, baths, works for supplying water or gas to any town, or for any other special purpose which the Governor
PART VII.

Governor may consider beneficial to the interest of the public: Provided that the terms of lease shall not in any case exceed twenty-one years, and that every such lease shall, in addition to the covenants prescribed by the regulations to be made under this Act, contain a stipulation or condition that such lease may at any time be revoked on the Commissioner giving six months' notice and paying the value of the improvements, and that the annual rent shall in no case be less than One Pound per acre.

80. It shall be lawful for the Commissioner to enter into contracts in the form contained in the Thirteenth Schedule hereto.

81. The Governor may, upon the due performance by the said parties of the first part of all the terms and conditions in the said contracts hereby authorised to be made, and upon the expiration of the time in the said contracts in that behalf limited, grant to the said parties of the first part, and their heirs or assigns, the said lands so selected in fee-simple: Provided that on breach by the said parties of the first part of any of the terms and conditions of the said contracts, it shall be lawful for the Governor to resume the said lands by giving such notice as may in that behalf be provided by the said contracts hereby authorised; and, in case of resumption, the said lands may be dealt with in all respects as waste lands of the Crown in the said Northern Territory.

82. It shall be lawful for the Commissioner to enter into contracts for and on behalf of the Government of South Australia, with persons desirous of undertaking the development of the agricultural resources of the Northern Territory, for the selection and occupation by such persons of lands therein, not exceeding an area of ten thousand acres under each contract, for like purposes to those in the provisional agreement hereto mentioned.

83. Every such contract shall reserve all mineral rights until the freehold is acquired by the persons selecting land, and shall limit the time for selection, the purposes for which the said lands are, when selected, to be occupied, the quantity and shape of the blocks of land to be selected, the locality in which such selection is to be made, the time to be allowed for the occupation and cultivation thereof, and the annual proportion of expenditure required during the period of occupation, and copies of every such contract shall be laid before both Houses of Parliament within fourteen days after the making thereof, if Parliament be then sitting, and if Parliament be not sitting, then within fourteen days after the commencement of the next session of Parliament.

84. Upon the selection of lands under any such contract, all necessary surveys shall be made, under the directions of the Surveyor-General, and the cost of such survey shall be paid by the selector.

85. If
85. If, upon the expiration of the term of occupation provided by any such contract, it shall be proved to the satisfaction of the Commissioner that the persons occupying thereunder have bonâ fide expended not less than Ten Shillings per acre in cultivating the said land, to be calculated upon the whole area selected, and in plant and machinery, and if, in addition thereto, merchantable sugar or other agricultural or horticultural products of equal value shall have been produced during the term of occupation of the said land in such quantity as shall by the said contract be provided, and if the terms and conditions of the said contract have in all other respects been complied with, then the persons so occupying as aforesaid shall be entitled to a grant of the said lands in fee-simple.

86. The decision of the Commissioner shall be final and conclusive on any matter by this Act, or by any contract in pursuance thereof, referred to him.

87. The Governor may, upon the due performance of all terms and conditions of any contract entered into under the provisions of the last five preceding clauses hereof, and upon the expiration of the time in that behalf limited, grant the said lands in fee-simple to the person or persons entitled thereto, or to their heirs or assigns: Provided that, on breach of any of the terms or conditions in such contract contained, it shall be lawful for the Governor to resume the said lands by giving such notice as may by the said contract be provided; and, in case of resumption, the said lands may thereafter be dealt with in all respects as waste lands of the Crown in the said Northern Territory.

88. In case of resumption by the Governor of any lands under the powers in the last preceding clause hereof contained, or in case of non-fulfilment of the proviso as to expenditure in clause 85 herein contained, all improvements made upon the lands during the currency of the said occupation shall become the absolute property of the Government.

89. The powers conferred by this Act to enter into contracts under this and the nine preceding clauses, shall cease and determine so soon as one hundred thousand acres in all of lands in the Northern Territory have become subject to contracts under the said repealed Act No. 194 of 1880, or under this Act: Provided that, on resumption of any lands held under such contracts, the same may be relet upon similar terms and conditions.

90. If any person or company shall become entitled by transfer, assignment, or otherwise, under more than one contract, to two or more sections or blocks of land, the conditions as to shape, occupation, cultivation, amount to be expended, and quantity of products to be obtained from the said sections or blocks shall be deemed to apply to such sections or blocks of land as a whole, in the same manner as if all of such sections or blocks had been lawfully
lawfully selected and held under one contract: Provided that no such amalgamation shall be permitted unless such sections are contiguous, and shall not in the aggregate exceed twenty thousand acres.

91. The provisions of this Act shall also apply to such part of the land known as Cox's Peninsula, as shall not be less than ten miles distant from Palmerston.

PART VIII.

PROVISIONS RESPECTING LICENSED SURVEYORS.

92. The Commissioner may appoint, without salary, for the purposes of this Act, fit and proper persons, whose qualifications for the office shall have been satisfactorily ascertained, to be termed Licensed Surveyors.

93. Surveys of the boundaries of runs, and surveys of sections of waste lands intended to be demised for mineral purposes, being made by such licensed surveyors, shall, on verification, be accepted by the Commissioner and adopted in all questions between the Government and the occupiers of any demised land, and between the occupiers themselves of any demised land, as the correct boundaries of such runs, or the correct survey of such sections.

94. In the event of the lessee of a run objecting to the employment by the lessee of the adjoining run of any particular licensed surveyor to lay down a disputed boundary, such lessee shall make application to the Commissioner, with a statement of the reasons for such objection, for another licensed surveyor to be nominated by the Commissioner to lay down such disputed boundary; and the Commissioner, should he conceive such objection to be founded on proper grounds, shall nominate some other licensed surveyor, whose decision, after verification, shall be final: Provided that such licensed surveyor shall define the boundaries of runs, according to the priority of application for leases of such runs, and shall have regard to the natural features of the country as particularly set forth and delineated in the plans annexed to such leases, and according to which they were originally claimed.

95. Surveyors applying to be licensed for the purposes of this Act shall submit to an examination by persons appointed by the Commissioner, who shall inquire into the qualifications of such applicant, and shall also, if necessary, require from such applicant testimonials of good character and ability.

96. Such surveyor, prior to receiving a licence, shall make a declaration, on oath, before one of Her Majesty's Justices of the Peace for the said province, in the form annexed in the Fourteenth Schedule to this Act, that he will perform all surveys entrusted to him with strict impartiality.

97. Each
The Northern Territory Crown Lands Consolidation Act.—1882.

97. Each surveyor, on making such declaration, and having been duly recommended for a licence, shall receive a licence according to the Fifteenth Schedule to this Act.

98. Every surveyor shall pay the sum of Five Pounds for such licence aforesaid.

99. It shall be lawful for any licensed surveyor to charge and receive from such party or parties making application for such surveys, such fees as are provided for in the Sixteenth Schedule to this Act.

100. It shall be lawful for the Commissioner to revoke such licence at any time by notice in the *Gazette*.

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**PART IX.**

**LEGAL PROCEDURE.**

101. Any person who shall forge any miner's right, licence, or lease, or any occupation licence issued or purporting to be issued under the authority of this Act, or fraudulently use, utter, or exhibit any such forged miner's right, licence, or lease, or any occupation licence, knowing the same to be forged, or fraudulently personate the holder of any such miner's right, licence, or lease, or any such occupation licence, shall be guilty of felony, and, on conviction, shall be liable, at the discretion of the Supreme Court, to be imprisoned for any term not exceeding ten years, with or without hard labor; and any person who shall fraudulently use or exhibit as his own any miner's right, licence, or lease, or any occupation licence, belonging or granted to any other person, or use or exhibit as a valid miner's right, licence, or lease, or occupation licence, any miner's right, licence, or lease, or any occupation licence, which shall have expired, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be liable, at the discretion of the said Court, to be imprisoned for any term not exceeding two years, either with or without hard labor.

102. When any person shall occupy or be in possession of any waste lands, under or by virtue, or under color of, any lease which is void, or has expired or become forfeited, or has been revoked under or pursuant to this Act, or shall remain in unauthorised occupation or possession of such lands, and shall refuse or neglect to deliver up possession of the same to any person authorised by the Commissioner in that behalf, such last-mentioned person, or any other person authorised by the Commissioner, may apply, upon an information to be laid by him in the form or the effect set out in the Seventeenth 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 Eighteenth Schedule to this Act, calling upon the occupier of such lands to appear, at a time and place in the Northern
Northern Territory to be therein specified, before a Local Court of Full Jurisdiction, 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 Local Court, at the time and place so specified, or at any adjourned hearing of the said complaint, that the lands referred to in such summons are held under or by virtue, or under color of, a lease which is void or has expired, or has become forfeited or has been revoked, and that such lands are in the unauthorised possession or occupation of the person summoned, a warrant shall be issued by the Special Magistrate, in the form or to the effect set forth in the Nineteenth 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 Local Court shall not be taken away or deemed to be ousted by any claim of title, question of property, or suggestion of right, whether made *bonâ 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 Local Court.

103. The Commissioner may adopt any mode of procedure for recovery of possession of waste lands hereinbefore prescribed.

104. In any action, suit, or proceeding under this Act, the averment that any lands are waste 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 authorised to do the act complained of, the proof thereof shall lie upon such defendant; and all licences, certificates, maps, plans, and office copies certified as true under the hand of the Surveyor-General of the said province, or of the proper officer of his department, or of the Commissioner, 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.

105. Every proceeding under this Act, for the recovery of the possession of any waste lands as aforesaid, where no other method of proceeding is by this Act provided, shall, subject to the provisions of this Act, be had and taken, and all other proceedings, informations, and summonses under this Act may be heard and determined in a summary way by a Special Magistrate or two Justices of the Peace for the said province, under the provisions of an Ordinance of the Governor and Legislative Council, No. 6 of 1850, “To facilitate the performance of the Duties of Justices of the Peace out of Sessions with respect to summary convictions and orders,” or of any Act hereafter to be in force relating to the duties of Justices with respect to summary convictions and orders; and all orders under this Act may be enforced as in the said Ordinance, or in any other Act, if or shall be provided.

106. Nothing
106. Nothing herein contained shall be construed to take away or affect the right of the Crown, or of the said Commissioner, or of the Government of the said province, to distrain for any rent which may at any time be in arrear, or to take any other proceeding for enforcing the payment of such rent or for the recovery of the possession of any waste lands.

PART X.

MISCELLANEOUS MATTERS.

107. All unbranded wild cattle above the age of twelve months which shall at any time be running and feeding on any waste 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 auction or by 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, with necessary and proper assistance, to take possession of such cattle, and for that purpose to enter upon any waste lands where the same may be running or depasturing.

108. Whosoever shall wilfully deface, injure, destroy, or remove any survey picket or other land-mark placed, erected, or being on waste lands, without leave of the person authorised to grant such leave, shall, on conviction, for every such offence forfeit and pay a penalty of Ten Pounds.

109. Any person, unless claiming under a sale, lease, or licence from Her Majesty, or from some person acting in the name and on behalf of Her Majesty, who shall be found unlawfully occupying any waste lands, either by residing or by erecting any hut or building thereon, or by clearing, enclosing, or cultivating any part thereof, 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; and for the third or any subsequent offence, a sum not exceeding Fifty Pounds, nor less than Twenty Pounds: Provided 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.

110. Any person who shall unlawfully depasture any cattle upon any waste lands shall be liable, on conviction thereof, to the penalties following, that is to say—for the first offence, a sum not exceeding Five Pounds; for the second offence, a sum not exceeding Ten Pounds; and for the third or any subsequent offence, a sum not exceeding Fifty Pounds.

111. If
PART X.

Power to impound cattle trespassing.

False declaration a misdemeanor.

Governor may order costs of suits to be paid from Treasury.

Protection of persons acting in execution of this Act.

A11. If any cattle shall be found trespassing upon any waste lands, it shall be lawful for the Commissioner, or for any person authorised by the Governor or Commissioner in that behalf, either generally or in the particular case, to impound the cattle so trespassing, to be dealt with according to law.

112. Declarations under this Act may be made and declared before the Commissioner, Government Resident of the said Northern Territory, Justices of the Peace, notaries public, commissioners for taking affidavits in the Supreme Court, and such other persons as the Governor may appoint under this Act 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 shall be punishable as if guilty of wilful and corrupt perjury.

113. The Governor may, if he deems it desirable, pay or cause to be paid out of the public funds of the Northern Territory, the costs or charges of any suit or action which shall or may be brought by or against any Commissioner, Justice of the Peace, constable, or other person acting under the authority and in the execution of this Act.

114. All actions for anything done under this Act shall be commenced within twelve 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.

115. All penalties, fines, and forfeitures incurred or imposed under this Act may be sued for and recovered by the Commissioner, and when recovered shall be applied as directed by section 23 of this Act.

116. The Governor may make and publish such regulations as to him shall seem meet for fully and effectually carrying out and giving force and effect to the various purposes, provisions, powers, and authorities in this Act contained, and may from time to time alter, rescind, vary, and amend the same, or any of them, and make other regulations in lieu thereof, for more fully and effectually carrying out and giving force and effect to such purposes, provisions, powers, and authorities; and every regulation, when published in the Gazette, shall have the force of law.

117. The
117. The publication or notification, under the authority of the Government Resident of the said Northern Territory, in any newspaper published and circulating in the said Territory, of any information, matter, or thing, by any Act, Ordinance, Statute, law, regulation, custom, or usage, directed or required to be published or notified in the Government Gazette, shall, within the said Territory, be of the same force and effect as a publication or notification in the Government Gazette; and shall, so far as effects any rights or liabilities accrued or incurred within the said Territory, be and be deemed for all purposes a full and complete compliance with the Act, Ordinance, Statute, law, regulation, custom, or usage, directing or requiring such publication or notification.

118. Any person who publishes, or causes to be published, in any such newspaper, or is party or privy to the publication in any such newspaper, of any notice purporting to be authorised by the Government Resident, which has not been duly authorised by the said Government Resident, shall, on conviction, be liable to a penalty of not more than One Hundred Pounds for every such offence, or to be imprisoned for any period not exceeding six months.

119. The production of the Gazette, in which shall be published any Proclamation or regulation under this Act, or of any such newspaper as aforesaid, containing any information, matter, or thing purporting to be published or notified under the authority of the Government Resident, shall be deemed and taken to be prima facie evidence in all Courts of Justice in the said province, of all such facts and circumstances as were or shall be necessary to authorise the issuing of any such Proclamation, or the making of any regulation or by-law, and that the publication or notification in such newspaper as aforesaid was duly authorised by such Government Resident.

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

· WM. F. DRUMMOND JERVOIS, Governor.
SCHEDULES REFERRED TO.

FIRST SCHEDULE.

<table>
<thead>
<tr>
<th>Number of Act.</th>
<th>Title of Act.</th>
<th>Extent of Repeal.</th>
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<td>The Northern Territory Act</td>
<td>Clauses 1 to 9 inclusive</td>
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<tr>
<td>No. 3 of 1868</td>
<td>The Northern Territory Amendment Act, 1868</td>
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<td>No. 2 of 1869-70</td>
<td>An Act to amend an Act No. 3 of 1868</td>
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<td>No. 3 of 1871</td>
<td>An Act to amend &quot;The Northern Territory Amendment Act, 1868&quot;</td>
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<td>The Northern Territory Land Act, 1872</td>
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<td>No. 5 of 1874</td>
<td>An Act to provide for the publication, in the Northern Territory, of certain matters and things required by Law to be published in the Government Gazette</td>
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<td>No. 48 of 1876</td>
<td>The Northern Territory Land Amendment Act, 1876</td>
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<tr>
<td>No. 194 of 1880</td>
<td>Northern Territory Settlement Act, 1880</td>
<td>The whole</td>
</tr>
<tr>
<td>No. 220 of 1881</td>
<td>Northern Territory Land Amendment Act, 1881</td>
<td>The whole</td>
</tr>
<tr>
<td>No. 224 of 1881</td>
<td>An Act to amend Act No. 194 of 1880</td>
<td>The whole</td>
</tr>
</tbody>
</table>

SECOND SCHEDULE.

<table>
<thead>
<tr>
<th>Number of Act.</th>
<th>Title of Act.</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 9 of 1853</td>
<td>An Act to regulate the occupation of Crown Lands in South Australia.</td>
</tr>
<tr>
<td>No. 5 of 1857-8</td>
<td>An Act for regulating the sale and other disposal of Waste Lands belonging to the Crown in South Australia.</td>
</tr>
<tr>
<td>No. 18 of 1858</td>
<td>An Act to amend &quot;The Waste Lands Act.&quot;</td>
</tr>
<tr>
<td>No. 20 of 1858</td>
<td>An Act for an Assessment on Stock, and for other purposes therein mentioned.</td>
</tr>
<tr>
<td>No. 13 of 1859</td>
<td>An Act to provide for the definition of boundaries of runs and the survey of lands for mineral purposes by means of licensed surveyors.</td>
</tr>
<tr>
<td>No. 7 of 1861</td>
<td>An Act to amend an Act No. 20 of 22nd Victoria, intitled &quot;An Act for an Assessment on Stock, and for other purposes therein mentioned.&quot;</td>
</tr>
<tr>
<td>No. 16 of 1862</td>
<td>An Act to provide for an appeal against assessments of the Waste Lands of the Crown leased for pastoral purposes.</td>
</tr>
<tr>
<td>No. 17 of 1862</td>
<td>An Act to provide for the future appropriation of proceeds of the Waste Lands of the Crown in the Province of South Australia.</td>
</tr>
<tr>
<td>No. 22 of 1852</td>
<td>An Act to further amend an Act No. 20 of 22nd Victoria, intitled &quot;An Act for an Assessment on Stock, and for other purposes therein mentioned.&quot;</td>
</tr>
</tbody>
</table>
### SECOND SCHEDULE—continued.

<table>
<thead>
<tr>
<th>Number of Act</th>
<th>Title of Act</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 13 of 1863</td>
<td>An Act to provide for the reduction of the Assessment of certain Pastoral Lands.</td>
</tr>
<tr>
<td>No. 2 of 1864</td>
<td>An Act to enable the Governor to lease for mineral purposes land the property of the Government not being Waste Lands of the Crown.</td>
</tr>
<tr>
<td>No. 8 of 1864</td>
<td>An Act to authorise 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,&quot; and to provide for the compensation for improvements to be allowed on resumption to lessees of pastoral lands under renewed leases.</td>
</tr>
<tr>
<td>No. 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. 26 of 1858, intituled &quot;An Act for an Assessment on Stock, and for other purposes therein mentioned.&quot;</td>
</tr>
<tr>
<td>No. 6 of 1865-6</td>
<td>An Act to repeal an Ordinance, No. 19 of 1846, &quot;To encourage the Fencing of Land,&quot; and to make other provisions in lieu thereof.</td>
</tr>
<tr>
<td>No. 8 of 1865-6</td>
<td>An Act to amend Act No. 18 of 1858, intituled &quot;An Act to amend &quot;The Waste Lands Act.&quot;&quot;</td>
</tr>
<tr>
<td>No. 16 of 1865-6</td>
<td>An Act to amend the Laws relating to the leasing of Waste Lands of the Crown within the Province of South Australia for pastoral purposes.</td>
</tr>
<tr>
<td>No. 4 of 1869-70</td>
<td>An Act to amend &quot;The Waste Lands Amendment Act, 1868-9.&quot;</td>
</tr>
<tr>
<td>No. 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>No. 26 of 1870-71</td>
<td>An Act to amend the Laws relating to Gold Mining, and for other purposes.</td>
</tr>
<tr>
<td>No. 27 of 1870-71</td>
<td>An Act to further amend &quot;The Waste Lands Amendment Act, 1868-9.&quot;</td>
</tr>
</tbody>
</table>

### THIRD SCHEDULE.

To

I, of the undersigned, do hereby apply to become the selector of section [or County] of [or if in no hundred or county state locality] under the provisions of "The Northern Territory Crown Lands Consolidation Act, 1852," and I herewith tender and pay the sum of as and for one year's rent in advance upon such purchase-money; and I undertake to sign within thirty days a lease on the terms and in the form provided by the said Act.

Dated this day of 18.

(Signature.)

(Occupation.)

(Address.)

FOURTH
FOURTH SCHEDULE.

Form of Receipt for Payment in Advance of First Year’s Rent.

Clause 27.

Received this day from the sum of , being one year’s rent in advance upon the purchase-money for section No. , in the Hundred of , County of , and containing acres of land situate in and the said is to enter into an agreement within days from the date of this receipt, in accordance with “The Northern Territory Crown Lands Consolidation Act, 1882.”

Dated this day of , 18 .

(Signature of Commissioner, or officer appointed by him.)

FIFTH SCHEDULE.

Form of Lease on Purchase on Credit.

Clause 30.

This deed made the day of , between the Commissioner of Crown Lands and Immigration of the Province of South Australia, hereinafter called the lessor, of the one part, and of hereinafter called the lessee, of the other part, witnesses that in consideration of being the first year’s rent in advance, of the land hereinafter described, already paid to the lessor, pursuant to “The Northern Territory Crown Lands Consolidation Act, 1882,” by the lessee, the lessor doth demise to the lessee all that [or those] of land, containing acres, situated in the Northern Territory, for the term of ten years from the day of , 18 , at the yearly rent of Sixpence per acre for every acre and fraction of an acre hereby demised, payable in advance on the day of in every year.

And it is hereby agreed by and between the said parties as follows:—

1. That the lessee shall and will pay the amount of rent hereby reserved on the days and at the times on which the same shall become due and payable.

2. That the lessee will purchase the lands hereby demised at the price or sum of Twelve Shillings and Sixpence per acre, and will, before the expiration of the said term, pay the said purchase-money, and all arrears of rent, to the lessor.

3. That the lessee may, at any time during the said term, pay the said purchase-money of the said lands.

4. That upon payment of the purchase-money and all arrears of rent, the lessee shall be entitled to a grant of the fee-simple of the said lands.

5. That the lessee will, within six months of the date hereof, erect, and hereafter, during the continuance of the said term, maintain boundary posts along the boundary lines of the said lands.

6. Any person authorised by the lessor may, at all reasonable times, enter upon the said lands to view the said lands, and any improvements thereon.

7. That this lease is made subject to the provisions of “The Northern Territory Crown Lands Consolidation Act, 1882,” 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.

8. Upon the breach of any of the foregoing conditions, or upon the publication of a notice in the Gazette, that the Governor has revoked this lease, or if the purchaser shall do any act declared by “The Northern Territory Crown Lands Consolidation Act, 1882,” to be a fraud upon that Act, or in either of such cases, the purchaser shall forfeit all benefit under this lease, and shall deliver up to the lessor, or whomsoever he may appoint, the said lands with all improvements thereon; and this lease shall become void, and the purchaser may be dealt with under “The Northern Territory Crown Lands Consolidation Act, 1882,” as a person in unauthorised occupation of such lands.

In witness, &c.

(Signatures)

Lessor (L.s.)
Lessee (L.s.)

SIXTH
SIXTH SCHEDULE.

Notice of intention to revoke Lease of Land upon Credit.

To

the lessor of

Clause 35.

Section No.

situated in

lease under "The Northern Territory Crown Lands Consolidation Act, 1882;"

dated the
day of

18

Take notice, that it has been shown to the satisfaction of the Commissioner of Crown Lands and Immigration that you, the above named

[have been guilty of fraud under the said Act], or [have violated or failed to perform some of the conditions of the above-mentioned lease], inasmuch as you have [or have not] within the terms and meaning of such lease, and of the said Act, and the regulations in that behalf duly made [state nature of the 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 said Commissioner any documentary evidence 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 lease as above-mentioned], as to which the onus of proof is upon you. And further take notice, 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 consent of the Executive Council, that you have not [been guilty of the above-mentioned fraud under this Act], or [violated or failed to perform the above-mentioned conditions of your lease], it will be lawful for His Excellency, by and with the advice and consent aforesaid, to revoke the said lease, 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 and Immigration.

SEVENTH SCHEDULE.

South [Royal Arms.] Australia.

No.

Date

To the Honorable the Commissioner of Crown Lands and Immigration.—I, the undersigned, being the holder of a miner's right under the provisions of "The Northern Territory Gold Mining Act of 1873," dated the
day of

18

, do hereby apply, upon and subject to the terms and conditions of "The Northern Territory Crown Lands Consolidation Act, 1882," for a licence to occupy during the currency of such miner's right, for the purposes of cultivation, that portion of the waste lands of the Crown, containing acres, or thereabouts, situate near and particularly delineated and described in the plan hereto annexed.

EIGHTH SCHEDULE.

South [Royal Arms.] Australia.

Cultivation Licence.

No.

Date

No. of miner's right

of

having

Clause 47.

paid to me the sum of on account of the public revenue, is hereby licensed during the currency of the miners right No. , held by him and subject to the terms and conditions of "The Northern Territory Crown Lands Consolidation Act, 1882," to occupy, for the purpose only of cultivation, all that piece of land containing acres, or thereabouts, situate at and more particularly described in application No. , of 18

Warden of the district of

[Not transferable.]

NINTH
NINTH SCHEDULE.

South [Royal Arms.] Australia.

Renewal of Cultivation Licence.

No.                                Date

No. of miner's right  having paid to me the sum of on account of the public revenue, is hereby licensed during the currency of miner's right No., held by him and subject to the terms and conditions of "The Northern Territory Crown Lands Consolidation Act, 1882," to occupy, for the purpose only of cultivation, the piece of land described in the

{ within the } or

{ annexed to the } Cultivation Licence No.

Warden for the District of

[Not transferable.]

TENTH SCHEDULE.

South [Royal Arms.] Australia.

This indenture made the day of

Lord one thousand eight hundred and in the year of our
twelve, in the name of the one part and

for heirs, executors, administrators and assigns hereinafter designated by the term "lessee" of the other part.

Witnesseth that in consideration of the rent the said Governor doth (subject to the reservations hereinafter contained) demise and lease unto the said lessee executors, administrators and assigns All together with all ways waters watercourses privileges and appurtenances to the same now belonging or theretofore occupied or enjoyed. Together also with full and free liberty for the said lessee executors, administrators and assigns and agents and workmen in and upon the said land hereby demised to dig, sink, drive, make and use all such pits, shafts, levels, watercourses and other works which it may be necessary to use in finding seeking for winning working and obtaining the copper and other ores not being gold therein contained and also to appropriate and use such part of the said lands either underground or on the surface as may be proper and requisite as well for depositing and laying down such ores and minerals and placing and heaping the waste refuse and rubbish which may be worked along with them from time to time as for washing and obtaining such ore and minerals and for effectually separating them from all the soil and other substances mixed with them and for smelting or reducing such ore into metal and also for supplying the said mines and works with water or with good and fresh air as for freeing the same from water or foul air and for the purposes aforesaid to erect make and employ all such as may be proper and reasonable together also with liberty for him and them to erect upon the said land hereby demised smelting works and furnaces hovels and other offices belonging to or necessary for the said works and all other necessary or convenient powers authorities privileges and advantages for all or any of the purposes aforesaid subject to the provisions of "The Northern Territory Crown Lands Consolidation Act 1882".

To have and to hold the said lands demised with all mines veins of copper and other minerals (except and subject as aforesaid) and all and singular other the premises with the appurtenances unto the said lessee executors, administrators and assigns from the day of one thousand eight hundred and

for and during the full term of years from thence next ensuing and fully to be complete and ended yielding and paying therefor yearly unto Her Majesty Her heirs and successors in advance on the day of

and thenceforth in advance at the commencement of every current year during the said term the yearly rental or sum of lawful
lawful British money the first payment of such rent in advance to be made on the
day of subject to the following conditions, stipulations,
and clauses of forfeiture. (See 11th Schedule.)

In witness whereof the said parties to these presents have hereunto set
their hands and seals on the day and year first above written.

Signed by His Excellency
and sealed with the Seal of the province, in
the presence of

Signed sealed and delivered by the above-named
in the presence of

ELEVENTH SCHEDULE.

That the lessee his executors administrators and assigns shall yearly during the
term at the commencement of every current year of the term pay or cause to be paid
in advance to the Treasurer of South Australia for the time being on behalf of Her
majesty her heirs and successors the reserved rent free and clear of all taxes rates
and outgoings whatsoever And will not during the continuance of the term apply
the land for any other use or purpose than for the purpose of mining and smelting
without the permission of the Commissioner of Crown Lands and Immigration in writing
And will during the continuance of the term work and carry on such mines in a fair
orderly skilful and workmanlike manner And also that it shall be lawful for Her Majesty
Her heirs and successors and to and for the Governor for the time being of the said
province his and their agents and workmen at all proper and reasonable times during
the term without any interruption from the said lessee or his agents servants or
workmen to enter into and upon the premises and into and upon any mines or works
that may be found therein to view and examine the condition thereof and whether
the same be worked in a proper skilful and workmanlike manner and for such purpose
to make use of any of the railroads or other roads or ways machinery and works
belonging to such mines and premises And also that the lessee his executors
administrators or assigns will not at any time during the continuance of the term place
or leave any waste or dead heaps or refuse or rubbish which may be brought out of
the said mines and premises near to any river brook or channel of water whereby
such waste or dead heaps refuse or rubbish may reasonably be supposed to be liable
to be disturbed or carried away by floods or other natural causes And also will build
and keep in proper repair a sufficient and substantial stone wall or other fence round
all the pits and shafts which may at any time during the term be open in any part of
the demised premises or elsewhere for the purpose of this demise so as effectually
to prevent all access thereto by all kinds of cattle And also will at all times during the
continuance of the term keep and preserve the said mines and premises from all
unnecessary injury and damage and also all the levels drifts shafts pits sumps water-
courses houses erections sheds washing-places puddles and other conveniences roads
and ways in good order repair and condition and in such state and condition at the
end or other sooner determination of the said term deliver peaceable possession thereof
And also will during at least six months in each year of the term employ and keep
employed not less than three men for every block of land demised in mining upon the
said land and in searching for or raising ores and will whenever thereunto required by
the Commissioner of Crown Lands and Immigration or Inspector of Mines of the said
province furnish him with satisfactory evidence that such mining operations have
been carried on for the objects and purposes aforesaid And also that it shall be
lawful for the holder of the lease of the run or of any portion thereof on which the
land demised may have been surveyed to have free access at all times to any surface
water or any water which such person may have procured by artificial means upon the
land demised 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
That the lessee his executors administrators and assigns will observe and conform to
and hold the demised premises according to the several orders and regulations from
time to time in force regulating the tenor of waste lands in South Australia for
mineral purposes Provided also that the lease may be declared void and forfeited in
manner

Clause 66.

14th Schedule of 28
of 1872.
The Northern Territory Crown Lands Consolidation Act.—1882.

manner provided in the said Act if default shall be made by lessee his executors administrators or assigns in all or any of the following conditions that is to say if the rent be not paid in advance to the Treasurer as aforesaid if three men for every block of land demised be not employed for at least six months in each year of the term of the demise in working on the land demised and in searching for or raising ores or if the lessee shall permit any portion of the land demised to be occupied other than for mining purposes without the permission of the Commissioner of Crown Lands and Immigration in writing Provided also that it shall be lawful for the Governor from time to time to resume any land demised for the purpose of making roads for public utility and convenience.

TWELFTH SCHEDULE.

I,

of the said lands, or lands purchased on credit, in the

consisting in all of

acre, and for which I claim to depasture

cattle on the waste lands in that Hundred.

Dated the
day of

18.

THIRTEENTH SCHEDULE.

Memorandum of agreement made and entered into this
day of

between

of Adelaide, in the Province of South Australia, Commissioner
of Crown Lands and Immigration for the said Province, and herein contracting for
and on behalf of the Government of South Australia, of the other part: Whereas,
in order to encourage the settlement of the Crown lands situate in the Northern
Territory of the Province of South Australia, and to promote the growth of sugarcane
and other suitable products, and the establishment of manufactories for the manufacture
of sugar and other marketable commodities, it is agreed as follows:—

1. That the said

shall, up to

and inclusive of the thirty-first day of December, one thousand eight hundred and eighty

have the right of searching for and selecting ten thousand acres of the

waste lands of the Crown in the Northern Territory, for a sugar plantation. Between

any such block and a river a reserve of not less than three chains in width shall be

reserved by the Government for travelling stock and other purposes.

2. That the said lands shall be comprised of the alluvial river flats in not more

than two blocks of a rectangular shape, length not to be greater than twice the

breadth, the breadth to front a river or a leading road should the land abut thereon.

3. That the said blocks may be selected at the Adelaide River or the Daly River:

Provided, however, that no portion of any such block shall be within a radius of ten

(10) miles from the Town of Palmerston.

4. That on the selection of the said block the site will be fixed, and the outside

boundaries and necessary roads through the block surveyed by one of the Government

surveyors, and at the cost of the said

5. That, from the date of the selection, the said

will take possession of the said lands, and commence to bring the

same into cultivation by planting sugarcane and other products suitable to the climate,

and shall within the first three years cultivate and plant with sugarcane in a husband-

like manner not less than two hundred acres.

6. That, upon proof to the satisfaction of the Government Resident in the

Northern Territory of the bona fide expenditure by the said

of the sum of Five Thousand Pounds, in cultivating

the said land, and in plant and machinery erected upon the said land for the

manufacture of sugar, and upon the production of not less than two hundred and fifty

tons of merchantable sugar, or other agricultural or horticultural products of equal

value, obtained from the said land, the said

shall be entitled to a grant of the said lands in fee-simple.

7. That
7. That the Commissioner of Crown Lands and Immigration shall be the person who shall be satisfied that the said condition No. 6 has been complied with, and his decision in such matters shall be final.
8. That the time to be allowed to the said for cultivating the said land, and expending the said money, as aforesaid, shall be the term of six years, to commence from the date of the completion of the survey of the said land being notified to the said Government Resident, during which term all mineral rights shall be reserved to the Government.
9. That upon proof to the satisfaction of the said Commissioner of Crown Lands and Immigration of the above conditions having been complied with at any time within the said term of six years, the said hereby agrees, on behalf of the said Government, to convey and grant the said lands to the said

In witness whereof the said parties have hereunto set their hands and seals the day and year first above written.

Witness —

FOURTEENTH SCHEDULE.

I, A. B., do hereby solemnly and sincerely declare that I will, to the best of my ability, and without partiality, favor, or affection, correctly survey and delineate the boundaries of such waste lands as may be entrusted to me to be surveyed. [Clause 97. 16th Schedule of 28 of 1872.]

FIFTEENTH SCHEDULE.

This is to certify that A. B., having satisfactorily proved his qualifications as a surveyor, is hereby licensed for the survey of waste lands, either for the purpose of the adjustment of the boundaries of runs, or for the survey of new claims, or for the survey of claims or mineral leases. [Clause 98. 17th Schedule of 28 of 1872.]

SIXTEENTH SCHEDULE.

For every day employed upon any survey, including the time occupied in travelling, and one original chart or plan of such survey, furnished to the employer, and one copy of plan and field notes furnished to the Surveyor-General, an amount not exceeding (exclusive of wages and expenses of party) £ 2 2 0. [Clause 100. 18th Schedule of 28 of 1872.]

SEVENTEENTH SCHEDULE.

Form of Information and Complaint against Unauthorised Occupant of Waste Lands of the Crown.

South Australia, } The information and complaint of A. B.,
{ to wit. }
on behalf of the Commissioner of Crown Lands and Immigration, 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, who saith that C. D., of , is the unauthorised occupant of certain waste lands of the Crown, to wit held by him under an agreement bearing date day of , 18 , which said agreement has been revoked under the provisions of "The Northern Territory Crown Lands Consolidation Act, 1882."

Sworn before me the day and year first above-mentioned, at J.P. [Clause 103. 19th Schedule of 28 of 1872.]
The Northern Territory Crown Lands Consolidation Act.—1882.

EIGHTEENTH SCHEDULE.

Form of Summons to Dispossess Unauthorised Occupant.

South Australia, } In the matter of “The Northern Territory Crown Lands Consolidation Act, 1882,” and between
on behalf of the Commissioner of Crown Lands and Immigration, complainant, and

You are hereby summoned to appear before a Special Magistrate, or two or more Justices of the Peace, on the
at o’clock in the noon, to answer the complaint of

on behalf of the Commissioner of Crown Lands and Immigration, that you are in the unauthorised and illegal occupation of certain waste lands of the Crown, to wit,

held by you under a lease, dated the

said lease has been revoked under the provisions of “The Northern Territory Crown Lands Consolidation Act, 1882,” and that you neglect and refuse to deliver up possession of the said lands.

Dated the day of

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 said Special Magistrate or Justices shall seem fit.

NINTEENTH SCHEDULE.

Form of Warrant to Dispossess Unauthorised Occupant.

South Australia, } In the matter of “The Northern Territory Crown Lands Consolidation Act, 1882,” and between

Land and Immigration, complainant, and A. B., occupant.

To , the bailiff of , and all other constables and peace officers. Whereas it has been made to appear to us, and we have adjudged that the said A. B. is in the unauthorised 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

in the Province aforesaid.

Adelaide: By authority, E. SPILLER, Government Printer, North-terrace.