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QUEENSLAND



CROWN LANDS ACT OF 1884

(48 VICTORIÆ, No. 28),

AND THE

CROWN LANDS ACT OF 1884 AMENDMENT  
ACT OF 1885

(49 VICTORIÆ, No. 7);

ALSO THE

PASTORAL LEASES ACT OF 1869

(33 VICTORIÆ, No. 10),

WITH THE

REGULATIONS THEREUNDER.



BRISBANE:

BY AUTHORITY: JAMES C. BEAL, GOVERNMENT PRINTER, WILLIAM STREET.

1885.



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# CROWN LANDS ACT OF 1884.

43 VICTORIÆ, No. 23.

48 VICTORIA, No. 28. *An Act to make better Provision for the Occupation and Use of Crown Lands.* [Assented to 23rd December, 1884.]

Preamble.

**W**HEREAS it is desirable to make better provision for the occupation and use of Crown Lands: Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

## PART I.—PRELIMINARY.

Division of Act.

1. This Act is divided into Parts, as follows:—

PART I.—PRELIMINARY;

PART II.—ADMINISTRATION;

PART III.—EXISTING PASTORAL LEASES;

PART IV.—AGRICULTURAL AND GRAZING FARMS;

PART V.—OCCUPATION LICENSES;

PART VI.—SALES BY AUCTION;

PART VII.—SPECIAL GRANTS AND LEASES AND RESERVES;

PART VIII.—RESUMPTION AND COMPENSATION;

PART IX.—GENERAL.

## Short title.

2. This Act shall be styled and may be cited as "*The Crown Lands Act of 1884.*"

## Commencement of Act.

3. This Act, except when otherwise expressly provided, commences and takes effect on and after the first day of March, one thousand eight hundred and eighty-five, which date is hereinafter referred to as the commencement of this Act.

## Interpretation.

4. The following terms shall in this Act, unless the context otherwise indicate, bear the several meanings set against them respectively:—

"Crown Lands"—All lands vested in Her Majesty which are not for the time being dedicated to any public purpose, or subject to any deed of grant, lease, contract, promise, or engagement, made by or on behalf of Her Majesty; and all lands which are subject to a right of depasturing under Part III. of this Act, or are held under an occupation license under Part V. of this Act;

"Minister"—The Secretary for Public Lands or other Minister who for the time being performs his duties;

"Board"—The Land Board constituted as hereinafter provided;

"Commissioner"—The Land Commissioner appointed under the provisions of this Act for the district in which the land in question is situated;

"Land Agent"—The Land Agent appointed under the provisions of this Act for the district in which the land in question is situated;

"Land Court"—The Commissioner's Court;

"District"—A district proclaimed under the provisions of this Act;

- “Agricultural Area”—Crown lands proclaimed as such under the provisions of this Act;
- “Town Lands”—All Crown lands which have been heretofore or shall be hereafter proclaimed as such;
- “Suburban Lands”—All Crown lands within a distance of two miles in a straight line from any town lands;
- “Country Lands”—All Crown lands which are not town lands or suburban lands;
- “License”—A license to depasture or occupy under the provisions of this Act, as the case may be;
- “Occupation License”—A license under Part V. of this Act;
- “Licensee”—The holder of a license;
- “Pastoral Tenant”—The holder of a lease or license under any of the Acts hereby repealed;
- “Run”—The land comprised in any such lease or license;
- “Selection”—The making of an application to select, or the farm selected, as the context may require;
- “Selector”—The person making such application or entitled for the time being to the farm in question;
- “Lessee”—The holder of a lease under the provisions of this Act;
- “Holding”—The land held by any lessee;
- “Farm”—A holding under Part IV. of this Act;
- “Agricultural Farm”—A holding under Part IV. of this Act in an Agricultural Area;
- “Grazing Farm”—A holding under Part IV. of this Act not in an Agricultural Area;
- “Improvements”—Any head station, house, store, stable, hut, woolshed, sheep-pen, drafting-yard,

barn, stockyard, fence, well, dam, tank, reservoir, trough, artificial watercourse or watering-place, pump, apparatus for raising water, garden, plantation, cultivation, or any building, erection, construction, or appliance, being a fixture for the working or management of a holding, or of any sheep, cattle, or horses, or other live stock depastured thereon, or for maintaining or increasing the pastoral, or, in the case of agricultural farms, the agricultural capabilities thereof;

“Regulations”—Regulations made under this Act;

“Prescribed”—Prescribed by this Act or by Regulations under it.

Application of Act.

5. The Third and Fourth Parts of this Act extend and apply to—

(1.) The part of the colony described in the first Schedule to this Act;

(2.) Any other parts of the colony to which the Governor in Council, on the recommendation of the Board, from time to time, by Proclamation, extends the provisions of those Parts of this Act;

(3.) The land comprised in any run the pastoral tenant whereof makes application to the Minister to bring such run under the operation of Part III. of this Act.

The remainder of this Act extends to the whole colony.

Restriction on exercise of power conferred on Governor in Council by section 54 of “*Pastoral Leases Act of 1869*.”

6. (1.) It shall not be lawful for the Governor in Council to sell any portion of a run to a pastoral tenant under the provisions of the fifty-fourth section of “*The Pastoral Leases Act of 1869*” where the lease has been acquired after the passing of this Act.

Repeal of Acts in second Schedule.

7. (1.) From and after the commencement of this Act so much of the several Acts specified in the second Schedule to this Act as is not already repealed, and all regulations made thereunder respectively, shall be repealed, except as to any rights, claims, penalties, and liabilities already accrued or incurred and in existence.

(2.) From and after the coming of the Third Part of this Act into operation in any part of the colony, "*The Pastoral Leases Act of 1869*" and all regulations made thereunder shall be repealed as to such part of the colony, except as to any rights, claims, penalties, and liabilities then already accrued or incurred and in existence.

(3.) Provided that for the purpose of dealing with any lands applied for, selected, or leased, under any of the said Acts before their repeal, the Governor in Council may continue to appoint Commissioners and other officers, and do or cause to be done all such acts and things as may be necessary for carrying out and giving effect to any applications, contracts, or agreements, which have before such repeal been made under or arisen from the said Acts or any of them :

And provided further that all lands which at the time of such repeal are subject to the provisions of the said Acts or any of them shall continue to be subject to the provisions thereof, until the same shall have been surrendered or resumed, or the existing title thereto shall have otherwise determined.

Governor may grant in fee-simple or for any less estate.

8. The Governor in Council may, in the name of Her Majesty, and under and subject to the provisions of this Act, grant in fee-simple, or demise for a term of years, any Crown lands within the Colony of Queensland.

Every such grant or demise shall be made in the prescribed form, and being so made shall be valid and

effectual to convey to and vest in the person therein named, subject to the provisions of this Act, the lands described in the grant or demise for such estate or interest as shall be set forth in such instrument.

Every such grant or demise shall be made subject to such reservations and conditions as are authorised by this Act, and subject to no other reservations or conditions.

Governor may proclaim counties and parishes.

9. The Governor in Council may by Proclamation divide into counties any Crown lands not already included in any county, and may divide any county already existing or hereafter proclaimed into parishes, and may distinguish such counties and parishes respectively by names.

After such Proclamation the lands comprised within such counties and parishes shall be recognised by such names as counties and parishes respectively.

Town lands may be proclaimed.

10. The Governor in Council may by Proclamation set apart any Crown lands as Town Lands, and may in like manner set apart any Crown lands as Township Reserves.

## PART II.—ADMINISTRATION.

### *The Land Board.*

Land Board to be appointed.

11. There shall be constituted for the purposes of this Act a Board, to be called the Land Board, consisting of two fit and proper persons, appointed from time to time by the Governor in Council by commission under his hand and the Great Seal of the Colony. The Board shall have and exercise the powers and duties hereinafter prescribed.

This section takes effect from the passing of this Act.

Salary and disabilities.

**12.** Each of the members of the Board shall, during his continuance in office, receive a clear annual salary of one thousand pounds, which shall be a charge upon and paid out of the Consolidated Revenue. They shall not be capable of being members of the Executive Council or of either House of Parliament, and shall not be allowed to act as directors or auditors or in any other capacity take part in the management of any bank, joint-stock company, trade or business, or to acquire any interest in any holding or license under this Act.

How member of the Board removed from office or suspended.

**13.** The members of the Board shall hold office during good behaviour, and shall not be removed therefrom unless an address praying for such removal shall be presented to the Governor by the Legislative Council and Legislative Assembly respectively in the same session of Parliament;

Provided that at any time when Parliament is not sitting the Governor in Council may suspend any member of the Board from his office for inability or misbehaviour, in which case a statement of the cause of suspension shall be laid before both Houses of Parliament within seven days after the commencement of the next session thereof.

If an Address shall during that session be presented to the Governor by the Legislative Council or Legislative Assembly praying for the restoration of the suspended member to his office, he shall be restored accordingly; but if no such address shall be presented the Governor in Council may confirm such suspension, and declare the office of the member to be, and the same shall thereupon become and be vacant as if he were naturally dead.

Appointment of deputy.

**14.** In the case of the illness, suspension, inability, or absence of any member of the Board the Governor

in Council may appoint some other person to act as the deputy of such member during such illness, suspension, inability, or absence, and every such person shall, during the time for which he shall act as such deputy, have all the powers and perform all the duties of and be subject to the same disabilities as such member of the Board.

Board to hold Courts.

**15.** The Board shall have a seal of office, which shall be judicially noticed in all courts, and shall from time to time hold public sittings in Brisbane or elsewhere, to be called Land Board Courts, at which all business required by this Act to be transacted by them in open court shall be transacted.

Board to determine all matters referred to them by Governor in Council.

**16.** The Board shall hear and determine all such questions connected with the administration of this Act as may be referred to them by the Governor in Council for determination.

Powers of Board.

**17.** For the purposes of any inquiry or appeal held by or made to the Board, they shall have power to summon any person as a witness and examine him upon oath, and for such purpose shall have such and the same powers as the Supreme Court or a judge thereof.

Any party to any such inquiry or appeal may be represented by his counsel, attorney, or agent.

Every such inquiry and appeal shall be heard and determined and the decision thereon shall be pronounced in open court.

The Board may make such order as they think fit as to the costs of any inquiry, appeal, or dispute, heard and determined by them, including allowances to witnesses attending for the purposes of giving evidence at the hearing of any such inquiry, appeal, or dispute. Any such order may be made an order of the Supreme Court and enforced accordingly.

Every witness summoned on any such inquiry or appeal shall be entitled to a tender of his reasonable expenses by the party requiring his attendance.

Mode of assessing rent and compensation.

18. Whenever it is necessary to determine the amount of any rent or compensation payable under this Act, or to determine any other amount required by this Act to be determined, the same shall be determined by the Board, and the following rules shall be observed:—

- (1.) The Board shall require the Commissioner to furnish them with a valuation and report of and respecting the land or improvements in respect whereof the rent or compensation is to be paid ;
- (2.) They shall also require the pastoral tenant, or lessee, or other person, by or to whom the rent or compensation is or will be payable, to furnish them with a like valuation or a claim, as the case may be ;
- (3.) The Board shall, in open court, on a day to be appointed by them for the purpose, hear the last-named person, if he desires to be heard, and shall pronounce their decision in open court ;
- (4.) Before deciding the Board may call such witnesses, and take such evidence, whether on oath, affidavit, or declaration, as they think fit ;
- (5.) Any person who will be affected by the decision of the Board shall be entitled to see and take copies of such evidence, and of the report and valuation of the Commissioner.

Dispute to be settled by Board.

19. Whenever any dispute arises as to the boundaries of any holdings under this Act the same shall be determined by the Board.

On application of aggrieved person Board may be directed to rehear matter.

**20.** Upon the application of any person aggrieved by a decision of the Board the Governor in Council may remit the matter to the Board for reconsideration.

The Board shall thereupon appoint a day for rehearing the matter in open court, and shall proceed to a rehearing thereof accordingly.

Appeal to Supreme Court.

**21.** Any person aggrieved by a decision of the Board, whether on an original hearing or on a rehearing, may, within one month after the pronouncing of the decision or the refusal of the Governor in Council to remit the matter to the Board, as the case may be, appeal from the decision to the Supreme Court, which is hereby authorised to hear and determine such appeal.

The appeal shall be in the nature of a rehearing, and shall be brought, and the proceedings therein shall be had, in such manner as may be prescribed by Rules of Court.

The appeal shall be heard and determined by a single Judge, but the Judge shall, if required by either party to the appeal, call in the aid of two assessors specially qualified, and shall hear and determine the matter with the assistance of such assessors.

One assessor shall be nominated by each party, but such nomination shall be subject to the approval of the Judge.

Evidence on an appeal to the Court may be taken in the same manner as is hereinbefore prescribed in the case of matters heard and determined by the Board.

An appeal shall lie to the Full Court from any decision of the Judge upon a question of law.

Reference to Minister.

**22.** If the members of the Board certify to the Minister that they are unable to agree upon any question, the question shall be referred to the Minister for decision.

Every question referred by the Board to the Minister which ought to be heard and determined by the Board in open court, shall be heard and determined by the Minister sitting in open court at Brisbane with the members of the Board, and his decision shall be pronounced with the reasons thereof in open court.

The decision of the Minister shall have the effect of a decision of the Board and be subject to the like appeal.

For the purposes of hearing and determining any such question the Minister shall have and may exercise the same powers as are hereinbefore conferred upon the Board.

Board to keep Register.

**23.** The Board shall cause a Register to be kept in which shall be entered minutes of all its proceedings and records of all its decisions.

#### *Commissioners.*

Governor in Council may create Districts and appoint Commissioners.

**24.** The Governor in Council may by proclamation, on the recommendation of the Board, declare any portion or portions of the colony to be a District or Districts for the purposes of this Act.

The Governor in Council may appoint such and so many Land Commissioners and Land Agents for such districts as may be necessary for carrying the provisions of this Act into effect.

Commissioner to hold a court once in each month.

**25.** The Commissioner shall once at least in each month, on a day of which notice shall be given in the *Gazette*, hold an open court, at which all applications to select land under this Act shall be considered and approved or rejected or otherwise dealt with, and at which all such other matters as are by this Act declared to be within the cognizance of the Commissioner, and required to be dealt with in open court, shall be dealt with.

## Commissioner's Court.

**26.** The Commissioner shall have power to hear and determine any question relating to the granting or refusal of any application to select raised at any such court by himself or any other person, and to inquire into any objection made thereto, either on public or private grounds, and to examine witnesses on oath in relation thereto, and from time to time to postpone any application, or the hearing or decision of any question or objection.

The Commissioner shall also have power for the purposes aforesaid, or for the purposes of any inquiry held under the provisions of this Act, to summon any person as a witness, and to examine him upon oath, and for such purposes shall have the same powers and authorities as any two justices of the peace in petty sessions have in respect of offences punishable on summary conviction.

Any party to any such inquiry may be represented by his counsel, attorney, or agent.

The Commissioner's decision on every such question or inquiry shall be pronounced in open court.

## Decisions to be subject to confirmation by Board.

**27.** No decision of a Commissioner shall be final unless and until it has been confirmed by the Board; and the Board shall forthwith consider and confirm, vary, or reverse every such decision.

But the Board shall not vary or reverse any decision until after notice to the party in whose favour the decision was given, and hearing him in open court or otherwise if he desires to be so heard. And every order of the Board varying or reversing a decision shall be pronounced in open court.

## PART III.—EXISTING PASTORAL LEASES.

## Existing runs may be brought under this Act.

**28.** At any time within six months after this Part of this Act becomes applicable to any run the pastoral

tenant thereof may give notice to the Minister that he elects to take advantage of the provisions of this Act with respect to such run.

The notice of election shall be in the form in the third Schedule to this Act or to the like effect.

In the case of two or more conterminous runs being held by the same pastoral tenant, the whole shall be dealt with as one run (hereinafter called a consolidated run) for the purposes of this Part of this Act.

For the purposes of this section, the lease of any run the term whereof has expired by effluxion of time since the thirty-first day of December, one thousand eight hundred and eighty-two, shall be deemed to be a subsisting lease until the expiration of the period of six months hereinbefore mentioned.

Consequences of surrender.

29. Upon the receipt of any such notice by the Minister, the following consequences shall ensue, that is to say:—

- (1.) The Minister shall cause the run to be divided into two parts, one of which, hereinafter called "the resumed part," shall be thereafter deemed to be Crown lands (subject to the right of depasturing thereon hereinafter defined), and for the other part the pastoral tenant shall be entitled to receive a lease for the term and on the conditions hereinafter stated;
- (2.) Land which has been resumed from a run under the provisions of the fifty-fifth section of "*The Pastoral Leases Act of 1869*," but has not been alienated or selected for sale, shall be deemed to be a portion of the run for the purpose of the division thereof;
- (3.) In the case of runs within the Railway Reserves created by "*The Western Railway Act*" and "*The Railway Reserves Act*," the whole or any part of which has since the passing of those

Acts respectively been resumed from lease under the provisions of the fifty-fifth section of "*The Pastoral Leases Act of 1869*," so much of the resumed lands as has not been reserved, selected, or alienated shall be deemed to be a portion of the run for the purpose of the division thereof;

(4.) The proportion of a run to be included in the resumed part shall be determined by the following rules:—

(I.) In the case of runs held under "*The Settled Districts Pastoral Leases Act of 1876*" or "*The Settled Districts Pastoral Leases Act of 1876 Amendment Act of 1882*," one-half is to be included:

(II.) In other cases—

(a.) If at the time of this Act coming into operation with respect to the run a period of twenty years or upwards has elapsed from the date of the issue of the first license to occupy the land comprised in the run for pastoral purposes, one-half is to be included;

(b.) If at that time a period of ten years, and less than twenty years, has elapsed from the date of the issue of such license, one-third is to be included;

(c.) If at that time a period of less than ten years has elapsed from the date of the issue of such license, one-fourth is to be included;

(d.) In the case of a consolidated run, the area to be resumed from each separate run is to be ascertained by the foregoing rules, and the total quantity so ascertained will be the quantity to be included in the resumed part of the consolidated run;

(5.) For the purposes of making such division, the Commissioner, or some other fit and proper person appointed by the Governor in Council, shall be required to inspect the run and report as to the best mode of making a fair division thereof;

(6.) In making a division, the following rules are to be observed:—

(e.) The whole resumed part is to be in one block, and, where practicable, shall be separated from the remainder of the run by one straight line, and at least one-fourth of the external boundaries shall be coincident with the original boundaries of the run.

(f.) The average quality and capabilities of the resumed part are to be, as far as practicable, the same as the average quality and capability of the whole run;

(g.) In cases where the quality and capabilities of different parts of a run are unequal, an allowance may be made in area; and the proportion to be included in the resumed part may be increased or diminished accordingly, so as to make the relative values of the resumed part and the remainder of the run bear the relative proportions hereinbefore prescribed;

(7.) Upon receipt of the report of the Commissioner or other person appointed as aforesaid, the Minister shall refer the same to the Board;

(8.) The Board shall by order confirm the division recommended with or without amendment, and the division so confirmed shall be notified in the *Gazette*.

New lease.

30. The pastoral tenant shall thereupon be entitled to receive a lease from the Crown for the remainder of his run not included in the resumed part.

Every such lease shall, in the case of runs held under "*The Settled Districts Pastoral Leases Act of 1876*" or "*The Settled Districts Pastoral Leases Act of 1876 Amendment Act of 1882*," be for the term of ten years, and in other cases for the term of fifteen years, from the first day of January or first day of July nearest to the date of the notification in the *Gazette* of the order of the Board confirming the division, and shall be subject to the following conditions and stipulations:—

- (1.) The lessee shall, during the continuance of the lease, pay a yearly rent at the rates herein-after stated, and such rent shall be payable in respect of the year ending on the thirtieth day of June, and shall be payable at the Treasury in Brisbane, or other place appointed by the Governor in Council, on or before the thirtieth day of September in that year:
- (2.) The rent shall be computed according to the number of square miles of land comprised in the lease: Provided that any portion of the run, not exceeding one-half of the whole, which consists of inaccessible ranges or for the time being consists of dense scrub, and which is for the time being wholly unavailable for pastoral purposes, shall not be included in computing the area upon which rent is payable;
- (3.) The rent payable for the first five years of the term of the lease shall, in the case of runs held under "*The Settled Districts Pastoral Leases Act of 1876*" or "*The Settled Districts Pastoral Leases Act of 1876 Amendment Act of 1882*," be at the rate of forty shillings, and in the case of other runs at a rate to be determined by the Board, not exceeding ninety shillings, and not less than ten shillings, per square mile;

- (4.) The rent payable for the second period of five years and for the third period of five years (if any) shall be determined by the Board ;
- (5.) In determining the rent regard shall be had to—
- (a.) The quality and fitness of the land for grazing purposes ;
  - (b.) The number of stock which it may reasonably be expected to carry in average seasons after a proper and reasonable expenditure of money in improvements ;
  - (c.) The distance of the holding from railway or water carriage ;
  - (d.) The natural supply of water, and the facilities for the storage or raising of water ; and
  - (e.) With respect to the rent for the second and third periods of five years the relative value of the holding at the time of the assessment as compared with its value at the time of the commencement of the lease :

Provided that in estimating the value any increment in value attributable to improvements shall not be taken into account ;

Penalty for non-payment of rent.

- (6.) If default is made by the lessee in the payment of rent the lease shall be forfeited, but the lessee may defeat the forfeiture by payment of the full amount of rent within ninety days from the date hereinbefore appointed for payment thereof with the addition of a sum by way of penalty calculated as follows, that is to say—if the rent is paid within thirty days five per centum is to be added, if the rent is paid within sixty days ten per centum is to be added, and if the rent is paid after sixty days

fifteen per centum is to be added ; but unless the whole of the rent together with such penalty is paid within ninety days from the appointed day the lease shall be absolutely forfeited ;

Rent to be paid pending assessment.

- (7.) When the rent of a holding is to be determined by the Board, the lessee shall, until it has been so determined, continue to pay at the prescribed time and place the same amount of rent per square mile as theretofore, or the minimum rent hereby prescribed, whichever is the greater amount ; and when the amount of rent has been determined by the Board the lessee shall, on the next thirtieth day of September, pay at the prescribed place any arrears of rent found due by him at the rate so determined, so as to adjust the balance due to the Crown ; and any excess of payment by the lessee shall be credited to him in payment of rent which may subsequently become due in respect to the holding.

Grazing right on resumed portions of runs or holdings.

**31.** When any portion of a run is resumed under the provisions of this part of this Act, the lessee of the remainder may continue to depasture his stock upon the resumed part or any part thereof until the same has been selected under Part IV. of this Act or otherwise disposed of under the provisions of this Act ; but he shall not be entitled to exclude any person from entering upon it for the *bonâ fide* purpose of examination or inspection.

If the lessee desires to exercise such right of depasturing, he shall, within six months after the division of the run has been confirmed by the Board, give notice to the Minister, and shall pay, at the time and place appointed for payment of the rent of his holding, an

annual rent at a rate to be determined by the Board, but not exceeding the rate per square mile payable under the previously subsisting lease of the run: Provided that if any of the land on which such right of depasturing is exercised is proclaimed open to selection under Part IV. of this Act, the rent payable in respect thereof shall be reduced by one-third.

When any part of the land is selected or otherwise disposed of, a reduction shall be made in the rent proportionate to the area so selected or disposed of.

If the rent is not paid at the time and place appointed, the right of depasturing shall be forfeited, but the forfeiture may be defeated under and subject to the same conditions as are hereinbefore provided in the case of the lease.

*Abatement for unavailable land.*

The same abatement shall be made in respect of unavailable land in the case of such right of depasturing as is hereinbefore provided in the case of leases.

*Provision in case of overstocking.*

**32.** If in the opinion of the Board any lessee exercising the right of depasturing is injuriously using the land over which the right to depasture is exercised by overstocking the same, the Board may require him to reduce the number of his stock thereon to such an extent as the Board may think fit; and if the lessee fails to comply with such requisition within six months after receipt thereof, his right of depasturing shall be determined.

*Lessee may waive grazing right.*

**33.** If a pastoral tenant does not within six months after the order confirming the division of his run give notice to the Minister that he desires to exercise the right of depasturing hereby conferred, or if at any time thereafter he gives notice to the Minister that he surrenders such right in respect of the whole or any portion

of the resumed part, or if his right is determined under the provisions of the last preceding section, or if he fails to pay the prescribed rent, the land may be dealt with as Crown lands under any of the provisions of this Act applicable thereto.

Description of leased lands.

**34.** In any lease under this Part of this Act it shall be sufficient if the land comprised therein be defined according to the best description of such land and of the boundaries thereof which may be procurable, notwithstanding that such description may not have been prepared after actual survey, and no lease shall be liable to be set aside by reason only of the imperfection of any such description so long as the land shall thereby be defined with reasonable certainty.

Use of timber or material by lessees.

**35.** Lessees under this Part of this Act shall be permitted to cut and use such timber and material for building and other purposes as may be required by them for the purposes of their holdings.

Passage of stock.

**36.** Any person driving horses, cattle, or sheep along any road passing through a holding under this Part of this Act, which is ordinarily used for the purpose of travelling stock, may depasture such horses, cattle, or sheep on any land within the distance of half-a-mile from such road, which is not part of an enclosed garden or paddock under cultivation, or is not within one mile from the principal homestead or head station, notwithstanding that such land is leased under this Part of this Act, or is enclosed.

Provided that, unless prevented by rain or flood, such horses, cattle, or sheep shall be driven towards their destination at least six miles within every successive period of twenty-four hours.

## Penalty.

**37.** Any person or persons driving horses, cattle, or sheep, and depasturing the same contrary to the provisions of the last preceding section, shall forfeit and pay a sum not exceeding twenty pounds, to be recovered before any two justices of the peace at any court of petty sessions, and for every subsequent offence shall forfeit a like sum.

## Time of laying information.

**38.** An information for an offence against the provisions of the last preceding section must be laid within seven days from the time when the matter of the information arose.

## Sale of forfeited leases to first applicant.

**39.** If any lease under this Part of this Act is forfeited or otherwise determined before the expiration of the term thereof, the Governor in Council may, by proclamation, declare the land which was comprised in such lease to be open to be leased to the first applicant for the remainder of the term, subject to the same conditions as were applicable to the former lease.

Or the land may be dealt with under any other provisions of this Act applicable thereto.

If two or more applications are made at the same time the right of priority shall be determined by lot in the prescribed manner.

If the land is leased for the remainder of the term, then if there are upon the land any improvements, the new lessee shall pay to the former lessee compensation for such improvements. The amount of such compensation shall be determined by the Board after hearing both parties, and shall be recoverable by action in any court of competent jurisdiction. Provided that the new lessee shall not be entitled to receive a lease until he shall produce evidence of having duly paid the said

amount of compensation, or shall have lodged the amount in the hands of the Commissioner or other prescribed officer.

If the land is otherwise dealt with, then any amount which is afterwards received by the Crown in respect of such improvements shall be paid over to the former lessee.

*Existing Runs not brought under Act and forfeited.*

Forfeited leases of runs under "*Pastoral Leases Act of 1869*" may be offered at auction.

**40.** If the lease of any run held under "*The Pastoral Leases Act of 1869*," situated in any part of the colony in which this Act is in force for the time being, of which the pastoral tenant has not elected to take advantage of the provisions of this Act, is forfeited or vacated, the run may be offered for sale by public auction for the residue of the term of the lease computed from the nearest first day of July. The upset price shall not be less than ten shillings per square mile of the estimated area, and the highest amount bid shall be the annual rent to be paid for the residue of the term.

Or the land comprised in the run may be dealt with under any other provisions applicable thereto.

**PART IV.—AGRICULTURAL AND GRAZING FARMS.**

Agricultural Areas may be proclaimed.

**41.** The Governor in Council, on the recommendation of the Board, may by proclamation define and set apart any Country Lands as Agricultural Areas.

Governor may proclaim lands open to selection.

**42.** The Governor in Council, on the recommendation of the Board, may by proclamation declare any Country Lands to be open for selection under the provisions of this Part of this Act, and may by like proclamation, on the like recommendation, withdraw any such lands from being so open.

Land to be surveyed before selection.

43. Before any land is so proclaimed open for selection it shall be surveyed under the direction of the Surveyor-General and divided into lots of convenient area for selection, with proper roads and reserves for public purposes, and such lots shall be marked on the ground by posts not less than three feet in height at the corners of the lots.

Temporary provisions as to survey.

44. With respect to land which, before the passing of this Act, had been proclaimed open for selection or for sale by auction under the provisions of "*The Crown Lands Alienation Act of 1876*," or any Act thereby repealed, and as to which it is practicable to divide the land into lots without actual survey, and to indicate the position of such lots by means of maps or plans, and by reference to known or marked boundaries or starting points, the following provisions shall have effect:—

- (1.) The Governor in Council on the recommendation of the Board may suspend the operation of so much of the last preceding section as requires the land to be actually surveyed and marked on the ground before it is proclaimed open for selection, and may require the Surveyor-General to divide the land into lots, and to indicate the position of such lots on proper maps or plans;
- (2.) The land may thereupon be proclaimed open for selection in the same manner as if it had been surveyed, and the delineation of the lots on the maps or plans shall be deemed to be a survey thereof, and the lots shall be deemed to be surveyed lots for the purposes of this Part of the Act;
- (3.) The powers conferred by this section may be exercised at any time within two years after the commencement of this Act, but not afterwards.

What to be specified in proclamation.

45. (1.) The proclamation declaring the land open to selection shall appoint a day (not being less than four weeks after the date of the proclamation) on and after which the land will be open: And on and after the day so notified the land shall be open to selection accordingly.

Maximum areas of farms.

(2.) The proclamation shall also specify whether the land is in an Agricultural Area or not, and shall declare the maximum area of land which may be selected by any one person in the District.

(3.) Such maximum area shall not—

(a.) In the case of land in an Agricultural Area, exceed one thousand two hundred and eighty acres, or be less than three hundred and twenty acres:

(b.) In the case of other land, exceed twenty thousand acres, or be less than two thousand five hundred and sixty acres.

Price of land.

(4.) The proclamation shall also specify the numbers of the lots, and their area, and the annual rent per acre to be paid for each lot:

Such rent shall be not less than three pence per acre in the case of land in an Agricultural Area, and not less than three farthings per acre in other cases.

(5.) In the case of land in an Agricultural Area, the proclamation shall further specify the price (not being less than twenty shillings per acre) at which the lessee may purchase the land in fee-simple, as hereinafter provided.

(6.) The proclamation shall also state the value of any improvements upon any lot declared open to selection.

Maps to be exhibited.

46. When any land is so proclaimed open for selection, maps shall be prepared and exhibited to the public at the land office of the district and at the Department of Public Lands in Brisbane showing the land so open, its distance from railway or water carriage, the price per acre, the maximum area that may be selected by any one person in the district, the quality and capabilities of the land so far as they can be stated, and such other information as may be prescribed.

Land Agent to keep register of applications.

47. The Land Agent shall keep a register in which he shall enter all applications to select land in the consecutive order of their receipt and the day and hour on which they were lodged, and each applicant shall himself or by his duly constituted attorney sign his name to such entry.

When any such application is approved or rejected, or otherwise dealt with, the Commissioner shall make a memorandum of such approval or rejection opposite the entry of the application in the register.

Such register shall be open to public inspection during office hours.

Disqualifications.

48. No person who is under the age of eighteen years, or who is a married woman not having obtained an order for judicial separation or protecting her separate property, or who is in respect of the land applied for or held, or any part thereof, or interest therein, an agent, trustee, or servant, of or for any other person, shall be competent to apply for or hold any land under the provisions of this Part of the Act.

Applications to be lodged by the applicant personally, who shall pay first annual payment and cost of survey.

49. Any person desiring to select Crown lands under this Part of this Act must lodge with the Land

Agent an application in the prescribed form, and must himself or by his duly constituted attorney sign the entry of his application in the register of applications.

The application must be for a lot as surveyed, and must refer to it by its number as specified in the proclamation.

The application must be accompanied by the full amount in cash of the first year's rent together with the survey fee.

Applications shall take priority according to the order of their being lodged with the Land Agent.

Provided that if two or more applicants shall be present at the time of opening the Land Agent's office the applications lodged by them shall be deemed to be lodged at the same time. In such case the right of priority shall be determined by lot in the prescribed manner.

Proportion of frontage in respect to such boundaries.

**50.** Subject to such general regulations concerning surveys, roads, or the prevention of a monopoly of permanent water, or otherwise, as may be made under this Act, land having frontage to a main watercourse, or, in the case of land in an Agricultural Area, to a main road, shall not have a greater breadth of frontage thereto than two-thirds of the depth.

Notice of confirmation to be given to selector.

**51.** When the Board has confirmed the approval of the Commissioner, notice of such confirmation shall be given to the selector. Such notice shall specify the conditions of rent, fencing, and occupation, to be fulfilled by the selector, and the consequences of non-fulfilment thereof.

Payment for improvements.

**52.** If there are upon any land selected under this Part of this Act any improvements, the selector shall

pay the value of such improvements to the Land Agent within seven days from the date of the approval of the application.

No person to hold more than maximum area in district.

**53.** No person shall at the same time, either in his own right or as a trustee for any other person, except as hereinafter provided, hold in the same district two or more farms of the same class, the aggregate area of which is greater than the maximum area of land for the time being permitted to be selected as a farm of that class in that district. But no alteration of the boundaries of a district shall prejudice any then existing holding.

Nor shall any person at the same time, either in his own right or as a trustee for any other person, except as hereinafter provided, hold in the colony two or more Agricultural Farms the aggregate area of which is greater than one thousand two hundred and eighty acres, or two or more Grazing Farms the aggregate area of which is greater than twenty thousand acres.

On confirmation license to issue.

**54.** When the applicant has paid the value of the improvements (if any), and the application has been confirmed by the Board, he shall be entitled to receive from the Commissioner a license to occupy the land.

Such license shall not be transferable.

Rights conferred by license.

**55.** Upon the issue of a license the selector may enter upon the land and take possession thereof, but shall not be entitled to impound any stock of the last authorised pastoral tenant found trespassing on any part of the land which is not enclosed with a good and substantial fence except in the case of wilful trespass.

Rent to be paid during license.

56. During the currency of the license the selector shall pay the annual rent at the same time and place as is hereinafter prescribed in the case of rent reserved by and payable under the lease, and in the event of his failing to make such payment the same consequences shall ensue with respect to the license as are prescribed in the case of a lease upon the like default.

Condition of improvement.

57. In the case of Grazing Farms the selector must within three years from the issue of the license enclose the land with a good and substantial fence.

In the case of Agricultural Farms the selector must within five years from the issue of the license either enclose the land with a good and substantial fence or make substantial and permanent improvements on the land of a value equal to the cost of such a fence.

If the same person is the selector of two or more contiguous lots, it shall be sufficient to enclose the whole area comprised in the lots, or to make the prescribed improvements upon any part of such whole area.

It shall not be necessary to erect a fence upon any boundary which is formed by a natural feature of such a character as to be sufficient to prevent the passage of stock.

The selector must also within such period of three years or five years respectively apply to the Commissioner for a certificate that he has done so. Upon such application being made, the Commissioner, or some other person appointed by the Governor in Council in that behalf, shall inspect the selection, and, if he finds that the whole of the land has been so enclosed or improved, shall certify that fact to the Board.

The Board may, if the selector has from any unavoidable cause been prevented from enclosing or improving the land within the time hereinbefore prescribed, grant an extension of twelve months' further time to make

such enclosure or improvement; but if the fencing or improvement is not completed within such extended time the license to occupy shall become inoperative, and the selector shall have no further right or title to the land or the occupation thereof.

Lease to issue.

**58.** Upon the receipt by the Board of a certificate that the selection has been fenced or improved as hereinbefore prescribed, the selector shall be entitled to a lease thereof from Her Majesty, under and subject to the conditions following and all other the conditions and provisions of this Act, that is to say:—

- (1.) The term of the lease shall in the case of an Agricultural Farm be fifty years, and in the case of a Grazing Farm be thirty years, computed from the first day of January or first day of July nearest to the date of the license;
- (2.) The annual rent reserved under the lease shall for the first ten years thereof be the rent specified by the Proclamation declaring the land open to selection. The rent for each period of five years after the first ten years shall be determined by the Board;
- (3.) The rent shall be payable in respect of the year ending on the thirty-first day of December, and shall be payable at the Treasury in Brisbane, or other place appointed by the Governor in Council, on or before the thirty-first day of March in each year;
- (4.) In determining the rent regard shall be had to—
  - (a.) The quality and fitness of the land for agricultural or grazing purposes, as the case may be;
  - (b.) In the case of Grazing Farms the number of stock which the holding may reasonably

be expected to carry in average seasons after a proper and reasonable expenditure of money in improvements ;

(c.) The distance of the holding from railway or water carriage ;

(d.) The natural supply of water, and the facilities for the storage or raising of water ;

(e.) The relative value of the holding at the time of the assessment as compared with its value at the time of the commencement of the lease :

Provided that in estimating the value any increment in value attributable to improvements shall not be taken into account.

(5.) If default is made by the lessee in the payment of rent the lease shall be forfeited, but the lessee may defeat the forfeiture by payment of the full annual rent within ninety days from the date hereinbefore appointed for payment thereof with the addition of a sum by way of penalty, calculated as follows, that is to say—if the rent is paid within thirty days five per centum is to be added, if the rent is paid within sixty days ten per centum is to be added, and if the rent is paid after sixty days fifteen per centum is to be added ; but unless the whole of the rent together with such penalty is paid within ninety days from the appointed day the lease shall be absolutely forfeited ;

(6.) The lessee shall occupy the land continuously and *boná fide* during the term of the lease ;

Such occupation shall be by the continuous and *boná fide* residence on the land of the lessee himself or some other person who is the actual and *boná fide* manager or agent of the

lessee for the purpose of the use and occupation of the land, and who is himself not disqualified from selecting a farm of the same area and class in the district;

Every appointment of a manager or agent by the lessee shall be in writing signed by the parties or their agents, and shall be in duplicate; and one copy thereof shall be registered in the office of the Commissioner;

Occupation by a person under an unregistered appointment shall not be recognised;

- (7.) In the case of a Grazing Farm the lessee shall keep the land fenced with a good and substantial fence during the whole term of the lease;

Provided that if the same person is the lessee of two or more contiguous Farms in his own right, it shall be sufficient if the whole area comprised in the Farms is so fenced;

- (8.) If at any time during the currency of the lease it is proved to the satisfaction of the Commissioner that the lessee has failed in regard to the performance of the condition of occupation or fencing, the Governor in Council, on the recommendation of the Board, may declare the lease absolutely forfeited and vacated, and thereupon the land comprised therein shall revert to Her Majesty;

- (9.) Provided that in the case of a Grazing Farm, if it is proved to the satisfaction of the Board that the failure to occupy was caused by unavoidable want of water upon the farm, the Board may excuse such failure; but such excuse shall not be given for a period of more than twelve months unless the want of water continued for a longer period;

Rent to be paid pending assessment.

(10.) When the rent of a farm is to be determined by the Board the lessee shall, until it has been so determined, continue to pay at the prescribed time and place the same amount of annual rent as theretofore, and when the amount of rent has been determined by the Board the lessee shall, on the next thirty-first day of March, pay at the prescribed place any arrears of rent found due by him at the rate so determined, so as to adjust the balance due to the Crown.

Lessees under Part III. and pastoral tenants not to hold Grazing Farms in same district.

**59.** No person who—

- (a.) Is a lessee under Part III. of this Act of a holding exceeding ten thousand acres; or
- (b.) Is a pastoral tenant under any of the Acts hereby repealed, or
- (c.) Is a trustee for any such lessee or pastoral tenant otherwise than under a will, or
- (d.) Is the servant of any such lessee or pastoral tenant, or
- (e.) Is interested as mortgagor or otherwise in any holding under Part III. of this Act, or in a run held under any of the Acts hereby repealed,

may apply for or become or be the lessee of a Grazing Farm which is situated in the same district in which the holding or run is situated, or of a Grazing Farm which is situated in another district, and is within twenty-five miles of any part of such holding or run.

Restriction on freeholders.

**60.** No person who is beneficially entitled to any freehold land or any holding under Part III. of this Act in any district, may become or be the lessee under

this Part of this Act of a Grazing Farm or Grazing Farms in the same district the aggregate area whereof, together with the area of the freehold land or of the holding under Part III. of this Act, exceeds the area allowed to be selected by one person in that district. In the case of several joint holders of freehold land each shall be deemed to be the holder of an area equal to the total area divided by the number of joint holders.

Restrictions not to apply in certain cases.

**61.** The restrictions hereinbefore imposed against any person holding a Farm, or against any one person holding more than the prescribed area of land as a Farm or Farms, shall not apply to any person who shall become the lessee of any such Farm or Farms as the trustee of the estate of a previous lessee under the laws relating to the administration of the estates of insolvent persons, or as the trustee of a settlement made in consideration of marriage, or as the legatee, executor, or administrator, or one of the next of kin of a deceased lessee.

Forfeiture for violation of law.

**62.** If at any time during the term of a lease it is proved to the satisfaction of the Commissioner in open court that the lessee is holding the Farm in violation of any of the provisions of this Act, the Governor in Council, on the recommendation of the Board, may declare the lease absolutely forfeited and vacated, and thereupon the land comprised therein shall revert to Her Majesty.

Use of holding for depasturing another person's stock to be *prima facie* evidence that lessee is a trustee.

**63.** Proof that the stock of any person other than the lessee are ordinarily depastured on a holding under this Part of this Act shall be *prima facie* evidence that the lessee is a trustee of the holding for the owner of such stock.

## Forfeited leases.

**64.** If the lease of any Farm is determined by forfeiture or otherwise before the expiration of the term thereof, the land comprised therein may be proclaimed open to selection by the first applicant for the remainder of the term of the lease on the same terms as those then applicable thereto, or may be proclaimed open for selection or occupation in any manner in which Crown lands in the district may be selected or occupied :

But the former lessee shall not, in case the Lease was determined by forfeiture, be competent to select the land or any part thereof, or to become the lessee thereof or of any part thereof by assignment, for a period of five years from the time of forfeiture :

If the land is applied for and selected for the remainder of the term, the new lessee shall pay to the former lessee compensation for any improvements upon the land. The amount of such compensation shall be determined by the Board after hearing both parties, and shall be recoverable by action in any court of competent jurisdiction. Provided that the new lessee shall not be entitled to receive his lease until he shall produce evidence of having duly paid the said amount of compensation, or shall have lodged the amount in the hands of the land agent or other prescribed officer.

If the land is otherwise dealt with, then any amount which is afterwards received by the Crown in respect of any such improvements shall be paid over to the former lessee.

*Mortgages.*

## Mortgages.

**65.** When any holding under this Part of this Act is intended to be charged or made security for the payment of any sum of money, the lessee shall execute a memorandum of mortgage in the form in the fourth Schedule hereto or to the like effect.

Every memorandum of mortgage must be in duplicate, and one original must be registered in the Department of Public Lands; and in the case of several mortgages of the same holding they shall take effect according to priority of registration.

A fee of five shillings shall be payable upon the registration of every such memorandum in respect of every holding comprised in or affected by it.

A mortgage may be transferred on payment of the like fee for registration of the transfer.

Effect of mortgage.

**66.** A memorandum of mortgage shall have effect only as a security for the sum of money intended to be secured by it, and shall not take effect as an assignment of the lease.

Right of mortgagee.

**67.** If default is made in the payment of the money secured by memorandum of mortgage according to the tenor thereof, or upon the happening of any event which according to the terms of the memorandum entitles the mortgagee so to do, the mortgagee may—

- (1.) Enter upon and take and retain possession of the holding for any period not exceeding twelve months;
- (2.) Sell the holding by public auction after not less than thirty days' notice of the intended sale published in the *Gazette* and a local newspaper;

Provided that the purchaser must be a person who is not disqualified to be the lessee of the land under the provisions of this Act;

Provided nevertheless that the Board may extend the time during which the mortgagee may retain possession of, or sell the holding.

Transfer on sale.

**68.** Upon a sale of a holding under the power of sale hereby conferred upon a mortgagee he may assign the lease to the purchaser, and the assignment shall be registered in the Department of Public Lands upon payment of the prescribed fee.

*Underleases.*

Conditions on which holdings may be sub-let.

**69.** A lessee under this Part of this Act may underlet the whole or any part of his holding, and an underlease may be transferred, subject to the following conditions, but not otherwise, that is to say,—

- (1.) The sub-lessee or transferee must be a person who is not himself disqualified to become the lessee under this Part of this Act of a Farm in the same District, and of the same area, as the land included in the underlease;
- (2.) The approval of the Board must be obtained to the underlease or transfer;
- (3.) Such approval shall not be given to an underlease unless special grounds are shown by the lessee to the satisfaction of the Board for granting such approval;
- (4.) The underlease or transfer must be in writing and in duplicate, and one original thereof must be registered in the Department of Public Lands.

Consequence of non-observance of conditions.

**70.** If a lessee underlets any part of his holding otherwise than in accordance with this Act, or if the condition of occupation is not performed by any sub-lessee of the whole of a holding, the lessee shall be deemed to have failed to comply with the condition of occupation, and his lease may be dealt with accordingly.

*Register.*

Register of Leases.

71. There shall be kept in the Department of Public Lands a Register of Leases issued under this Part of this Act, wherein shall be entered particulars of all leases, mortgages, and underleases, and such other particulars as may be prescribed by the Regulations.

Any person shall, upon payment of the prescribed fees, be entitled to have access to the Register for the purpose of inspection thereof at any reasonable time during office hours.

*Selections under "Crown Lands Alienation Act of 1876."*

Selectors under Act of 1876 may surrender their title and receive lease.

72. Whenever the boundaries of any district comprise any conditional selection selected under the provisions of "*The Crown Lands Alienation Act of 1876*," the selector may apply to the Minister to surrender his title under that Act and to receive instead thereof a lease of the land as an Agricultural Farm under this Part of this Act, notwithstanding that the area exceeds one thousand two hundred and eighty acres.

Upon such surrender the selector shall be entitled to receive a lease under this Part of this Act for the prescribed term.

The total rent which has been paid by the selector in respect of the selection, after deducting a sum equal to sixpence per acre, or one-half the annual rent, whichever is the lesser sum, for every year during which the selection has been held, shall be credited to the selector as paid in advance in respect of the rent reserved by the lease, or if there be any surplus after payment of such rent, then in respect of the purchase money as herein-after provided.

The rent to be reserved under the lease for the first ten years shall be determined by the Board, but shall not be less than the minimum hereinbefore prescribed.

The purchase money to be paid on purchasing the selection within the first twelve years, as hereinafter provided, shall be the selection price, or a sum equal to one pound per acre, whichever is the greater sum.

A selector may, before applying to surrender his title under the provisions of this section, require the Board to determine the rent which will be reserved for the first ten years in the event of such surrender.

#### *Acquisition of Freehold.*

In agricultural areas fee-simple may be acquired after ten years' personal occupation.

**73.** Whenever in the case of a holding in an Agricultural Area the condition of occupation hereinbefore prescribed has been performed by the continuous and *bonâ fide* residence on the holding of the lessee himself, or of each of two or more successive lessees, for the period of ten years next preceding the application hereinafter mentioned, the lessee may apply to the Commissioner to become the purchaser of the holding, and upon proof to the satisfaction of the Commissioner in open court that such condition has been so performed, and on payment at the Treasury, or other place appointed by the Governor in Council, of the prescribed price and deed fee and assurance fee, he shall be entitled to a Deed of Grant of the land in fee-simple.

When the title to a selection under "*The Crown Lands Alienation Act of 1876*" has been surrendered and a new lease has been issued under the provisions of the last preceding section, any continuous personal residence of the selector upon the selection up to the time of such surrender shall be computed in reckoning the period of ten years.

The purchase money shall, if the application to purchase is made before the expiration of twelve years from the commencement of the term of the lease, be the price specified by the Proclamation which declared the land open to selection, or hereinbefore prescribed, as the case may be; and, if the application is made at a

later time, shall be a sum bearing the same proportion to that price as the rent payable at the time of the application to purchase bears to the rent specified by that Proclamation or so prescribed.

When a holding is vested in an executor or administrator of a deceased lessee, the residence on the land of any person who is beneficially interested in the holding shall be deemed to be personal residence of the lessee for the purposes of this section.

Special provisions for acquiring freehold in the case of holdings not exceeding one hundred and sixty acres after personal occupation.

§ 74. With respect to Agricultural Farms, the area whereof does not exceed one hundred and sixty acres, the following provisions shall have effect:—

(1.) If at any time before the expiration of seven years from the commencement of the term of the lease the lessee proves to the Commissioner in open court that the condition of occupation hereinbefore prescribed has been performed for the period of five years next preceding the tendering of such proof either—

(a.) By the continuous and *bonâ fide* residence on the holding of the original lessee himself, or,

(b.) In case of the death of the original lessee before he has so resided for five years, by the continuous and *bonâ fide* residence of such lessee on the holding for a portion of that period, and by the continuous and *bonâ fide* residence on the holding for the remainder of the period of some person beneficially interested in the holding under the will, or as one of the next of kin, of the original lessee,

and that a sum at the rate of ten shillings per acre has been expended in substantial and permanent improvements on the land, the

lessee, upon payment at the Treasury, or other place appointed by the Governor in Council, of a sum which together with the rent already paid will make up the sum of two shillings and sixpence per acre, together with the prescribed deed fee and assurance fee, shall be entitled to a Deed of Grant of the land in fee-simple;

- (2.) Provided that if the original lessee dies before the expiration of seven years from the commencement of the term of the lease and before making such proof as aforesaid, intestate, and leaving a widow, the widow may tender such proof to the Commissioner, and, upon making such proof and such payments as aforesaid, she shall be entitled to have a Deed of Grant of the land in fee-simple issued to her, and shall hold the land upon the same trusts as if she had been duly appointed administrator of the land of the deceased lessee;
- (3.) The provisions of this section shall not apply to any holding acquired by any person who has acquired a Homestead Selection under "*The Crown Lands Alienation Act of 1876*," or any of the Acts thereby repealed;
- (4.) No person shall take advantage of the provisions of this section in respect of more than one holding of which he is the original lessee;
- (5.) The provisions of this section shall not be applicable in respect of any holding which is mortgaged or has been sublet.

*Provisions in case of two or more Farms held by the same person.*

In case of contiguous farms held by same lessee one only need be occupied.

**75.** If the same person is the lessee of two or more Farms which are contiguous, or are only separated by a road or roads, or a creek, the condition of occupation

may be performed by the residence of the lessee or another person, being his manager or agent as hereinbefore prescribed, upon one of such Farms; and such residence shall be equivalent to the residence of the lessee or that person upon each of such Farms, and shall confer on the lessee in respect of each Farm the same rights as his own residence, or the residence of that person, as the case may be, would have conferred.

Privilege to continue notwithstanding acquisition of land in fee-simple.

**76.** If a lessee acquires an Agricultural Farm in fee-simple and continues to reside thereon, such residence shall, so long as he is the owner thereof in fee-simple, continue to confer on him the same rights and privileges as are by the last preceding section declared with respect to other Farms held by him, in the same manner and to the same extent as if the Farm so acquired in fee-simple were still a holding under this Part of this Act.

#### PART V.—OCCUPATION LICENSES.

Licenses may be granted from year to year.

**77.** The Minister may grant licenses to occupy, from year to year, any Crown lands not subject to a right of depasturing under Part III. of this Act. Such licenses shall be granted under and subject to the following provisions and conditions, that is to say:—

- (1.) The land shall be declared open to such occupation by notice in the *Gazette*, specifying the areas to be occupied and the rent per square mile, which shall be determined by the Board;
- (2.) One month's notice at least shall be given in the *Gazette* before the land shall be so open;
- (3.) Applications for licenses must be made to the Commissioner;
- (4.) The first applicant shall be entitled to the license, and if two or more applications are made at the same time the priority shall be decided by lot in the prescribed manner;

- (5.) Every such license shall expire on the thirty-first day of December of the year in which it is granted, unless renewed, as hereinafter provided ;
- (6.) The amount specified by the notice shall be the annual rent, until increased as hereinafter provided, and shall be paid at the time of application : If that time is after the thirtieth day of June, one-half of the annual rent only will be payable ;
- (7.) The license may be renewed for another year, and so on from year to year, upon payment on or before the thirtieth day of September, at the Treasury in Brisbane, or other place appointed by the Governor in Council in that behalf, of the next year's rent ;
- (8.) The land comprised in the license shall, if so proclaimed, be open to selection under the provisions of Part IV. of this Act ;
- (9.) If the land is so proclaimed open to selection the rent payable in respect thereof shall be reduced by one-third ;
- (10.) The Minister, on the recommendation of the Board, may at any time before the first day of September in any year give notice to the licensee that the next year's rent will be increased by an amount not exceeding twenty-five per centum of the rent then fixed, and the rent shall be increased accordingly ;
- (11.) The license shall be determinable at the end of any year by six months' notice previously given by the Minister to the licensee ;
- (12.) If, in the opinion of the Board, any licensee is injuriously using the land comprised in the license by overstocking the same, the Board may require him to reduce the number of his stock thereon to such an extent as the Board

may think fit, and if the licensee fails to comply with such requisition within six months after receipt thereof the license shall be determined.

#### PART VI.—SALES BY AUCTION.

Governor may cause town or suburban lands to be sold by auction.

**78.** The Governor in Council may cause any town or suburban lands to be offered for unconditional sale by public auction, and may cause maps of such lands to be prepared, which maps shall show and specify the counties, parishes, or towns, in which the lands are situated, and all reserves intended to be made in accordance with the provisions of this Act, and the boundaries and areas of the lands intended to be sold, and shall also show the lengths and bearings of all boundary lines comprised therein, and such maps shall be deposited as public maps in the office of the Surveyor-General.

Classes of land to be stated.

**79.** All such lands shall be distinguished as town or suburban lots, according to their respective positions, and shall be offered as nearly as may be in areas according to the following scale:—

Town lands in allotments of from one rood to one acre;

Suburban lands within one mile from town lands in lots of from one acre to five acres;

Suburban lands over one mile from town lands in lots of from one acre to ten acres.

Proclamation of land for sale.

**80.** The place and time of sale shall be notified by proclamation published in the *Gazette* not less than four weeks or more than three months prior to the day of sale, and the proclamation shall specify the

numbers of the lots and the area and upset price of each lot: Provided that any lot may be withdrawn from sale by the Minister at any time prior to the same being actually offered for sale and bid for.

Special conditions may be imposed.

The proclamation may impose any special conditions with respect to the sale of any specified lot or lots, and may add the value of improvements on any land to the upset price.

Upset price.

**81.** The upset price shall not be less than—

Eight pounds per acre for town lands, and

Two pounds per acre for suburban lands.

Provided that the upset price may be fixed at any larger sum.

Conditions to be read.

**82.** The land agent or auctioneer shall before the commencement of the sale read the terms and conditions of sale, and all persons bidding at the sale shall be bound by the terms and conditions so read.

Deposit to be made.

**83.** The highest bidding for each lot, together with the name of the purchaser, shall be announced by the land agent or auctioneer before proceeding to offer the next lot, and the purchaser shall thereupon pay a deposit of one-fifth of the purchase money.

Payment of residue.

**84.** The balance of the purchase money and the value of the improvements (if any has been added to the upset price), together with the prescribed deed fee, assurance fee, and survey fee, shall be paid to the land agent at his office within one calendar month from the date of the sale, and upon such payment being duly made the purchaser shall be entitled to a deed of grant of the land in fee-simple.

Forfeiture of deposit upon failure to pay balance.

**85.** If the balance of the purchase money, with the value of the improvements, deed fee, assurance fee, and survey fee, is not paid to the land agent within one calendar month from the day of the sale, the deposit shall be absolutely forfeited, and the depositor shall have no further claim to the land on account thereof.

Value of improvements may be paid to owner or occupant.

**86.** The Governor in Council may by the proclamation direct that the value of any improvements on any lot which were made thereon before the land was surveyed shall be paid to the owner or occupant of such improvements at the time of the sale, and in such case it shall be sufficient that the purchaser, instead of paying the value of the improvements to the land agent, produce to the land agent a receipt in full for such value signed by such owner or occupant.

Proclamation of sale may notify land not bid for open to selection.

**87.** Any proclamation of lands for sale by auction may specially declare that any land mentioned in it which shall not be bid for or withdrawn from sale either before or after offer at auction shall be open to purchase by the first applicant at the upset price: And in every such case all such lands shall be open to purchase accordingly on payment to the land agent of the full upset price, together with the prescribed deed fee, assurance fee, and survey fee, and any further sum which may have been fixed as the value of improvements on the land.

## PART VII.—SPECIAL GRANTS AND LEASES AND RESERVES.

Powers to grant in case of escheat, &c.

**88.** In any case in which Her Majesty has become, or may hereafter become entitled to any land, either by escheat for want of heirs, or by reason of any forfeiture

for treason, felony, or otherwise, or by reason that the same has upon inquisition been found to have been granted or otherwise vested unto the use of, or in trust for any alien or aliens, the Governor in Council, on behalf of Her Majesty, may grant such land in fee-simple, or for any less estate, to any person, for the purpose of restoring the same to any of the family of the person in whom, or for whose benefit, the same had been vested, or of carrying into effect any intended grant, conveyance, or devise of such last-mentioned person in relation to such land, or of rewarding any person making discovery of such escheat or forfeiture, or of Her Majesty's right and title thereto: Provided that before any land under escheat is so granted notice of the intended grant shall be advertised for two consecutive months in the *Gazette*.

Application for closing unnecessary roads.

**89.** The owner or owners of any purchased lands adjoining a road which is required for access to such lands only, and is not otherwise required for public use or convenience, may make application, in writing, to the Minister that such road may be closed either permanently or temporarily.

On the receipt of such application the Minister shall cause notice thereof to be inserted in the *Gazette* and in such local newspapers, if any, as he thinks advisable, and also to be conspicuously posted on the road to be closed, and at the nearest land office, police office, and post office, for a period of not less than two nor more than six calendar months consecutively.

Consequent alienation or license.

**90.** At the expiration of such period the Governor in Council may approve of such application with or without modification.

If the application is for the permanent closure of the road, and is approved without modification, the Governor in Council may order the closure of the road

upon payment of such price as he may think reasonable (not being less than the original upset price of the adjoining lands), in which case, upon payment of such price together with the deed fee and assurance fee, a deed of grant in fee-simple of the soil of such road shall be issued to the owner, or rateably to the several owners of the adjoining lands, or as they may request, in the same manner as if such road had been purchased by him or them at auction under the provisions hereinbefore contained.

Or temporary enclosure only may be authorised.

If the application is for the temporary closure of the road and is approved, or if the application being for the permanent closure of the road the Governor in Council shall approve of a temporary closure thereof only, the Minister shall issue to the applicant a license in the prescribed form authorising him and his successors in the occupation of the adjoining lands to enclose the road and keep it enclosed for so long as he or they shall pay the yearly rent of one shilling per annum for every acre or part of an acre of the land comprised therein, which rent shall be payable in advance at the Treasury on the first day of January in every year.

Property vested in license.

During the currency of the license the holder thereof shall be deemed the lessee of the land comprised therein.

Forfeiture for non-payment of license fee.

If the annual license fee shall not be paid when due the license shall be forfeited, but the licensee may at any time within ninety days thereafter defeat such forfeiture by payment of the rent together with an additional sum equal to one-fourth part thereof by way of penalty; but in default of such payment of rent and penalty within such period of ninety days the license shall be absolutely forfeited.

## Power to cancel license.

If at any time it appears to the Governor in Council expedient to re-open any road in respect of which any such license shall have been issued, the Governor in Council may cancel the license upon giving six months' clear notice to the holder thereof, and upon such cancellation the road so enclosed shall again become open as a public highway.

## Sale in consideration of improvements.

91. Upon application made within twelve months after the proclamation in the *Gazette* of the first sale of any town land situated within any new city, town, village, or reserve, upon which improvements are situated, the Governor in Council may sell and grant the allotment or allotments containing such improvements to the owner of such improvements without competition at the fair value thereof in an unimproved state, not being less than twice the minimum upset price as defined by this Act.

## Sales without competition in special cases.

92. In cases in which there is no convenient way of access to any portion of Crown land, or in which any portion may be insufficient in area for public sale, or in which a portion of Crown land may lie between land already granted and a street or road which forms, or should form, the way of approach to such granted land, or in which buildings erected on lands already granted may have extended over Crown lands, or in any other cases of a like kind, the Governor in Council may sell and grant such lands to the holder or holders of the adjoining lands without competition, and at a price to be determined by the Board.

## Power to purchase or exchange.

93. The Governor in Council, on behalf of Her Majesty, may acquire any land of any tenure which may

be required for any public purpose, either by way of purchase, or by granting any Crown land of equal value in fee-simple or for any less estate in exchange for such land. In any such case the value of the land so acquired or granted, and of any improvements thereon respectively, shall be determined by the Board.

Provisions as to exchange not to apply to country lands.

The power of granting land in exchange for other land conferred by this section shall not be exercised in the case of country lands, except for the purpose of acquiring land to be dedicated as a public road.

Governor may grant leases for special purposes.

**94.** The Governor in Council, on the recommendation of the Board, may grant leases of any portion of land, not exceeding twenty-five acres, to any person for the erection of wharves, store-houses, slips for building or repairing vessels, baths, works for supplying water or gas to any town, market gardens, or any other special purpose. The lease shall be for such term, not exceeding thirty years, and upon such conditions as to rent and otherwise as shall be determined by the Board: provided that the annual rent shall not at any time be less than one pound per acre.

#### *Reserves.*

Power to reserve lands for public purposes.

**95.** The Governor in Council may from time to time grant in trust, or by proclamation reserve from sale or lease, either temporarily or permanently, any Crown lands which, in his opinion, are or may be required for state forests or for quays, landing places, tramways, railways, railway stations, roads, bridges, ferries, canals, or other internal communications, or for the approaches or other purposes necessarily appertaining to any such works, or for camping places for

travelling stock, or for reservoirs, aqueducts, or water-courses, or for the use or benefit of the aboriginal inhabitants of the colony, or for the sites of markets, abattoirs, public baths, or washhouses, mechanics institutes, schools of arts, libraries, museums, or other institutions for public non-scholastic instruction, public gardens or experimental farms and parks, agricultural and horticultural societies, grammar schools, State schools, hospitals, asylums, infirmaries, establishments for the relief of indigent persons, lockups, police stations or police paddocks, gaols, places for the interment of the dead, or for the recreation, convenience, health, or amusement of the people, or for any other purpose of public defence, safety, utility, convenience, or enjoyment, or for otherwise facilitating the improvement and settlement of the colony, or for any special purpose which may be approved by resolution of both Houses of Parliament.

Trustees of public lands.—Trustees may make by-laws.

**96.** The Governor in Council may, by proclamation, and without issuing any deed of grant, place any lands reserved, either temporarily or permanently for any such purpose, under the control of trustees; and may, by like proclamation, declare the style or title such trustees and the trusts of any land placed under their control, and may empower them to make by-laws for carrying out the objects of the trust and to impose penalties not exceeding in any case five pounds for any breach thereof. No such by-laws shall have effect until they have been approved by the Governor in Council and published in the *Gazette*. Upon such approval and publication, they shall have the force of law.

Trustees shall be deemed to be owners in law or equity.

**97.** For the purposes of any suit, action, or proceeding in any court of law or equity it shall be sufficient to describe such trustees by such style or title

without naming any of them, and in any indictment or information it shall be sufficient to describe them by such style or title as owners of any property real or personal, and they may by such style or title sue and be sued, and they shall for the purposes of any such suit, action, or proceeding, be deemed to be the absolute owners of the land placed under their control; and no such suit, action, or proceeding, shall abate by reason of the death, removal, or retirement of any such trustee.

Licenses to mine for coal.

**98.** The Governor in Council may grant licenses to mine for coal on temporary or permanent reserves on such terms as to securing the surface, license fees, royalties, or otherwise, as he shall see fit.

*Commons.*

Commons may be resumed.

**99.** The Governor in Council may by proclamation resume any Crown lands which have heretofore been proclaimed as a Common.

Governor in Council may make regulations for management of Common.

**100.** The Governor in Council may make regulations for the management of any existing Common and for giving effect to commonage rights, subject, however, to the following conditions :

That commonage rights shall appertain solely to residents in the township or district for which the Common was proclaimed ;

That the depasturing of sheep and entire male animals exceeding six months old, except under special conditions, shall be prohibited ;

That payment be made for the depasturing of cattle at a rate not less than two shillings per head per annum, and that in no case shall any one person be allowed to run more than twenty head on the same common.

But nothing herein contained shall prevent *bonâ fide* travellers from depasturing their bullocks, horses, or other stock on any Common. Provided that no person travelling with stock shall be deemed a *bonâ fide* traveller unless such stock are driven towards their destination at least six miles within every successive period of twenty-four hours, unless prevented by rain or flood.

Commons may be placed under municipal councils.

**101.** In the case of any Common proclaimed for the use of the inhabitants of a municipality, the Governor in Council may place such Common under the control of the council of such municipality, and may authorise the council to make regulations, subject to the conditions aforesaid, for the management thereof and the giving effect to commonage rights therein.

#### PART VIII.—RESUMPTION AND COMPENSATION.

##### *Resumption.*

Resumption from holdings.

**102.** The whole or any part of any holding under this Act may be resumed from lease by the Governor in Council on the recommendation of the Board, subject to the following provisions, that is to say:—

- (1.) A notice signed by the Minister must be published in the *Gazette*, and served on the lessee either personally or by post letter addressed to him at the holding six months at least before the resumption takes effect;
- (2.) The resumption must, except in the case of the resumption of land for a public road, be made to take effect at the expiration of some year of the tenancy;
- (3.) The lessee may, at any time within three months after service of a notice of resumption of part of a holding, serve on the Minister a

notice in writing to the effect that he accepts the same as a notice of resumption of the entire holding, to take effect at the expiration of the then current year of tenancy; and the notice of resumption shall have effect accordingly;

- (4.) Upon resumption of the whole or part of a holding the lessee shall be entitled to compensation for the loss thereof, the amount of which shall be determined by the Board;
- (5.) If the lessee is dissatisfied with the decision of the Board, he may, within one month after the decision is pronounced, give notice to the Minister that he objects to the decision;
- (6.) If such notice of objection is given, the compensation shall be determined in the manner prescribed by "*The Public Works Lands Resumption Act of 1878,*" for determining compensation for land taken under that Act.

Amount of compensation for holdings.

**103.** The amount of compensation in respect of the whole or part of a holding shall, irrespective of the compensation payable in respect of the improvements thereon (if any), be such sum as would fairly represent the value of the whole, or of the part resumed, to an incoming purchaser of the whole or that part for the remainder of the term of the lease:

Provided that upon resumption of part of a holding the lessee shall be entitled to compensation for the loss of that part as hereinbefore provided; and shall also be entitled to a proportionate reduction of rent in respect of the portion resumed, and in respect of any depreciation of the value to him of the residue of the holding, caused by the withdrawal of that portion from the holding, or by the use to be made thereof; and the amount of that reduction shall be determined by the Board in manner herein provided.

*Compensation for Improvements.*

Lessee's title to compensation.

**104.** Where there is upon a run or holding an improvement, the pastoral tenant or lessee shall be entitled, subject to the provisions of this Act, on the resumption under the provisions of this Act of the part of the run or holding on which the improvements are, or on the determination of the lease otherwise than by forfeiture, to receive as compensation in respect of the improvement such sum as would fairly represent the value of the improvement to an incoming tenant or purchaser of the whole run or holding.

Expenses of ringbarking may be allowed as improvements.

**105.** When a lessee has ringbarked timber upon his holding in accordance with the Commissioner's permission, as hereinafter provided, he may, at any time within twelve months after he has incurred any expenditure in respect of such ringbarking, apply to the Commissioner to allow and certify such expenditure; and upon proof of the expenditure being made in open court, the Commissioner may allow and certify such expenditure accordingly, but at a rate not exceeding two shillings and sixpence per acre.

Any ringbarking done in accordance with the permission of the Commissioner shall be deemed to be an improvement in respect of which the lessee by whom it was done, or his assignee, may be entitled to compensation under the provisions of this Act relating to compensation for improvements.

The value of such improvement shall not be estimated to exceed the sum so certified by the Commissioner.

Compensation to be assessed by Board.

**106.** The amount of compensation for improvements to be paid to a pastoral tenant or lessee under this Act shall be determined by the Board in manner hereinbefore provided:

Provided that in case of the resumption of the whole or part of a holding under the provisions of this Act, if the lessee objects to the decision of the Board with respect to the compensation payable in respect of the holding, he shall be also entitled to have the amount of the compensation in respect of the improvements determined under the provisions of "*The Public Works Lands Resumption Act of 1878*," in the same manner as is hereinbefore provided with respect to compensation on the resumption of the holding or part thereof.

Compensation where payable.

**107.** The amount awarded to any pastoral tenant or lessee for compensation under the provisions of this Act shall not, except in the case of the resumption of an entire holding, be payable to him until he is actually deprived of the use of the land or of the improvements, in respect of which the compensation is awarded.

In the case of the resumption of an entire holding the amount awarded shall be payable when the resumption takes effect.

No appeal to Supreme Court under this Part of this Act.

**108.** No appeal shall lie to the Supreme Court from a decision of the Board determining the amount of compensation payable to a pastoral tenant or lessee under this Part of this Act.

#### PART IX.—GENERAL.

Reservation of mines.

**109.** All leases issued under this Act shall contain a reservation of all mines and minerals in the land comprised therein, and shall contain such other reservations and exceptions as may be prescribed including a reservation of the right of access for the purpose of searching for or working any mines or minerals in any part of the land on condition of making compensation to the lessee for any actual damage, and on such other conditions as may be prescribed.

Reservation of gold in grants.

**110.** All Crown grants issued under this Act shall contain a reservation of all gold in or under the land comprised therein.

Ringbarking and destruction of timber forbidden except with Commissioner's permission.

**111.** It shall not be lawful for a lessee under Part III. of this Act, or for a lessee of a Grazing Farm under Part IV. of this Act, to cut down or destroy, except for the purposes of his holding, any trees upon the holding without the permission of the Commissioner, or to ringbark any trees upon the holding without the like permission.

A lessee desiring such permission shall apply for it in writing in the prescribed form, specifying the portion of the holding in respect of which he desires the permission. The Commissioner shall thereupon inquire into the matter, and may refuse such permission or may grant it upon such conditions as may be prescribed, or, if no conditions are prescribed, as he thinks fit.

Any such lessee who cuts down or destroys any tree upon his holding, except for the purposes of the holding, without the permission of the Commissioner, or contrary to the conditions of the permission, or who ringbarks any tree upon the holding without the like permission, or contrary to the conditions thereof, shall upon the information of the Commissioner or other prescribed officer be liable to a penalty of not less than one shilling and not more than ten shillings for every tree so cut down, destroyed, or ringbarked.

Rent a debt to the Crown.

**112.** The rent reserved by any lease or payable in respect of any license under this Act shall be a debt due to Her Majesty.

## Transfers of leases and licenses.

**113.** Subject to the provisions of this Act leases and licenses may be transferred on application to the Minister, and upon payment of a transfer fee of ten shillings for every holding or license.

## Proviso for amendment of defective descriptions.

**114.** If after the issue of any lease it is found on survey, or by mutual consent of the parties interested, that the description of the boundaries of the holding therein contained does not describe with sufficient certainty the lands intended to be therein comprised, the Governor in Council may cancel such lease, and may issue a fresh lease for the remainder of the term with an amended description of the holding.

## Subdivision of holdings.

**115.** Any holding under this Act may be subdivided upon application to the Minister and payment of the prescribed fee.

The application must be accompanied by proper and correct plans and descriptions of the proposed subdivisions, certified by a licensed surveyor.

Upon a subdivision the original lease must be surrendered, and new leases shall thereupon be issued comprising the respective subdivisions.

Such new leases shall be for the residue of the original term, and shall be issued in the name of the original lessee or such persons (not being disqualified to be lessees) as he may direct.

## Removal of timber and material by other than lessees.

**116.** Except as provided in this Act, a lessee under Part III. of this Act shall not have power to restrict other persons duly authorised by the Minister either from cutting or removing timber or material for building or other purpose, or from searching for metal or mineral within his holding.

Right to enter on lands.

**117.** Nothing in this Act, or in any license or lease granted thereunder, shall be held to prejudice or interrupt the right of the Governor in Council, or of any officer duly authorised in that behalf by the Governor in Council, to go upon any lands included in any license or lease, or to make any survey, inspection, or examination of the same.

“*Fencing Act of 1861*” to apply to leased lands.

**118.** The provisions of “*The Fencing Act of 1861*” shall apply to all lands included in any license under Part IV. of this Act or any lease under this Act, and the licensee or lessee shall be deemed the owner thereof for the purposes of the said Act; and the granting of any such license or of a lease under this Act shall for the purposes of the said Act be deemed an alienation of such land.

Right to impound limited.

**119.** A lessee exercising the right of depasturing on the resumed part of a run under Part III. of this Act, or a licensee under Part V. of this Act, shall not be entitled to impound the horses or cattle (not being entire horses or bulls) of a selector of an Agricultural Farm found trespassing on any land which is subject to the right of depasturing or license to occupy, and is not separated from the selection by a sufficient fence, until after the expiration of three years from the date of the selector's license, except in case of wilful trespass, or unless the selector depastures on his selection more horses or cattle than at the rate of one for every ten acres of the land comprised in the selection which is not so occupied as to be unavailable for depasturing such horses or cattle.

Licensed surveyors.

**120.** For the purpose of effecting surveys under the provisions of this Act, the Surveyor-General may issue licenses to such surveyors as may on examination prove to be duly qualified. Provided that if any such surveyor shall wilfully neglect the proper execution of the surveys on which he may be employed, or shall make any false statement or misrepresentation in regard to any land surveyed or the measurement thereof, his license may be suspended or cancelled.

Power to rescind proclamation of town or suburban lands.

**121.** The Governor in Council may by proclamation rescind, either in whole or in part, any reservation of any Crown lands as town lands or suburban lands, or as reserves for public purposes.

From the date of any such rescinding proclamation the unalienated town lands and suburban lands and reserved lands respectively affected thereby shall be deemed country lands as if the original reservation had not been made.

Water reserves and streets to be preserved.

If any lands have been sold as town lands under any proclamation so rescinded, all reserves for water within the township shall be still reserved, and the streets and roads within the township shall be kept as roads, but may be closed and sold to the adjoining owners in like manner as other roads may be closed and sold.

Power to appoint Crown bailiffs.—Their duties.

**122.** The Governor in Council may from time to time appoint a sufficient number of persons to be rangers or bailiffs of Crown lands, and every such ranger or bailiff may and shall, during his continuance in office, do on behalf of Her Majesty, or on behalf of the Governor or the Minister, in respect of any Crown lands, all necessary acts for preventing intrusion, encroachment, or

trespass thereon, and may enter upon any holding under this Act and view the same, and observe the manner of the occupation thereof, and may do all such acts as may be necessary for recovering any rent or other sums payable in respect thereof, or for taking and recovering possession of any lands in case of forfeiture, or for such other purpose as any bailiff lawfully appointed may by law do in respect of any lands of his employer.

Removal of trespassers.

**123.** On information in writing preferred by any Commissioner or other person authorised by the Minister in that behalf to any justice, setting forth that any person is in unlawful occupation of any Crown lands, or land reserved or dedicated for any public purpose, or is in possession of any Crown land under colour of any lease under this Act that has become forfeited, such justice shall issue his summons for the appearance before any two justices of the peace, at a place and time therein specified, of the persons so informed against.

At such time and place such justices, on the appearance of such person, or on due proof of the service of such summons on him or at his usual or last place of abode or business, shall hear and inquire into the subject matter of such information, and on being satisfied of the truth thereof, either by the admission of the person informed against or on other evidence, shall issue their warrant, addressed to the sheriff or deputy-sheriff or commissioner or to any officer of police, requiring him forthwith to dispossess and remove such person from such land and to take possession of the same on behalf of Her Majesty, and the person to whom such warrant is addressed shall forthwith carry the same into execution.

Any lessee or his manager may in like manner lay an information against any person who shall be in unlawful occupation of any part of the land included in his holding.

## Penalties for trespassing.

**124.** Any person, unless lawfully claiming under a subsisting lease or license or otherwise under this Act, who is found occupying any Crown lands or land granted, reserved, or dedicated for public purposes, either by residing or by erecting any hut or building thereon, or by clearing, digging up, enclosing, or cultivating any part thereof, or cutting or removing timber otherwise than firewood not for sale thereon, shall be liable, on conviction, to a penalty not exceeding five pounds for the first offence, and not exceeding ten pounds for the second offence, and not exceeding twenty pounds for the third or any subsequent offence.

No commissioner, land agent, or licensed surveyor may acquire interest in land in respect of which he may be employed.

**125.** If any Commissioner, land agent, or licensed surveyor, or any district surveyor, directly or indirectly acquires any interest in any land declared open for selection under this Act, in respect of which he acts as Commissioner or land agent, or in the survey of which lands he has been or is concerned, he shall forfeit his office or license as the case may be, and shall also forfeit the sum of one hundred pounds with full costs of suit, which may be recovered by any person who may sue for the same in the Supreme Court or in the nearest District Court.

Removal of boundary mark to be a misdemeanour.

**126.** If any person wilfully obliterates, removes, or defaces any boundary mark of any holding under this Act which has been lawfully made or erected, such person shall be guilty of a misdemeanour.

Limitation of actions.

**127.** All actions, unless brought on behalf of the Crown, against any member of the Board, Commissioner, land agent, or other officer acting under the provisions

of this Act, for anything wrongfully done under or against the provisions of this Act, shall be commenced within twelve months after the matter complained of was committed, and not otherwise.

Notice in writing of any such action and of the cause thereof shall be given to the defendant one month at least before the commencement of the action.

The plaintiff in any such action shall not recover if tender of sufficient amends has been made before the commencement of the action, or if a sufficient sum of money has been paid into court after such commencement by or on behalf of the defendant, together with costs incurred up to that time.

If judgment is given for the defendant, or the plaintiff becomes nonsuited or discontinues his action, the defendant shall recover from the plaintiff his full costs of action as between solicitor and client, and have the like remedy for the same as any defendant has by law against his plaintiff in similar cases.

Appeal from justices to the nearest District Court.

**128.** Any person who feels himself aggrieved by the conviction or decision of any justice or justices under any of the provisions of this Act, may appeal therefrom to the District Court nearest to the place where such conviction or decision was given, and the execution consequent upon the conviction or decision appealed from shall be suspended on the appellant with two or more sufficient sureties entering into a bond or recognizance to Her Majesty in the sum of fifty pounds, which bond or recognizance the said justice or justices, or any other justice, are hereby authorised to take; and the obligee by such bond or recognizance shall be bound to prosecute such appeal to conclusion, and to be forthcoming to abide the determination of the Court, and to pay such costs, if any, as the Court shall award against him; and such Court is hereby authorised and required to hear and determine the matter of the appeal.

In any such matter the decision of such Court shall be final and conclusive.

No proceedings under this Act to be removable by *certiorari*.

**129.** No order or other proceeding made or taken by any justices, or any District Court, touching or concerning the conviction of any offenders, or touching or concerning any other matter or thing arising out of the provisions of this Act, shall be liable to be quashed or vacated for want of form only, or to be removed or removable by *certiorari*, or any writ or process whatsoever, into the Supreme Court.

Regulations.

**130.** The Governor in Council may from time to time by proclamation make Regulations for all or any of the matters following, that is to say :—

- (1.) Defining the survey fees which shall be payable in respect of any holding applied for, surveyed, or subdivided, under this Act;
- (2.) Providing for the due carrying out of the provisions of this Act;
- (3.) Defining the mode of doing and performing any thing by this Act required to be done or performed;
- (4.) Prescribing the form of leases, licenses, and other instruments, to be issued or used under or for the purposes of this Act;
- (5.) Authorising, forbidding, or regulating, the cutting of timber upon, or its removal from Crown Lands, or any holding under Part III. of this Act;
- (6.) All other matters and things that may be necessary to give effect to this Act.

Such Regulations, not being contrary to the provisions of this Act, shall have the force of law.

A copy of all such Regulations shall be laid before Parliament within fourteen days from the Proclamation thereof, if Parliament is then sitting, and if it is not then sitting, within fourteen days from the commencement of the next session.

Any person who wilfully offends against the provisions of the Regulations shall, unless herein otherwise provided, be liable on summary conviction to a penalty not exceeding five pounds.

And any person who offends against any such Regulation relating to any public park or reserve, and after being warned by any ranger or bailiff of Crown lands, park-keeper, or police constable, shall not desist from so offending, may be thereupon apprehended by such ranger, bailiff, park-keeper, or constable, and taken before some justice of the peace, and shall be liable, on conviction, to forfeit and pay a penalty not exceeding ten pounds.

Regulations may authorise issue of timber and other licenses.

**131.** The Regulations may authorise the issuing of licenses to enter any Crown lands or any holding under Part III. of this Act, and to cut thereon and take therefrom any timber, or to dig for and remove any gravel, stone, brick-earth, shells, or other material, but not within two miles of any head station, unless with the consent of the lessee.

The Regulations may impose a license fee in respect of any such license, and may also impose a royalty on any timber or other material so cut or removed.

Lessee may object to entry by licensee or restrict area for its operation.

**132.** A lessee may make any reasonable objection to the exercise of the powers conferred by any such license in respect of his holding, and the right to exercise such powers after any objection has been made shall be determined by the Commissioner subject to appeal to the Board.

A lessee may, by notice in writing to that effect given to a licensee, forbid him from exercising his rights as such licensee within any area on his holding mentioned in the notice, and not exceeding two square miles, for a period not exceeding one month, and the licensee may within that period appeal to the Commissioner, who shall hear and determine the matter, and may allow or disallow the forbiddance.

The licensee shall be liable to a penalty not exceeding twenty pounds if after such notice and before the matter is determined, or in the event of the forbiddance being allowed, he exercises the right of a licensee within the forbidden area.

Penalty for breach of Timber Regulations, &c.

**133.** Any person who cuts or removes any timber without a license, or in violation of any of the provisions of the Regulations, shall be liable, on conviction, to a penalty not exceeding twenty pounds and not less than five pounds; and in addition thereto such timber shall be forfeited, and he shall be disqualified to hold a timber license of any kind for such time (not exceeding twelve months) as the Minister may direct.

Any person who, without authority from the Commissioner, removes any timber which has been seized and branded by any Crown Lands Ranger or other authorised person, shall be liable, on conviction, to a penalty of not less than twice the value of such timber and not less than five pounds. Such value shall be taken to be the price which would ordinarily be paid for such timber at the place of seizure.

Any person who wilfully obliterates a brand upon any timber which has been seized by a Crown Lands Ranger or other authorised person, shall be liable, on conviction, to a penalty not exceeding twenty pounds and not less than five pounds.

Any unlicensed person who removes any stone, gravel, brick-earth, shells, or other material from Crown lands, or any holding under Part III. of this Act, shall be liable, on conviction, to a penalty not exceeding five pounds, and shall be disqualified to hold a license for such removal for such time (not exceeding twelve months) as the Minister may direct.

Punishment for fraud or evasion, &c.

**134.** Any person who fraudulently evades, or attempts to evade, any of the provisions of this Act, or otherwise commits any fraud thereon for the acquisition of land, shall be guilty of a misdemeanour, and, on conviction thereof, shall be liable to be imprisoned and kept to hard labour for a period of not more than two years.

Land so acquired to be forfeited to the Crown.

**135.** Lands acquired by any evasion of or fraud upon the provisions of this Act shall be forfeited to the Crown.

Punishment of person dealing with land fraudulently acquired.

**136.** Any person who conveys, transfers, demises, assigns, or becomes assignee of any land acquired or held by any fraud upon the provisions of this Act, knowing the same to have been so acquired or held, shall be guilty of a misdemeanour, and, on conviction thereof, shall be liable to be imprisoned with or without hard labour for a period not exceeding twelve months, and all his interest (if any) in the land shall be forfeited to Her Majesty.

Notice of intended forfeiture to be given.

**137.** No forfeiture of any lease under Part IV. of this Act for any cause other than non-payment of rent shall be declared until after a notice in writing has been served on the lessee, either personally, or by posting it addressed to him at the holding.

The notice shall specify the alleged cause of forfeiture and shall call upon the lessee to show cause against it at the next sitting of the Land Court held after the expiration of sixty days from the service of the notice.

A copy of the notice shall be published in the *Gazette* and the nearest local newspaper six weeks at least before the sitting of the Court at which cause is to be shown.

Forfeitures to be proclaimed by Governor.

**138.** Every forfeiture of a holding for breach of any of the provisions of this Act, or for non-payment of any moneys required to be paid by this Act, or breach of any condition imposed by this Act, shall be proclaimed in the *Gazette*.

Offences may be prosecuted in a summary way.

**139.** All offences against this Act or the Regulations may, unless herein otherwise provided, be prosecuted in a summary way before any two justices.

#### FIRST SCHEDULE.

That portion of the Colony of Queensland within the following boundaries:— Commencing on the boundary between the Colonies of Queensland and New South Wales at a post marked broad-arrow over NSW over Q over 214 at the south-west corner of Onepar run, and bounded thence by the west and north boundaries of that run, by the western boundaries of Bulloo Lake South, Bulloo Lake, Mucheroo, Muggera West, Parabinnna South, and Parabinnna runs, east by the north boundary of Parabinnna run, north by the west boundary of Whippa North run, east by the north boundary of same, north by part of the west boundary of Narrawaltha run, east by the northern boundaries of Narrawaltha, Noccunida, and Bellara runs, north by part of the west boundary of Koolyadhu North run, west by the south boundary of Mooroola run, north by the west boundaries of Mooroola and North Gibbers runs, east by part of the north boundary of last-mentioned run, north by the west boundaries of Vincent and Dowling runs, east by the north boundaries of Dowling, Blondin, and part of Boomally runs, north by the west boundaries of Jumbuck and Adelong runs, east by the north boundaries of Adelong, Yea Yea, and Rose runs, north-westerly and north by the south-western, south, west, and part of the north boundaries of Mary run, north and east by the west and north boundaries of Oban run and part of the north boundary of Tobermory run, north by the west boundary of Corangina run, west,

north, and east by part of the south, by the west, and by part of the north boundary of Karawla run, north by the west boundaries of Count, Why-not, and Russia runs, east by part of the north boundary of Russia run north by the west boundary of Moscow run, west and north by the south and part of the west boundary of Pasha run, west and north by the south and west boundaries of Dervish run, east by the north boundaries of Dervish, Pasha, and Cracow runs, by part of the west and north boundaries of Mount McIver run, north by the west boundaries of Alarie, Tamboryne, Arnica, Victoria, and Adelaide runs, east by the north boundary of Adelaide run, north by the west boundaries of Mineral and Tara runs, east by the north boundary of Tara run, north and east by the west and north boundaries of Cudmore run, south, east, and north by part of the east, the north, and part of the west boundary of Cudmore, Flukes, and Coepit runs, by part of the north boundary of Coepit run, northerly by the western boundaries of Gilmore and Collabbara runs, north-westerly by the north-eastern boundaries of Strathconan No. 7 and Strathconan No. 3, north-easterly by the south-east boundaries of Emmett Downs No. 2 and Emmett Downs No. 1 run, north and west by the east and north boundaries of Emmett Downs No. 1 run, north-westerly by the east and north-east boundaries of Tallundilly, Tichbourne, and Isis Downs No. 3 runs, north by the west boundary of Wellbeck run, west by part of the south boundary of Barnstaple run, west and north by the south and west boundaries of St. Helena South and St. Helena runs, west by the south boundaries of Mary Downs, Douglas Downs, and Hazlemere runs, north-east by the south-east boundary of Moselle run, north-westerly by the north-east boundaries of Moselle, Bundaberinia, Wallon, Campsie No. 1, Campsie No. 2, Campsie No. 3, Campsie No. 4, Campsie No. 5, Campsie No. 6, and Bladensburg No. 10 runs, north-easterly by the east and south-east boundaries of Bladensburg No. 8, Vindex No. 3, Vindex No. 5, Vindex No. 6, and Vindex No. 7 runs, northerly by the eastern boundaries of Vindex No. 7, Vindex No. 8, Vindex No. 9, Vindex No. 11, Watershed, Manuka, Corcebus, and Marmion runs, east by the north boundary of Katandra No. 10 and part of Katandra No. 11 runs, north by the west boundary of Stamfordham No. 2 run, east by the north boundary of Stamfordham No. 2 and Stamfordham runs, north and east by the west and north boundaries of Ingleounda run, north by the east boundaries of Redcliff South and Redcliff runs, east and north by the south and east boundaries of Redcliff North and Hughenden runs, east by the south boundary of Prairie Plains run, north-west by the north-east boundary of same, north-east and north-west by the south-east and north-east boundaries of Glendower run to the watershed separating the tributaries of Flinders river from those of Thompson river; thence north-easterly by that watershed to the western watershed of Burdekin river; thence northerly by the watershed separating Burdekin, Herbert, and Barron rivers from the waters flowing to the Gulf of Carpentaria to a point thirty miles in a direct

line from the coast near Cairns; thence by a line parallel with and distant thirty miles from the coast to the one hundred and thirty-eighth meridian of east longitude, the west boundary of the Colony; thence by that boundary north to the coast; thence by the coast easterly, north-easterly, and south-easterly to Point Danger at the southern boundary of the Colony; and thence by the southern boundary westerly to the point of commencement.

## THE SECOND SCHEDULE.

Year and Number of Act.	Title of Act.
39 Vic. No. 7.	An Act to authorise the making of a Railway from Dalby to Roma, and to provide Funds for the construction of the same by the sale of Crown Lands.
40 Vic. No. 15	An Act to Consolidate and Amend the Law relating to the Alienation of Crown Lands.
40 Vic. No. 16	An Act to provide for the Leasing of Runs in the Settled Districts of the Colony.
41 Vic. No. 11	An Act to set apart certain Lands as Railway Reserves, and to provide Funds for the Construction of Railways, and to Amend " <i>The Western Railway Act.</i> "
43 Vic. No. 12	An Act to Amend the Law relating to the Alienation of Crown Lands.
46 Vic. No. 11	An Act to Amend " <i>The Settled Districts Pastoral Leases Act of 1876.</i> "

## THE THIRD SCHEDULE.

District of

Name of Run :

To the Minister for Lands.

(a) the undersigned holding [or claiming]  
 a lease under the (b) of the run known as  
 in the District of , do hereby elect to take advantage  
 of the provisions of "*The Crown Lands Act of 1884*" with respect to  
 such run.

Given under hand at this day of 18 .  
 A.B.

Witness :

J.P.

(a) I or We.

(b) Act under which the Run is held.

THE FOURTH SCHEDULE.

MEMORANDUM OF MORTGAGE.

I, A.B., of \_\_\_\_\_, being the registered lessee of [*describe the holding and number of the lease*] under the provisions of Part IV. of "The Crown Lands Act of 1884," in consideration of the sum of \_\_\_\_\_ lent to me by [*or due by me to*] C.D., of \_\_\_\_\_, hereby mortgage the said holding to him. And I do hereby covenant and agree with the said C.D. that I will pay him the said sum on [*here insert day appointed for payment, covenant for payment of interest, and such other covenants as may be agreed upon*]. and in default of performance, on my part, of the above covenants, or any of them, I authorise the said C.D. to sell the said holding in accordance with the provisions of the said Act.

In witness whereof I have hereto signed my name, this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_.

A.B.

Signed by the abovenamed A.B. as mortgagor, this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_, in my presence.

E.F., (J.P.)

THE THIRD SCHEDULE.

Witness:  
 J.P.  
 (a) I or We  
 (b) Not under a seal the Rent's Act.

# GENERAL REGULATIONS

UNDER "CROWN LANDS ACT OF 1884."

## PROCLAMATION.

By His Excellency Sir ANTHONY MUSGRAVE, Knight Commander of the  
[L.S.] Most Distinguished Order of St. Michael and St. George,  
A. MUSGRAVE, Governor and Commander-in-Chief of the Colony of  
*Governor.* Queensland and its Dependencies.

IN pursuance and execution of all powers and authorities in me vested under the provisions of "*The Crown Lands Act of 1884.*" I, Sir ANTHONY MUSGRAVE, the Governor aforesaid, by and with the advice of the Executive Council, do hereby make and establish the Regulations set forth in the Schedule to this Proclamation, whereof all persons concerned are to take notice and govern themselves accordingly.

Given under my Hand and Seal, at Government House, Brisbane, this third day of March, in the year of our Lord one thousand eight hundred and eighty-five, and in the forty-eighth year of Her Majesty's reign.

By Command,

C. B. DUTTON.

GOD SAVE THE QUEEN!

## THE SCHEDULE.

REGULATIONS UNDER "THE CROWN LANDS ACT OF 1884."

### *Office hours.*

1. All Land Offices shall be open for the despatch of business on office days during the regular office hours. The office will not be open before 10 o'clock a.m.
2. The days on which each office will be open will be notified by the Land Agent from time to time under the direction of the Minister.

### DIVISION OF RUNS.

3. A pastoral tenant who elects to take advantage of the provisions of the Act in respect of any run, and who holds another run or other runs conterminous to it, must also elect to take advantage of the provisions of the Act in respect of all the runs, and must, at the same time that he gives notice of election, inform the Minister of the names of all such conterminous runs.

Notices of election must be given at the same time in respect of all the runs. The Pastoral tenant may, if he thinks fit, give one notice in respect of all the runs.

### *Lessee may have survey made of division of run.*

4. When a run has been divided, the line separating the leased from the resumed part may be marked on the ground, on the application of the lessee, and upon his paying the full cost of the survey.

*Holder of right of depasturing may receive Certificate.*

5. A person entitled to a right of depasturing under Part III. of the Act will be entitled to receive a Certificate in the Form B in the Schedule to these Regulations. A right of depasturing will not be transferable by itself, but may be transferred at the same time as the holding by virtue of which it is held.

*Rents to be paid at Treasury.*

6. Rents of holdings under Part III. of the Act, and of land held under a right of depasturing under that Part of the Act, must be paid at the Treasury on or before the 30th of September in each year.

## PRIORITY BY LOT.

*Proceedings when two or more applications are for the same portion.*

7. Whenever under the Act it is necessary to determine the priority of any application by lot, the priority shall be determined as follows, that is to say:—The Commissioner having previously provided as many envelopes as there are applications, will write the word "approved," together with his initials, inside one of such envelopes, and after fastening them all up out of the view of any other person than himself, will put them into a box, where they shall be shaken and mixed, and each applicant shall draw one of such envelopes from the box in the presence of the others and of the Commissioner, and the applicant who draws the envelope containing the word "approved" shall be entitled to priority.

## TRANSFER OF HOLDINGS.

8. A lessee desiring to transfer his holding must lodge at the Department of Public Lands in Brisbane a transfer in the form prescribed in the Schedule to these Regulations, and must at the same time lodge his instrument of lease.

If a lessee of a holding under Part III. of this Act also desires to transfer a right of depasturing attached to the holding, he must also lodge a transfer in Form D, together with the Certificate in Form B, if it has been issued.

*Holdings of insolvents, or of absent or deceased persons, transferred by their representatives.*

9. In the event of the transfer of a holding by the legal personal representatives of a deceased lessee, or the trustee of an insolvent lessee, or of a lessee whose affairs are being liquidated by arrangement, or by a person acting under a power of attorney from the lessee, the transfer must be accompanied by a certificate from the Crown Solicitor that the person signing the transfer is authorised so to do.

## AGRICULTURAL AND GRAZING FARMS.

*Applicants to attend Land Court.*

10. Applicants for Agricultural or Grazing Farms, or their duly authorised agents, will be required to appear at the Land Court when their applications are dealt with by the Commissioner.

*Non-appearance at Land Court.*

11. If an applicant fails to appear at the Land Court as prescribed by the preceding Regulation, his application will be rejected, and a penalty of

one-tenth of the amount paid as the first year's rent will be exacted for such non-appearance. This amount will be deducted from the moneys paid as the first year's rent and survey fee, when refundment of the same is made to the applicant.

*Withdrawal of applications.*

12. At any time before the Commissioner has dealt with an application it may be withdrawn, and the amount paid therewith will be refunded after deducting therefrom a sum equal to one-tenth of the amount paid as the first year's rent by way of penalty.

13. If an applicant for two or more adjoining lots fails to secure any lot either by reason of another applicant obtaining priority over him on drawing lots, or otherwise, he may withdraw his application for the remaining lot or lots, and will be entitled to a refundment of the rent and survey fee paid in respect of them.

14. The Land Agent shall inform each applicant, on his lodging his application, of the day on which the Land Court will be held at which it will be dealt with, and if it is to be dealt with by lot, the applicant must also be informed of the hour on the court day when the drawing to determine priority will be proceeded with.

15. If an applicant refuses to draw when called upon, his application will be rejected, and he will be treated as having failed to appear. If the envelope containing the word "approved" has not been drawn by any of the other applicants (if more than one) the drawing shall be proceeded with afresh. If there is only one other applicant willing to draw, his application shall be treated as the only one.

*Frontage of selections in certain cases.*

16. If an applicant applies for a selection comprising more than one surveyed lot, the whole area selected shall not have a greater breadth of frontage to a main road or to a main watercourse than two-thirds of the depth.

*Frontage in case of adjoining selections.*

17. If the holder of a selection applies for an adjoining lot or lots, the whole of the selections taken together shall not have a greater proportion of frontage than would be allowed in the case of a single selection.

*Commissioner may examine witnesses.*

18. If the Commissioner thinks it necessary, he may require the applicant, or any other person, to be examined on oath before dealing with the application.

*Rent of Agricultural and Grazing Farms.*

19. On the 31st day of March next after the issue of a license to occupy, the holder of an Agricultural or Grazing Farm must pay such sum as together with the year's rent previously paid will make up the amount due to the 31st of December next ensuing.

*Appointment of agent to be registered.*

20. All appointments of managers or agents must be registered in the Land Office of the District within one month from the date of signature. Both copies of the appointment must be produced at the Land Office, and one copy will be retained by the Land Agent, the other will be noted and returned to the selector.

*Applications for certificates of fulfilment of conditions to be notified in local papers prior to sitting of Land Court.*

21. Any person intending to apply for a Certificate of fulfilment of conditions must give notice of his intention to the Commissioner, who shall notify it twice in each local paper (if there is any) in the District in which the selection for which the Certificate is sought is situated. Such notification shall be made at least fifteen days prior to the date of the sitting of the Land Court. A list of intended applications shall also be conspicuously posted outside the Land Office.

*Land in application adjudicated upon by Commissioner, or withdrawn, not available for re-selection until notice is given.*

22. When an application to select has been rejected, or has been withdrawn, the land shall not be again open for selection until the expiration of a period of not less than one month after the notice next hereinafter prescribed, and the Commissioner shall publish a notice in the local papers, fixing a day on which the land will be open, not being less than one month from the date of the notice. Such notice must be inserted four times, at intervals of one week.

#### THE LAND BOARD.

##### PROCEEDINGS ON APPEALS, ETC.

*Commissioners to inform Board of decision.*

23. Every Commissioner shall forthwith, after pronouncing any decision, transmit a statement thereof together with a copy of the evidence to the Secretary to the Land Board.

*Notice of appeal.*

24. Any person desiring to appeal from a decision of a Commissioner must, within fourteen days or such longer time as the Board may allow, give notice of appeal. Such notice shall be in the form in the Schedule to these Regulations, and shall specify concisely the grounds on which the appellant intends to rely.

The notice of appeal must be left at the Commissioner's Office, and a copy thereof must within the same period of fourteen days be sent to the Secretary to the Land Board, and served upon any other person who is interested in supporting the Commissioner's decision.

*Notice by Board to persons required to support decisions of Commissioner.*

25. When the Board desire to hear any person in whose favour a decision has been pronounced before confirmation thereof, notice shall be given to him by the Secretary to the Board, specifying the day on which they will sit in open court to hear him if he desires to be heard, and also the points upon which they desire further evidence or argument.

*Order and recommendations of Board to be under seal.*

26. Every order of the Board, and every recommendation of the Board to the Governor in Council, shall be under the seal of the Board.

*Land Board Court days to be notified.*

27. The Board shall from time to time notify in the *Gazette* the days on which they will sit in open court.

*Day appointed for hearing appeals to be notified.*

28. When a notice of appeal is received by the Board the Secretary to the Board shall notify to the Commissioner, the appellant, and any other person entitled to be heard, the day on which the appeal will be heard.

*Order for attendance of witnesses.*

29. Orders for the attendance of witnesses before the Board shall be sealed with the seal of the Board, and signed by their Secretary. A fee of one shilling shall be charged for each order, which may be for the attendance of one, two, or three persons as witnesses.

*Disputes as to boundaries.*

30. When a dispute arises as to the boundaries of any holdings under the Act, either party to the dispute may apply to the Board to determine the same, and the Board shall thereupon appoint a day for hearing the matter, and shall by order to be served upon the parties require them to attend on the day so appointed.

*Notice of withdrawal of lands from right of depasturing and license to occupy to be forwarded to pastoral tenant or licensee.*

31. Upon confirmation by the Board of an application to select an Agricultural or Grazing Farm comprising land held under a right of depasturing under Part III., or a license to occupy under Part V., of the Act, the Commissioner shall cause the Land Agent to inform the pastoral tenant or licensee that such land has been withdrawn from the right of depasturing, or license to occupy, as the case may be.

*Fee for registration of under-lease, or assignment of lease by a mortgagee, or subdivision of a holding.*

32. A fee of ten shillings shall be paid upon the registration of an under-lease, or an assignment of a Memorandum of Mortgage, and in respect of every portion into which a holding is subdivided.

*Search fee.*

33. The fees payable for inspection of the Register of Leases shall be as follows:—

A general search—Two shillings and sixpence.

For inspection of the Register as to a particular lease—One shilling.

A search book shall be kept, and every person searching must sign his name with the date of search and amount of fee charged.

*Fees charged on deeds of grant.*

34. Before the issue of any deed of grant in fee simple the following fees shall be paid:—

					£	s.	d.
Not exceeding	50 acres	...	...	...	1	0	0
Not exceeding	100 acres	...	...	...	1	5	0
Not exceeding	300 acres	...	...	...	1	10	0
Not exceeding	1,000 acres	...	...	...	2	0	0
Not exceeding	1,280 acres	...	...	...	3	0	0

And in addition thereto the contribution to the insurance fund under the provisions of "The Real Property Act of 1861."

*Survey fees.*

35. In the case of Agricultural and Grazing Farms the survey fee will be the actual cost of survey, and the amount chargeable as survey fees will be notified in the Proclamation declaring the lands open to selection.

Provided that in the case of lots proclaimed open to selection under the provisions of section forty-four of the Act, the survey fees will be fixed provisionally, and when the survey of the boundaries is completed the applicants will be required to pay, or will be entitled to receive, as the case may be, such amount as will make up the difference, if any, between the amount so fixed provisionally and the actual cost of survey of the land.

Purchasers of town and suburban lands will be required to pay survey fees according to the following scale—

Acreage.	Rate.
	£ s. d.
Under one acre ... ..	1 1 0
One acre and under five ... ..	2 2 0
Five acres and not exceeding ten acres ... ..	3 3 0

## GENERAL.

*Selections in virtue of Volunteer Land Orders.*

36. When an application to select land by virtue of Volunteer Land Orders issued under the 98th section of "The Crown Lands Alienation Act of 1868" is made simultaneously with an application for the same land as an Agricultural or Grazing Farm, the application in virtue of such land orders shall be postponed to the other application.

*Fee to be paid with application to close a road.*

37. The sum of one pound must be forwarded with each application for the permanent or temporary closure of a road, for the purpose of defraying the expense of inquiry and advertising. If insufficient, a further sum may be demanded.

*Previous Regulations applicable to existing Commons.*

38. Existing town Commons shall be subject to the provisions of the Regulations proclaimed on the 1st March, 1877, under "The Crown Lands Alienation Act of 1876."

*Forms.*

39. The Forms in the Schedule to these Regulations shall be used for the purposes to which they are respectively applicable.

## THE SCHEDULE.

## A.

"THE CROWN LANDS ACT OF 1884."

*Notice by Lessee that he desires to exercise a Right of Depasturing on Resumed Portion of Run.*

18 .

The Honourable the Secretary for Public Lands.

SIR,

I hereby give you notice, in accordance with section 31 of "*The Crown Lands Act of 1884*," that I desire to exercise the right of depasturing on the resumed portion of the run named in the margin, which has been\* divided in accordance with the provisions of Part III. of the said Act.

I have the honour to be,

Sir,

Your obedient servant,

\* Here insert, if the run is not already divided, "applied to be."

## B.

"THE CROWN LANDS ACT OF 1884."

*Certificate of Right of Depasturing under provisions of Section 31 of "The Crown Lands Act of 1884."*

## CERTIFICATE.

No.

The run named in the margin having been divided under the provisions of Part III. of "*The Crown Lands Act of 1884*" and the lessee of the unresumed portion thereof, having notified his desire to exercise the right of depasturing over the resumed part of the run, in accordance with section 31 of the said Act, I, the Secretary for Public Lands, do hereby CERTIFY that the lessee for the time being of the said run is entitled to depasture his stock upon the lands forming [portion of] the resumed part of the said run, and more particularly described in the endorsement hereon, subject to the payment of an annual rent of £ , and subject further to all the provisions of "*The Crown Lands Act of 1884*" relating to rights of depasturing under Part III. of the Act.

Given under my hand, at Brisbane, this      day of  
188 .

Secretary for Public Lands.

Description of land referred to—

NOTE.—The land comprised in the above description, or any portion thereof, is liable to be proclaimed open to selection under the provisions of Part IV. of the Act; but if so proclaimed the rent will be reduced by one-third in respect of the land so dealt with, and a further reduction will be made in proportion to the area of any land actually selected.

## C.

## "THE CROWN LANDS ACT OF 1884."

*Transfer of a Lease under Part III.*

KNOW ALL MEN by these Presents that \* †  
 † being the lessee of the holding under Part III. of "The  
 † *Crown Lands Act of 1884*," situate in the District of and  
 known as do hereby assign and transfer to †  
 † the said holding, together with all the rights and privileges  
 † of occupation which may belong or accrue to as the holder of  
 † the said lease, under the Laws and Regulations in force for the time being.

In witness whereof have hereunto set hand and seal, at  
 this day of , 188 . [L.S.]

Signed, sealed, and delivered by the  
 said in my  
 presence.

J.P.,

or Commissioner of the Supreme  
 Court of Queensland, or Notary  
 Public.

\* I or we.

† State christian and surname in full.

‡ State place of residence

## D.

## "THE CROWN LANDS ACT OF 1884."

*Transfer of a Right of Depasturing under Part III.*

KNOW ALL MEN by these Presents that\* †  
 † being entitled to a right of depasturing under the provi-  
 † sions of Part III. of "The Crown Lands Act of 1884," upon the Crown lands  
 † situate in the District of and known as  
 † and more particularly described in Certificate Number and which right  
 † is held by me as lessee of the holding in the said District, known as  
 † do hereby assign and transfer to † †  
 † to whom I have by transfer of this date transferred the said holding, all the  
 † rights and privileges of occupation which may belong or accrue to  
 † as the holder of the said right of depasturing under the Laws and Regula-  
 † tions in force for the time being.

As witness hand and seal, at this  
 day of , 18 . [L.S.]

Signed, sealed, and delivered by the  
 said

J.P.,

or Commissioner of the Supreme  
 Court of Queensland, or Notary  
 Public.

\* I or we.

† State christian and surname in full.

‡ State place of residence.





*Schedule to Application.*

Date of Proclamation :  
 Folio in *Gazette* :  
 No. of Acres in each Lot :  
 County :  
 Parish or Place :  
 No. of Portion :  
 Total Number of Acres in Selection :  
 Particulars of other Selections held or applied for by Applicant :

## G.

## "THE CROWN LANDS ACT OF 1884."

*Notice of Confirmation of Application to Select an Agricultural Farm.*

To A. B., of etc.

SIR,

I hereby give you notice that your application to select as an Agricultural Farm the undermentioned land in the District of \_\_\_\_\_ which was approved by me in open Court on \_\_\_\_\_ was, on \_\_\_\_\_ confirmed by the Land Board.

Commissioner.

The Conditions to be fulfilled by you with respect to the said Farm are as follows :—

*Conditions.*

The selector must occupy the land continuously—that is, he must reside thereon personally, or his registered agent must do so; and no person can act as agent who would not be himself qualified to select the land. Personal residence alone will enable the selector to acquire a deed of grant of the land as hereafter explained.

Rent is payable on the 31st of March in each year for the year ending on the 31st of December next ensuing :—

Rent due	31st March 18	... £
	31st March 18	... £
	31st March 18	... £
	31st March 18	... £
	31st March 18	... £

If any instalment of rent is not paid on the dates specified the selection will be forfeited, but such forfeiture may be avoided by payment of the rent within ninety days, with a penalty of five per centum added for each period of thirty days, or part of thirty days, that has elapsed before payment.

Within five years from the date of this license the selector must either enclose the land with a good and substantial fence or make substantial and permanent improvements on the land of a value equal to the cost of such a fence, and must within the same period apply to the Commissioner for a Certificate that he has done so. He will then be entitled to a lease of the land for the term of fifty years from \_\_\_\_\_

At any time during the term of lease, if the lessee can prove continuous personal residence by himself, or, if the lease has been transferred, by two or more successive lessees for the ten years immediately preceding, he may



## H.

## "THE CROWN LANDS ACT OF 1884."

*Notice of Confirmation of Application to Select a Grazing Farm.*

To A.B. of etc.

SIR,

I hereby give you notice that your Application to select, as a Grazing Farm, the undermentioned land in the District of \_\_\_\_\_ which was approved by me in open Court on \_\_\_\_\_ was on \_\_\_\_\_ confirmed by the Land Board. \_\_\_\_\_

Commissioner.

The Conditions to be fulfilled by you with respect to the said Farm are as follows:—

*Conditions.*

The selector must occupy the land continuously—that is, he must reside thereon personally, or his registered agent must do so; and no person can act as agent who would not be himself qualified to select the land.

Rent is payable on the 31st March in each year for the year ending on the 31st December next ensuing:—

Rent due 31st March, 18	... £
31st March, 18	... £
31st March, 18	... £

If any instalment of rent is not paid on the dates specified the selection will be forfeited, but such forfeiture may be avoided by payment of the rent within ninety days, with a penalty of five per centum added for each period of thirty days or part of thirty days that has elapsed before payment.

Within three years from the date of this license, the selector must enclose the land with a good and substantial fence, and must within the same period apply to the Commissioner for a Certificate that he has done so.

On proof being made to the satisfaction of the Commissioner that the selector has failed in regard to the performance of any of the conditions of occupation or improvement, the selection may be declared forfeited.

## H1.

## "THE CROWN LANDS ACT OF 1884."

*License to Occupy a Grazing Farm (to be attached to Notice of Confirmation).*

WHEREAS \_\_\_\_\_ has applied to select as a Grazing Farm the undermentioned land in the District of \_\_\_\_\_ that is to say:—

Portion:

Parish:

County:

Total Area:

And whereas I,

on \_\_\_\_\_  
was on \_\_\_\_\_

\_\_\_\_\_, the Commissioner for the said District, approved of the said application, and such approval confirmed by the Land Board: Now, I, the

Commissioner aforesaid, do hereby license the said  
to occupy the said land (which will also be known as Grazing Farm  
No. \_\_\_\_\_ District), subject to the performance of the  
conditions of the said Act.

This license is not transferable.

Given under my hand and seal, at \_\_\_\_\_ this \_\_\_\_\_  
day of \_\_\_\_\_ 18 \_\_\_\_\_

Commissioner.

J.

“THE CROWN LANDS ACT OF 1884.”

*Transfer of Lease of a \* \_\_\_\_\_ Farm.*

KNOW ALL MEN by these Presents, that \_\_\_\_\_ being the  
lessee of the holding hereunder described :—

Land Agent's District :

Selection No.

County of

Parish of

Portion No.

Number of Acres :

And now held by \_\_\_\_\_ as a \* \_\_\_\_\_ Farm under  
the provisions of “*The Crown Lands Act of 1884*,” do hereby transfer and  
assign the said holding to \_\_\_\_\_

In witness whereof \_\_\_\_\_ have hereunto set \_\_\_\_\_ hand and seal at  
this \_\_\_\_\_ day of \_\_\_\_\_, 188 \_\_\_\_\_

Signed, sealed, and delivered by the  
said \_\_\_\_\_ in my  
presence.

J.P.,

[L.S.]

or Commissioner of the Supreme  
Court of Queensland, or Notary  
Public.

\* Here insert “Agricultural” or “Grazing,” as the case may be.

K.

“THE CROWN LANDS ACT OF 1884.”

*Requisition to Determine Rent on Selection under “The Crown Lands Aliena-  
tion Act of 1876” proposed to be brought under “The Crown Lands Act  
of 1884.”*

18

To the Land Board, Brisbane.

GENTLEMEN,

In accordance with the provisions of section 72 of “*The Crown  
Lands Act of 1884*,” I hereby request that you will determine the rent  
which will be reserved for the first ten years on my \* \_\_\_\_\_ selection.

\* Here insert “Homestead” or “Conditional,” as the case may be.

No. Register, at present held by me under "*The Crown Lands Alienation Act of 1876*," in the event of my surrendering my title under that Act and obtaining a lease for the land as an Agricultural Farm under Part IV. of "*The Crown Lands Act of 1884*."

I have the honour to be,  
Gentlemen,  
Your obedient servant,

## L.

## "THE CROWN LANDS ACT OF 1884."

*Application to Surrender a Title under "The Crown Lands Alienation Act of 1876," and to receive a Lease of the same Land as an Agricultural Farm under the provisions of "The Crown Lands Act of 1884."*

18

The Honourable The Secretary for Public Lands.

SIR,

I hereby surrender my title to\* selection, No. Register, now held by me under the provisions of "*The Crown Lands Alienation Act of 1876*," and request that a lease may be issued to me of the same land as an Agricultural Farm under Part IV. of "*The Crown Lands Act of 1884*."

I have the honour to be,

Sir,  
Your obedient servant,

\* Here insert "Homestead" or "Conditional," as the case may be.

## M.

## "THE CROWN LANDS ACT OF 1884."

*Application for Permission to Cut Down, Destroy, or Ringbark Trees.*

18

The Commissioner.

SIR,

I, the lessee of\* under "*The Crown Lands Act of 1884*," hereby request permission to† the trees on the portion of my said holding, more particularly described in the annexed Schedule.

My object in applying for this permission is‡

I have the honour to be,  
Sir,  
Your obedient servant,

\* Here insert nature and particulars of holding, whether under Part III. of the Act, or a Grazing or Agricultural Farm under Part IV., giving name or number as the case may be.

† Here insert "cut down," "ringbark," or "destroy," as the case may be

‡ Here specify fully why permission is asked.

N.

## "THE CROWN LANDS ACT OF 1884."

*Application for a License to Occupy Crown Lands under Part V. of  
"The Crown Lands Act of 1884."*

Received this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_, at \_\_\_\_\_ o'clock.

\_\_\_\_\_  
Commissioner,  
District.

In accordance with the provisions of "*The Crown Lands Act of 1884*"\*  
of † \_\_\_\_\_ do hereby apply for a license  
to occupy the Crown lands in the District of \_\_\_\_\_, more particularly  
described in the annexed Schedule; and \_\_\_\_\_ herewith tender the sum of \_\_\_\_\_  
in payment of the rent to the 31st December next  
ensuing.

Given under hand, this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_.  
The Commissioner,  
District of \_\_\_\_\_

Received from \_\_\_\_\_ the sum of \_\_\_\_\_, being the rent  
payable on the above application. \_\_\_\_\_  
Commissioner.

Schedule to application for License:—

District :  
Date of Proclamation :  
Page of *Gazette* :  
County :  
Parish :  
Portion :  
Area :

\* I or we, and state christian and surname in full.

† State place of residence.

\_\_\_\_\_  
QUEENSLAND.

\_\_\_\_\_  
O.

\_\_\_\_\_  
"THE CROWN LANDS ACT OF 1884."

\_\_\_\_\_  
*Occupation License.*

License No. :  
Date :  
District of \_\_\_\_\_

IN accordance with the provisions of "*The Crown Lands Act of 1884*," I,  
\_\_\_\_\_, Secretary for Public Lands, do hereby  
authorise \_\_\_\_\_, of \_\_\_\_\_, to occupy  
\_\_\_\_\_, until the 31st of December next, and thereafter

from year to year, so long as the rent fixed in terms of the aforesaid Act shall be punctually paid, or until this license shall be determined by six months' notice being given in accordance with the provisions of the said Act, the lands in the District of \_\_\_\_\_, more particularly described in the Schedule annexed. Such occupation is subject to the condition that the whole or any part of the land may be proclaimed open to selection under the provisions of Part IV. of the said Act, and to all other conditions prescribed in the said Act applicable thereto.

Given under my hand, this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_ .

\_\_\_\_\_  
Secretary for Public Lands.

*Schedule to License to occupy Crown Lands.*

District : \_\_\_\_\_  
Date of Proclamation : \_\_\_\_\_  
Page of Gazette : \_\_\_\_\_  
Court : \_\_\_\_\_  
Parish : \_\_\_\_\_  
Portion : \_\_\_\_\_  
Area : \_\_\_\_\_  
Description : \_\_\_\_\_

P.

“THE CROWN LANDS ACT OF 1884.”

*Transfer of an Occupation License.*

KNOW ALL MEN by these Presents that \* \_\_\_\_\_ hereby assign and transfer to † \_\_\_\_\_ of † \_\_\_\_\_ all \_\_\_\_\_ right, title, and interest in and to the lands situate \_\_\_\_\_ in the District of \_\_\_\_\_ and known as \_\_\_\_\_ now held by \_\_\_\_\_ under the provisions of Part V. of “*The Crown Lands Act of 1884*,” and more particularly described in Occupation License No. \_\_\_\_\_ together with all the rights and privileges of occupation which may belong or accrue to \_\_\_\_\_ as the holder of the said Occupation License, under the Laws and Regulations in force for the time being.

As witness \_\_\_\_\_ hand and seal at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_ .

Signed, sealed, and delivered by the \_\_\_\_\_ in the \_\_\_\_\_ presence of \_\_\_\_\_

J.P.,

or Commissioner of the Supreme Court of Queensland, or Notary Public.

\* I or we.

† State christian and surname in full.

‡ State place of residence.

Q.

## "THE CROWN LANDS ACT OF 1884."

No. of License :

*License to Close a Road.*

WHEREAS being the of  
 being land, ha in pursuance of the provisions of "The  
*Crown Lands Act of 1884*," in that behalf, made application for the \*  
 closure of Road the said land, particularly  
 described in the Schedule endorsed hereon: And whereas the Governor,  
 with the advice of his Executive Council, has been pleased to approve of  
 the\* closure thereof: Now, I, the Honourable  
 , Secretary for Public Lands, do hereby, in pursuance  
 of the powers in the said Act authorising me in that behalf, hereby authorise  
 the said and successors in the occupation  
 of such adjoining lands, to enclose the said Road, and keep  
 it enclosed, he or they paying the yearly rent of per annum in  
 advance at the Treasury on the first day of January in every year, subject,  
 however, to all the provisions, conditions, and restrictions in the said Act  
 contained.

Given under my hand, at Brisbane, this  
 A.D. 188

day of

Secretary for Public Lands.

*Schedule referred to.*

County of  
 Parish of  
 Portion No.  
 Area :

\* Temporary or permanent.

R.

## "THE CROWN LANDS ACT OF 1884."

*Notice of Appeal.*

To the Commissioner for the  
 District of  
 and to

I, of hereby give notice that I appeal  
 to the Land Board against the decision pronounced by you, the said Commis-  
 sioner, on by which you decided [*here state shortly the*  
*decision appealed from*] on the following grounds :—

- 1.
- 2.

Dated, &amp;c.

A.B.,

[*Address.*]

## S.

“THE CROWN LANDS ACT OF 1884.”

---

*Notice to Person in whose Favour a Decision has been Given.*

Office of the Land Board,  
Brisbane, [Date.]

SIR,

By direction of the Land Board, I hereby give you notice that the Board have appointed the \_\_\_\_\_ day of \_\_\_\_\_ on which day they will sit in Open Court to consider the decision of the Commissioner for the District of \_\_\_\_\_ pronounced in your favour, by which [*state nature of decision*], and to hear you if you desire to be heard.

The points on which the Board require further evidence [and argument] are as follows:—

- 1.
- 2.
- 3.

[L.S.]

A.B.,

Secretary to the Land Board.

---

## T.

“THE CROWN LANDS ACT OF 1884.”

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QUEENSLAND.

*Summons to a Witness to Attend at Land Court.*

To E.F., of

These are to require you to be and appear on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock in the forenoon, at the Land Court \_\_\_\_\_, before me, to testify what you shall know touching the matter of [*here state nature of proceeding*].

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ 188 \_\_\_\_\_, at \_\_\_\_\_ in the said colony.

[L.S.]

A.B.,

Commissioner.

V.

“THE CROWN LANDS ACT OF 1884.”

QUEENSLAND.

*Summons to Witness to Attend before the Land Board.*

Office of the Land Board,  
Brisbane, [Date.]

In the matter of an Appeal by C.D., of  
from a decision of the Commissioner of the District  
of , pronounced on [or as  
the case may be.]

To E.F., of

These are to require you to be and appear on the day of  
at o'clock in the forenoon, at the Land Board Court at  
Brisbane, to testify before the Land Board what you shall know touching  
the matter of the above-mentioned appeal [or as the case may be], and you  
are hereby further required to bring with you [describe any books, papers,  
etc., required to be produced].

By order of the Land Board,  
A.B., [Seal of the Board.]  
Secretary to the Land Board.

W.

“THE CROWN LANDS ACT OF 1884.”

QUEENSLAND.

*Order to Parties in Boundary Cases.*

Office of the Land Board,  
Brisbane, [Date.]

To C.D., of and E.F., of

Whereas it has been made to appear to the Land Board that a dispute  
has arisen between you as to the boundaries of the holdings known as  
and whereof you are respectively the lessees, and  
the Land Board has appointed the day of  
to hear and determine the said dispute: These are  
therefore to require you, the said C.D. and E.F., to attend at the Land Board  
Court at Brisbane, at the time aforesaid, there to maintain your rights in  
the said matter.

By order of the Land Board,  
A.B., [Seal of the Board.]  
Secretary to the Land Board.

# TIMBER REGULATIONS

UNDER "CROWN LANDS ACT OF 1884."

## PROCLAMATION.

By His Excellency Sir ANTHONY MUSGRAVE, Knight Commander of the  
L.S. Most Distinguished Order of St. Michael and St. George,  
A. MUSGRAVE, Governor and Commander-in-Chief of the Colony of  
Governor. Queensland and its Dependencies.

IN pursuance of the power in me vested, I, Sir ANTHONY MUSGRAVE, the  
Governor aforesaid, with the advice of the Executive Council, do hereby  
notify and proclaim that the Timber Regulations proclaimed on the 3rd March,  
1884, are hereby rescinded, and the following Regulations established in lieu  
thereof, under the provisions of "*The Crown Lands Act of 1884*" and "*The  
Pastoral Leases Act of 1869.*"

Given under my Hand and Seal, at Government House, Brisbane, this  
fifth day of June, in the year of our Lord one thousand eight  
hundred and eighty-five, and in the forty-eighth year of Her  
Majesty's reign.

By Command,

C. B. DUTTON.

GOD SAVE THE QUEEN!

## THE SCHEDULE.

REGULATIONS UNDER "THE CROWN LANDS ACT OF 1884"  
AND "THE PASTORAL LEASES ACT OF 1869."

### TIMBER AND OTHER LICENSES.

1. In these Regulations the term "Commissioner" shall mean the Com-  
missioner for the District appointed under the provisions of "*The Crown  
Lands Act of 1884,*" or if there is no such Commissioner, then the Com-  
missioner of Crown Lands appointed under the provisions of "*The Pastoral  
Leases Act of 1869.*"

*Applications for licenses to be made to Commissioners.*

2. Applications for licenses to cut timber on Crown Lands or Holdings  
under Part III. of "*The Crown Lands Act of 1884*" must be made to the  
Commissioner, and must be accompanied with the fees hereinafter pre-  
scribed. On receipt of an application the Commissioner will exercise his  
discretion as to granting or withholding the license applied for, according to  
the circumstances of the case.

*The Commissioner to attend at convenient points of his District if required.*

3. The Commissioner will, if necessary, attend periodically at convenient  
points in his District, within an accessible distance of all persons who are  
engaged in cutting timber on Crown lands, for the purpose of receiving  
applications and issuing licenses. The times of such intended visits will be  
duly notified in the *Gazette*, and the nearest local paper.

*Licenses when issued not to be transferable.*

4. If an application for a timber license is approved by the Commissioner  
he will grant a license to the applicant. Licenses, except special timber  
licenses and employers' licenses, are not transferable, and will not entitle  
any person but the actual holder to any privilege whatever.

*Separate licenses for each person.*

5. A separate license must be taken out for each person actually employed in felling, cutting, sawing, splitting, or removing timber from Crown Lands or Holdings under Part III. of the Act, whether live or dead timber, underwood, or roots cut for sale or fuel, or in stripping wattle bark.

*Licenses.*

6. Licenses shall be of four kinds:—

1. Ordinary licenses to cut timber and remove it in log—which are of two kinds, personal licenses and employers' licenses;
2. Special licenses;
3. Licenses to cut and split slabs, fencing stuff, or shingles;
4. Licenses to cut firewood or strip wattle bark for sale or to burn charcoal.

*Operation of licenses.*

7. Licenses will only be operative within the district for which they are issued, and only for the purposes specified in the license.

*Licenses to extend in certain cases to lands under Pastoral Lease or Grazing License.*

8. Licenses, other than special licenses, will authorise the holder to do the acts specified in the license not only on vacant Crown Lands, but also on lands under Pastoral Lease or License under "The Pastoral Leases Act of 1869," Holdings under Part III. of "The Crown Lands Act of 1884," and land held under Occupation Licenses under Part V. of that Act; but no timber is to be cut upon any such lands within two miles of any head station, or lessee's or manager's residence, without leave from the lessee or licensee or his authorised agent.

*No timber to be cut on enclosed lands.*

9. No timber shall be cut within an enclosure of less than one thousand acres, without the special consent of the lawful occupier.

*Licenses not to extend to reserves, &c.*

10. Licenses will not authorise the holder to cut timber upon a Road, or upon Town, Timber, or other Reserves, or upon land surveyed for sale or for selection as Agricultural Farms, or upon land that is or has been held under special timber license, until such land has been declared open to the operation of ordinary timber licenses, by notification by the Minister in the *Gazette*.

*Timber cut before selection may be removed within three months.*

11. Any holder of a timber license who has lawfully felled and branded timber on Crown Land previously to its being applied for as a selection shall be at liberty to remove such timber at any time within three months after the confirmation by the Land Board of such application.

*Licenses to be exhibited when demanded.*

12. Every person holding a timber license must, whenever he is called upon to do so, exhibit such license to the Commissioner, or any officer of the Government authorised in that behalf, or to any bailiff or ranger of Crown Lands, or officer of police, as well as to the occupier of any run or holding, or of any land held under a right of depasturing or Occupation License, upon which he is cutting timber, or to the agent of such occupier. Any person refusing or failing to produce his license when called upon to do so in pursuance of this Regulation will be liable to a penalty not exceeding five pounds.

*Timber cut without license may be seized.*

13. The Commissioner or other officer duly appointed to act in that behalf may seize any timber cut by unlicensed persons, and any cut timber

lying on Crown Lands, or any of the lands mentioned in section 8 of these Regulations, which he has cause to believe has been cut by a person not duly authorised to cut the same; but if a claim to such timber is made within fourteen days after the notice to be presently mentioned, and it is proved to the satisfaction of the Commissioner that the claim is just and that the timber has been legally cut, it shall be restored to the claimant.

*Timber to be removed.*

14. All timber not required by section 11 of these Regulations to be sooner removed must, in the case of pine, be removed within four months, and in the case of other timber within twelve months, from the time when it was cut, otherwise it will be liable to be seized, forfeited, and sold on behalf of the Crown, notwithstanding that it was cut under the authority of a license: But such time may be extended on application to the Minister through the Commissioner.

*Timber to be branded.*

15. All timber which has been cut under any license issued by virtue of these Regulations must be cut into lengths and branded by the licensee with a brand to be registered in the office of the Commissioner, otherwise it will be liable to be seized, forfeited, and sold on behalf of the Crown. The brand, which must consist of an equilateral triangle with distinguishing letters, must be shown on the face of the license.

*Sale after due notice.*

16. All timber when seized shall be marked with the broad-arrow, and if after due notice of the seizure thereof, by a writing to be posted up at the office of the Commissioner and at the principal Court of Petty Sessions in the District, no claimant appears and claims the timber within fourteen days therefrom, such timber shall be sold, either for delivery on the spot where it lies or at the Commissioner's office, as may be most expedient, and subject to such conditions of removal as may be specified at the time of sale. The Commissioner or other officer may, with the approval of the Minister, place an upset price upon the timber, below which it shall not be sold.

*Proceeds of seizure—how dealt with.*

17. In the event of any timber being seized and sold as aforesaid, the Minister may direct that a proportion of the proceeds of the sale, not exceeding one-half thereof, be paid to the Commissioner, ranger, or other officer through whose agency or information the seizure was made; the balance of the proceeds being accounted for and paid over in the same manner as other public moneys.

*Withdrawal of lands from operation of timber licenses.*

18. The Minister may at any time, by notification in the *Gazette*, exclude any specified portion of land from the operation of timber licenses, or may prohibit, by notification as aforesaid, the cutting and removing of any particular kind of timber from any such specified portion of land.

*The cutting of certain kinds of timber prohibited.*

19. The cutting or removal of timber of the undermentioned sorts is strictly prohibited without special permit:—

- Bunya Bunya (*Aracaria Bidwillii*).
- Queensland Nut (*Macadamia ternifolia*).
- Currajong.

The Commissioner may also except timber required for shade or ornament from the operation of timber licenses.

*Timber not to be cut under certain size.*

20. No person, whether licensed or not, is permitted, under any circumstances, to cut down trees of the undermentioned sorts of a less size than that specified in each case:—

Cedar trees (*Cedrela Toona*) of a circumference less than seven feet six inches at six feet from the ground.

Kauri Pine trees (*Dammara robusta*) of a diameter less than two feet at five feet from the ground.

Hoop Pine trees (*Araucaria Cunninghamii*) of a diameter less than one foot nine inches at five feet from the ground.

ORDINARY LICENSES TO CUT TIMBER AND REMOVE IN THE LOG.—  
EMPLOYERS' LICENSES.

*Fee for license.*

21. The fee chargeable on an ordinary license to cut timber and remove it in the log shall be five shillings.

*Duration of license.*

22. The license will be in force from the date of issue to the thirty-first day of December next ensuing.

*Conditions of employer's license.*

23. The conditions of an employer's license are as follows:—The licensee must endorse on the license the name of the person intended to be employed by him under the license; and the person whose name is so endorsed thereon for the time being will be the person authorised to act under the authority of the license.

Whenever the licensee desires to change the person employed by him under the license he must erase the former name, and enter the new name, and countersign the entry.

In all other respects, employers' licenses will be subject to the same conditions as other ordinary timber licenses.

*Royalty to be paid by licensee.*

24. A royalty shall be payable on all timber cut by the holder of an ordinary license. Such royalty shall be at the rate of—

For beech, 1s. per 100 feet :

For other sorts of hardwood, 3d. per 100 feet :

For pine, 6d. per 100 feet :

For cedar, 2s. per 100 feet :

The measurement to be by the 100 feet superficial as timber is ordinarily sold, but due allowance to be made for any defects occasioned by pipes, knots, or otherwise.

*Licensee to give notice of timber cut, and receive permit.*

25. Within three months in the case of pine timber, and within nine months in the case of other timber being cut by a holder of an ordinary license, the licensee must give notice to the Commissioner stating the description of timber, the brand, and the locality where it was cut. The Commissioner shall thereupon give the licensee a printed permit specifying the kind of timber, the locality in which it was cut, and the brand, and authorising the licensee to remove the timber to such mill, railway station, rafting ground, or other place as may be specified by the licensee in his notice.

*Timber removed without permit may be forfeited.*

26. If a licensee removes any timber without such permit the timber may be seized, forfeited, and sold in the same manner as hereinbefore provided with respect to timber cut by unlicensed persons.

*Person in charge of timber removed to have permit with him.*

27. When any timber is removed from the place where it was cut, the person in charge thereof, whether the licensee or another, shall have with him the permit so given by the Commissioner, or a copy thereof. Any timber found in course of removal by any person not having with him such permit or copy, shall be liable to be seized, forfeited, and sold in manner aforesaid.

*On arrival of timber notice to be given, and timber to be measured.*

28. On the arrival of the timber at the appointed place of destination, the licensee or his agent shall give notice of such arrival to the Commissioner, who shall thereupon and before the timber is delivered by the person having in his possession the permit or copy to any other person, cause the ranger or other appointed officer to measure the timber. Such officer shall brand it with the brand prescribed for that purpose, and shall deliver to the person in charge thereof a memorandum stating the amount of the royalty payable in respect of the timber.

*Royalty to be paid within ten days.*

29. The amount of such royalty shall be paid by the licensee or other person to whom the timber is delivered, within ten days after it is so measured, and before it is cut or removed from the place where it was measured. In default of payment the timber may be seized and forfeited in manner aforesaid.

#### SPECIAL TIMBER LICENSES.

*Applications for licenses.*

30. Applications for special licenses to cut and remove timber from Crown Lands must contain a clear and sufficient description of the boundaries of the land over which the applicant desires to exercise the exclusive right of cutting timber, and must also be accompanied by a plan, showing the boundaries of the land applied for, as marked on the ground, and a corner tree must be marked on the ground as a starting point and referred to on the plan.

*License fee to be paid at time of application.*

31. An annual license fee of five pounds for each square mile, or part of a square mile, must be paid by the applicant for a special timber license at the time of lodging his application, unless that time is after the 30th day of June, in which case one-half that fee only need be paid; and the Commissioner shall thereupon (unless the issue of such license appears for some special reason to be objectionable) grant to the applicant a provisional license, and shall submit the application with his report thereon for the approval of the Minister. Upon such approval being given the Commissioner shall grant a special license accordingly; but if such approval is refused the provisional license shall have no further effect.

Notice of the issue of every provisional license shall be published in the *Gazette* and in a newspaper circulating in the neighbourhood.

A provisional license shall not confer on the applicant any right to cut timber on the land comprised in the application, nor shall it operate to prohibit any holder of an ordinary license from cross-cutting or removing any timber previously felled by him thereon, and branded in accordance with the Regulations; but in all other respects it shall during its continuance have the same operation as a special timber license.

*Commissioner may amend boundaries.*

32. The Commissioner may amend the description of boundaries contained in the application, or the area to be comprised in the license, and may exclude any land which it may appear expedient to withhold from license.

*Rights of holders of special licenses.*

33. A special timber license will entitle the holder thereof to the exclusive right to cut and remove timber from all the lands comprised in the license: Provided that the rights of pastoral tenants, lessees, and licensees under the Acts shall not be interfered with, and that timber required for public works may be removed by any person duly authorised by a Minister.

*No restriction to number of men to be employed.*

34. The holder of a special timber license may employ as many men as he thinks proper to cut and remove timber from the land comprised in the license: Provided that an ordinary license is held by or in respect of every man so employed, and that all timber cut by the servants of the holder of the special timber license must be branded with his registered brand.

*Royalty to be paid.*

35. The holder of a special timber license shall, within three months of any timber having been cut on the land comprised in the license, give notice to the Commissioner, and pay royalty thereon at the same rates and in the same manner as the holder of an ordinary license as hereinbefore prescribed.

*Duration of license.*

36. Special licenses will be in force from the date of issue to the thirty-first day of December next ensuing.

*Renewal of license.*

37. Special timber licenses may be renewed for each succeeding year on application, accompanied by the full amount of license fee. Both the application and the fee must be lodged with the Commissioner not less than one month prior to the expiration of the current year of the license. But no special license will be renewed unless the holder has paid during the preceding year a sum of not less than £50 as royalty in respect of timber cut in the area specified in the license, and a renewal may be refused if for any other reason it appears to be expedient to do so.

*Land how dealt with when renewal refused.*

38. Land comprised in a special timber license the renewal of which has been refused, will not be open to special license until after one month's notice in the *Gazette* and one or more local papers, specifying the day on which a special license may be applied for in respect of it. All applications made on that day will be deemed to be simultaneous, and the right to the special license will be decided by lot.

*Transfer of license.*

39. Any special license may be transferred on application by the holder thereof to the Minister through the Commissioner and on payment of a fee of one pound.

*Timber lawfully felled and branded may be removed.*

40. Any timber which has been lawfully felled and branded by the holder of an ordinary license upon any land before the issue of a provisional license for such land may be removed by him within three months after the issue of the provisional license in the case of pine timber, and within twelve months after such issue in the case of hardwood or cedar timber, provided that he still continues to hold a license. But all timber not removed within these periods respectively, or such longer period as may be allowed by the Commissioner, shall become the property of the holder of the special timber license, subject to the payment of the royalty due on such timber.

## SPECIAL RIGHTS TO CUT TIMBER MAY BE SOLD BY AUCTION.

41. The right to cut any specified number of trees marked by the ranger may be submitted for sale by auction, the royalty to be paid (not being less than the upset price, and not being less than that hereinbefore prescribed) being determined by the auction. The purchaser of such right shall be bound to cut, brand, and remove the timber within the time specified in the conditions of sale, and shall in all other respects be subject to the conditions of these Regulations relating to the holders of special timber licenses.

## PENALTIES FOR BREACH OF REGULATIONS.

42. If the holder of an ordinary license or special timber license fails to give any notice prescribed by these Regulations to the Commissioner, or if the holder of a special timber license allows timber to be cut on or removed from the land comprised in the license by unlicensed persons, or obstructs the owners of timber lawfully cut from removing such timber as provided by these Regulations, the license may be cancelled, and all timber cut under its authority and not removed may be seized and sold. But in any such case the holder of a special timber license shall have a right of demanding, within fourteen days of such seizure, that his case be heard in open court before the Commissioner, and the evidence then taken shall be submitted to the Minister for his decision.

## LICENSES TO CUT AND SPLIT SLABS, FENCING STUFF, OR SHINGLES.

*Fee payable for license to cut and split.*

43. The fee payable for a license to cut and split slabs, fencing stuff, or shingles, shall be at the rate of three pounds per annum, and may be paid yearly, half-yearly, or quarterly, but every such license shall expire either on the 31st of March, the 30th of June, the 30th of September, or the 31st of December.

*Right of holders of licenses to cut and split.*

44. The holder of a license to cut and split slabs, fencing stuff, or shingles, will, subject to these Regulations, be allowed to cut railway sleepers.

## LICENSES TO CUT FIREWOOD OR WATTLE BARK, AND BURN CHARCOAL.

*Fee payable for licenses to cut firewood.*

45. The fee payable for a license to cut firewood or wattle bark, or to burn charcoal, shall be at the rate of two pounds per annum, and may be paid yearly, half-yearly, or quarterly.

*Penalty for cutting timber subject to royalty, under licenses to cut and split fencing stuff, &c., or to cut firewood, &c.*

46. If the holder of a license to cut and split slabs, fencing stuff, or shingles, or to cut firewood or wattle bark, or burn charcoal, removes in the log any timber of a sort subject to a royalty, his license shall be cancelled, and the Minister may direct that no license under any of these Regulations be issued to him for such period of time, not exceeding twelve months, as he may direct.

## LICENSES TO REMOVE STONE, GRAVEL, BRICK-EARTH, SHELLS, OR OTHER MATERIALS FROM CROWN LANDS, HOLDINGS UNDER PART III. OF THE CROWN LANDS ACT OF 1884, AND RUNS.

*Licenses to dig and remove stone, gravel, &c., restricted to particular localities.*

47. Licenses to dig and remove stone, gravel, brick-earth, shells, or other similar material, or to make bricks, will be issued in the same manner as timber licenses, but will be restricted to the particular locality described in the license.

*Form of application.*

48. Applications for such licenses must contain a description of the locality for which the license is sought.

*Fees charged for licenses.*

49. The fee chargeable for a license to dig for and remove any stone, gravel, shells, or other material shall be one pound per annum; and the license fee to be paid by persons engaged in making bricks shall be one pound per annum for each mould.

*A separate license required by each person employed.*

50. A separate license must be taken out by every person employed in digging or removing stone, gravel, shells, or other material.

*License to be exhibited when demanded.*

51. Every person holding a license to dig and remove stone, gravel, shells, or other material, or to make bricks on any of the hereinbefore mentioned lands, must, whenever called upon to do so, exhibit such license to the Commissioner, Crown Lands ranger, or bailiff, or other authorised person.

*Licensee not to remove stone, &c., from other than authorised locality.*

52. No holder of a license to dig and remove stone, gravel, shells, or other material, or to make bricks, shall remove such stone, gravel, brick-earth, shells, or other material from any other locality than that comprised in his license.

## GENERAL.

*Forms.*

53. The Forms in the Schedule to these Regulations shall be used for the purposes to which they are respectively applicable.

*Existing rights preserved.*

54. Nothing herein contained shall prejudice the rights of holders of timber licenses under any Regulations heretofore in force.

*Existing special timber licenses may be extended.*

55. In the case of the holders of Special Timber Licenses under the Regulations of the 1st day of March, 1877, and the 29th day of October, 1878, who prove to the satisfaction of the Minister that they have expended a considerable sum of money in making roads or otherwise in preparing to take advantage of the privileges conferred by their licenses, and that they have not yet received an adequate return for their outlay, the Minister may, on payment of a fee of £5, extend the existing license for a further period of twelve months, and the licensee shall therefore have, and may exercise, the same privileges, and shall be liable to the same obligations, as are conferred by a Special Timber License under these Regulations.

## THE SCHEDULE.

## AA.

I, \_\_\_\_\_, of \_\_\_\_\_, do hereby apply for a [or an employer's] license to cut\* \_\_\_\_\_ in the District of \_\_\_\_\_ for the† ending the \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_.

[Signature of Applicant.]  
District.

To the Commissioner for the

\* Here insert object for which license is required, viz.:-

1. To cut timber and remove in log;
2. To cut and split slabs, fencing stuff, or shingles;
3. To cut firewood or wattle bark for sale, or burn charcoal.

† Here insert quarter, half-year, or year as the case may be. †

**BB.**

*Application for Special Timber License.*

I, \_\_\_\_\_, of \_\_\_\_\_, do hereby apply for a special license to cut and remove timber from the Lands described in the Schedule hereto annexed, in accordance with the existing Regulations.

[Signature of Applicant.]

To the Commissioner for the \_\_\_\_\_ District.

**SCHEDULE.**

District of \_\_\_\_\_  
 Area in square miles : \_\_\_\_\_  
 Description of Boundaries : \_\_\_\_\_

**CC.**

*Application for a license to dig and remove.*

I, \_\_\_\_\_, of \_\_\_\_\_, do hereby apply for a license to dig and remove\* from the under-described Lands† for the ‡ ending the day of \_\_\_\_\_ 18 .

[Signature of Applicant.]

To the Commissioner for the \_\_\_\_\_ District.

\* State material to be removed.

† Describe the locality within which the license is to be used.

‡ Here insert quarter, half-year, or year, as the case may be.

**DD.**

**QUEENSLAND.**

*License to cut Timber.*

Whereas \_\_\_\_\_, of \_\_\_\_\_, appears to me, the Commissioner for the District of \_\_\_\_\_, in the Colony of Queensland, to be a fit and proper person to hold a license to cut timber [or as the case may be] growing or being on the Crown Lands, or other lands whereon timber may be cut, in the said district; and whereas the fee of \_\_\_\_\_ pounds has been duly paid for such license for the period of \_\_\_\_\_ months, as hereunder acknowledged: Now, I, the Commissioner aforesaid, do hereby, in pursuance of the Regulations in that behalf, bearing date the 5th day of June, 1885. authorise the said \_\_\_\_\_, [or any one person employed by him, and whose name is endorsed hereon] to fell, cut, saw, split, and remove any timber [or as the case may be] growing on Crown Lands, or other lands whereon timber may be cut, in the said District of \_\_\_\_\_. This license to be in force until the day of \_\_\_\_\_ 18 , and no longer. Excepting always from the operation of this license the trees known as the Bunya Bunya, Queensland Nut, and Currajong.

Given under my hand, this \_\_\_\_\_ day of \_\_\_\_\_ 18 .  
 \_\_\_\_\_ Commissioner.

£ : : \_\_\_\_\_  
 Received the sum of \_\_\_\_\_ as the fee for the above license.

*Endorsement.*

*Clauses 8, 9, 10 of the Regulations for Timber Licenses, established on the fifth day of June, 1885.*

8. Licenses, other than special licenses, will authorise the holder to do the acts specified in the license, not only on vacant Crown Lands, but also on lands under pastoral lease or license under "The Pastoral Leases Act of 1869," Holdings under Part III. of "The Crown Lands Act of 1884," and land held under Occupation Licenses under Part V. of that Act; but no timber is to be cut upon any such lands within two miles of any head station, or lessee's or manager's residence, without leave from the lessee or licensee or his authorised agent.

100 TIMBER REGULATIONS, CROWN LANDS ACT, 1884.

9. No timber shall be cut within an enclosure of less than one thousand acres, without the special consent of the lawful occupier.

10. Licenses will not authorise the holder to cut Timber upon a Road, or upon Town, Timber, or other Reserves, or upon land surveyed for sale or for selection as Agricultural Farms, or upon land that is or has been held under special timber license, until such land has been declared open to the operation of ordinary timber licenses, by notification by the Minister in the *Gazette*.

EE.

QUEENSLAND.

*License to dig and remove\**

Whereas , of , appears to me, the Commissioner for the District of , in the Colony of Queensland, to be a fit and proper person to hold a license to dig and remove\* from Crown Lands and other lands wherefrom such material may be removed, in the said district; and whereas the stipulated fee of has been duly paid for such license for the period of months, as hereunder acknowledged by me: Now, I, the Commissioner aforesaid, do hereby, in pursuance of the Regulations in that behalf, bearing date the fifth day of June, 1885, authorise the said to dig and remove any\* from the lands particularly described in the annexed Schedule. This license is to be in force until the day of 18 , and no longer.

Given under my hand, this day of , 18 .  
Commissioner.

£ : :  
Received the sum of pounds, as the fee for the above license.

\* State whether stone, brick-earth, gravel, shells, or other material, as the case may be.

SCHEDULE.

Licensee:  
Nature of material to be dug and removed under this license:  
District:  
Description of the locality in which this license is to be used:

FF.

District of  
No.

*Special Timber License.*

This is to certify that , of , is duly licensed to cut and remove timber from the lands described in the Schedule hereto annexed, from the day of , 18 , to the 31st day of December, 18 , in accordance with the Regulations governing Special Timber Licenses.

Given under my hand, this day of , 18 .  
Commissioner.

SCHEDULE.

District of  
Area in square miles:  
Description of Boundaries:

# LAND AGENTS' DISTRICTS.

## PROCLAMATION.

By His Excellency Sir ANTHONY MUSGRAVE, Knight Commander of the  
[L.S.] Most Distinguished Order of St. Michael and St. George,  
A. MUSGRAVE, Governor and Commander-in-Chief of the Colony of  
Governor. Queensland and its Dependencies.

IN pursuance of the powers and authorities vested in me by "*The Crown Lands Act of 1884*," I, Sir ANTHONY MUSGRAVE, the Governor aforesaid, by and with the advice of the Executive Council, and on the recommendation of the Land Board, do, by this my Proclamation, declare that the portions of the colony described in the Schedule hereto, shall be Districts for the purposes of the said Act, and I do further declare that the said Districts shall be known by the names prefixed to them respectively.

Given under my Hand and Seal, at Government House, Brisbane, this third day of March, in the year of our Lord one thousand eight hundred and eighty-five, and in the forty-eighth year of Her Majesty's reign.

By Command,

C. B. DUTTON.

GOD SAVE THE QUEEN!

## THE SCHEDULE.

### THE ARAMAC LAND AGENT'S DISTRICT.

Commencing near the confluence of the Thompson and Darr Rivers at the north-east boundary of Wallon Run, and bounded thence by the north-east boundaries of Wallon, Campsie Nos. 1, 2, 3, 4, 5, and 6, and Bladensburg No. 10 Runs north-westerly, by the east and south-east boundaries of Bladensburg No. 8, Vindex Nos. 3, 5, 6, and 7 north-easterly, the eastern boundaries of Vindex Nos. 7, 8, 9, and 11, Watershed, Manuka, Corœbus, and Marmion Runs northerly, and the north boundaries of Katandra Nos. 10 and 11 and Cameron Downs easterly to Landsborough Creek, by that creek downwards to the crossing of the road from Winton to Charters Towers, by that road north-easterly to the western watershed of the Cape River; thence by that watershed and the western watershed of the Belyando River south-easterly and a line west to the north-west corner of Burgoyne's Camp Run, by part of the west boundary of that run, the south boundary of Edwinstowe No. 4, part of the east, the north, and part of the west boundary of Lochnagar No. 2, the north boundary of Lochnagar No. 3, the east, south, and west boundaries of Elton South, the north boundary of Foxhall No. 2, part of the east boundary of Hugden, the south boundaries of Hugden and Brixton, the east boundary of Ilfracombe, the north boundaries of Ilfracombe, Dartmouth, Collumpton, Combemartin, and Henry Downs westerly, the north-west boundaries of Henry Downs and Blackall Downs south-westerly, and the south-west boundary of Rio Downs No. 3 north-westerly to the Thompson River, and thence by that river downwards to the point of commencement.

## THE BANANA LAND AGENT'S DISTRICT.

Commencing at the confluence of Zamia Creek with the Dawson River, and bounded thence by the Dawson River upwards to Cracow Creek; thence by the southern watershed of that creek easterly to the range dividing the Dawson River waters from the Burnett River waters, by that range and the range dividing the Dawson River from Kroombit Creek northerly, and the northern watershed of Banana Creek westerly to the confluence of that creek with the Dawson River, by the Dawson River downwards to the south-east corner of Denby No. 4 Run, by the south boundary of that run and a line west to the eastern watershed of Perch Creek, by that watershed and the northern watershed of Mimosa Creek north-westerly to Expedition Range, by that range southerly to the southern watershed of Zamia Creek and tributaries, and thence by the southern and eastern watersheds of those creeks north-easterly and northerly to the point of commencement.

## THE BEENLEIGH LAND AGENT'S DISTRICT.

Commencing on the east shore of Stradbroke Island, and bounded thence by a line west to Koureyabba; thence by a line passing to the south of Russell Island westerly to the mouth of the Logan River, by that river upwards to the south-west corner of portion 186, parish of Moffatt, by the south boundary of that portion, part of the western boundary of portion 191, and a line east along the southern boundary thereof to the western boundary of the parish of Boyd, by that boundary southerly and the southern boundary thereof easterly to the Albert River, by that river downwards to the south-west corner of portion 23, parish of Darlington, by the southern boundaries of 23 and 75, and the northern boundary of 66a easterly to Darlington Range, by that range southerly to the south-west corner of portion 63, parish of Darlington; thence by the western boundaries of the parishes of Pimpama, Cedar, Witheren, and Roberts, southerly to Macpherson's Range (the southern boundary of the colony), by the southern boundary of the colony easterly to Point Danger; and thence by the coast and the eastern shore of Stradbroke Island northerly to the point of commencement.

## THE BLACKALL LAND AGENT'S DISTRICT.

Commencing at the confluence of the Alice and Barcoo Rivers, and bounded thence by the Alice River upwards to the east corner of Seaford Run, by part of the north and the eastern boundary of that run, the east boundaries of Tylden and Oakhampton, part of the north boundary of Oakhampton, part of the east boundary of Dartmouth, the south boundaries of Ilfracombe, Brixton and Hugden, part of the east boundary of Hugden, the north boundary of Foxhall No. 2, the west, south, and east boundaries of Elton South, the north boundary of Lochnagar No. 3, part of the west, the north, and part of the east boundary of Lochnagar No. 2, the south boundary of Edwinstowe No. 4, part of the west boundary of Burgoyne's Camp and a line east along the north boundary thereof to the western watershed of the Belyando River; thence by that watershed southerly and a line west along the north boundary of Birkhead No. 6, by part of the east boundary of Birkhead No. 3, the north boundaries of Birkhead Nos. 3 and 4, the west boundary of Birkhead No. 4, the north and west boundaries of Paradise Downs No. 5, part of the west boundary of Paradise Downs No. 1, the north and west boundaries of Spring Block, the east and part of the south boundary of Caerthedine and the west boundary of Bexhill southerly

to the Warrego Range; thence by that range and the southern watershed of the Barcoo River westerly to the south boundary of Rokewood Run, by part of the south and west boundaries of Rokewood, the south and west boundaries of Rokewood West, the west boundaries of Deadlock and Deepwater, part of the north boundary of Deepwater, the west boundaries of Overreach and Longreach northerly to the Barcoo River, and thence by that river upwards to the point of commencement.

#### THE BOWEN LAND AGENT'S DISTRICT.

Commencing at the mouth of Wangaratta Creek, and bounded thence by that creek upwards to the northern boundary of portion 333, parish of Tondara; thence by the northern, the eastern, and part of the southern boundary of that portion, and the eastern boundary of the parish of Tondara, southerly to the northern boundary of Strathbogies Run, by that boundary west to the Bogies River, and by that river downwards to the Burdekin River; thence by the Burdekin River upwards to the Suttor River, and by the Suttor River upwards to its source in the Leichhardt Range, by that range south-easterly, the watershed separating the Bowen River waters from the Isaacs River waters easterly, and the range separating the Bowen River from the Pioneer River, O'Connell River, and other east waters northerly to the source of the Andromache River, by that river and the O'Connell River downwards to the coast; and thence by the coast north-westerly to the point of commencement,—inclusive of adjacent islands.

#### THE BRISBANE LAND AGENT'S DISTRICT.

Commencing on the east shore of Stradbroke Island, and bounded thence by a line west to Koureyabba; thence by a line passing to the south of Russell Island westerly to the mouth of the Logan River, by that river upwards to the south-west corner of portion 186, parish of Moffatt, by the south boundary of that portion, part of the western boundary of portion 191, and a line east along the southern boundary thereof to the western boundary of the parish of Boyd, by that boundary southerly and the southern boundary thereof easterly to the Albert River, by that river downwards to the south-west corner of portion 23, parish of Darlington, by the southern boundaries of 23 and 75 and the northern boundary of 66A easterly to Darlington Range, by that range southerly to the south-west corner of portion 63, parish of Darlington; thence by the western boundaries of the parishes of Pimpama, Cedar, Witheren, and Roberts southerly to Macpherson's Range (the southern boundary of the colony), by that range westerly to the north-western boundary of the parish of Melcombe; thence by the north-western and western boundaries of the parishes of Melcombe, Knapp, Tamrookum, and Bromelton, and the western boundary of portion 57A, parish of Teviot, north-easterly to Teviot Brook, by Teviot Brook downwards to Woollaman Creek, by that creek upwards to its source; thence by Mount Flinders Range northerly to the source of Woogaroo Creek, by that creek downwards to the Brisbane River, by that river downwards to the south-east corner of portion 14, parish of Moggill, by the south boundaries of 14, 13, and 158, the west boundaries of 158 and 159, part of the west boundary of 18, the south-western boundaries of 167, 169, 170, and 171, the east boundary of 172, and a line north to D'Aguiar's Range, by that range northerly to the range separating the Brisbane River waters from those of the Mary River, by that range westerly to Mount Gerald; thence by the western and northern boundaries of the parish of Conondale northerly and easterly to the western

boundary of the Blackall Range Timber Reserve proclaimed in the *Government Gazette* for 1882, volume 2, page 260, by that boundary northerly to the south boundary of portion 21, parish of Kenilworth, by part of the south and east boundaries thereof, the south and east boundaries of portion 22, and a line north to a point west from the north-west corner of portion 130, parish of Maroochy; thence by a line east along part of the north boundary of that portion and by the northern boundary of the parish of Maroochy easterly to the coast, by the coast southerly to the mouth of the Maroochy River; thence by a line south-easterly to Cape Moreton; and thence by the eastern shores of Moreton and Stradbroke Islands southerly to the point of commencement.

#### THE BUNDABERG LAND AGENT'S DISTRICT.

Commencing at the mouth of the Burrum River, and bounded thence by the Burrum and Isis Rivers and Agnes Vale or Broom's Creek upwards to the Maryborough and Gladstone road; thence by a line south-westerly to the north-east corner of Degilbo Town Reserve, by the north boundary thereof westerly to Degilbo Creek, by that creek downwards to the Burnett River; thence by a line north-west to the range separating the waters of the Burnett River from those of the Kolan River, by that range westerly and north-westerly to Dawes Range, by that range and the northern watershed of the Kolan River easterly to Double Sloping Hummock; thence by the eastern watershed of Bottle Creek and a line (being the boundary of the old coast reserve) north-westerly to Baffle Creek, by that creek downwards to its mouth; and thence by the coast south-easterly to the point of commencement.

#### THE BURKETOWN LAND AGENT'S DISTRICT.

Commencing on the shore of the Gulf of Carpentaria at the mouth of Morning Inlet, and bounded thence by Morning Inlet upwards to a point thirty miles from the coast; thence by a line parallel with the coast and distant thirty miles therefrom north-westerly to the 138th meridian of east longitude (the western boundary of the colony) by the 138th meridian true north to the Gulf of Carpentaria; and thence by the shore of the Gulf of Carpentaria south-easterly to the point of commencement,—including the Wellesley Islands.

#### THE CAIRNS LAND AGENT'S DISTRICT.

Commencing at Cooper Point, and bounded thence by a line south-west to the northern watershed of the Johnstone River, by that watershed westerly to the eastern watershed of the Barron River, by that watershed northerly, the watershed separating Emerald Creek from the Clohesy River north-westerly, and a line west to the confluence of Emerald Creek with the Barron River, by the Barron River downwards about six miles in a direct line to the Gorge; thence by a line north-west to the northern watershed of the Barron River, by that watershed easterly and a line north-east to Double Point; and thence by the coast southerly to the point of commencement,—inclusive of adjacent islands.

#### THE CHARLEVILLE LAND AGENT'S DISTRICT.

Commencing on the Paroo River at the north-east corner of Paroo West Run, and bounded thence by the north boundaries of Paroo West and Yal-yearry, part of the east boundary of Largs, the north boundaries of Largs and Fairlie Plains South, part of the north boundary of Koolpitta, the east, north, and west boundaries of Buthana, part of the north boundary of Chum

Plains, the north boundaries of Watchum and Goythorne, part of the east boundary of Napoleon, the north boundaries of Napoleon, Balthazar, Owthorpe No. 6, Comongin, Nyngin, and Nyngin West, the east and north boundaries of Mongarlo, part of the east, the north, and part of the west boundary of Yourie and the north boundary of Whynot westerly, by the west and part of the north boundary of Russia, part of the west boundary of Moscow, the south and part of the west boundary of Pasha, the south and west boundaries of Dervish, the north boundaries of Dervish, Pasha, and Cracow, part of the west and north boundaries of Mount McIver, the west boundaries of Alarie, Tamboryne, Arnica, Victoria, and Adelaide, the north boundary of Adelaide, part of the west boundary of Mineral, the west and north boundaries of Tara, part of the west, the north, and part of the east boundary of Cudmore, the north boundary of Flukes, the west and part of the north boundary of Coepit, the western boundaries of Gilmore and Collabbara and the north-eastern boundaries of Stratheonan No. 7 and No. 3 to the southern watershed of the Barcoo River, by that watershed easterly to the north-west corner of Stafford Run, by the west and south boundaries of that run, part of the west and south boundaries of Tring, part of the west boundary of Bayswater, the north, east, and part of the south boundaries of Acton, and the west and south boundaries of Baykool to the Lango River, by that river upwards to the north-west corner of Mount Morris Run; by the north boundary of that run, the west, south, and east boundaries of Hermitage, part of the south, the west and the north boundaries of Jingidilla, the west and south boundaries of Byrganna, the south and east boundaries of Carawan, part of the south and the east boundary of Damson East, the east boundary of Hoszfeldt East, the north boundaries of Muggadilla, Watford, Narga, Cargara, and Chili, part of the east boundary of China, the south boundary of Bolan, and a line north along the east boundary of Canoe West to the watershed separating the Warrego River from the Nogoa River; thence by that watershed north-easterly to the eastern watershed of the Warrego River, by that watershed south-westerly, the south boundary of Arkansas South Run, part of the east boundary of Cashmere, and a line along the south boundaries of Cashmere, Crowfoot Plains East, Yoval, and Plagonie to the east boundary of Colombo Run; thence by the east and part of the south boundary of that run, the east boundaries of Toorumbury and Pericoota southerly, the north boundary of Oblong, part of the east and the north boundary of Cob, part of the east boundary of Stairs, the north boundaries of Stairs, Werrai, Nargoon, Radford, Alicia, and Cliffdale No. 1, the western boundary of Cliffdale No. 1, part of the west boundary of Tyson and the north boundaries of Juanbong, Dugganbla, and Paroo North westerly to the Paroo River; and thence by that river upwards to the point of commencement.

#### THE CHARTERS TOWERS LAND AGENT'S DISTRICT.

Commencing at the confluence of the Burdekin and Suttor Rivers, and bounded thence by the Suttor and Cape Rivers upwards to the Campaspe River; thence by a line south to the southern watershed of the Cape River, by that watershed south-westerly to the western watershed of the Cape River; thence by that watershed and the western watershed of the Burdekin River north-westerly, the northern watershed of the Clarke River, and the north-west boundary of South Merino Run north-easterly to the Burdekin River, by that river downwards to the north-west boundary of Yandilla Run, by the north-west boundaries of Yandilla and Poon Boon

Runs north-easterly, the north-east boundaries of Poon Boon and Yallock Vale and a line in continuation thereof south-easterly, the north and part of the east boundary of Dotswood, the north boundary of Avoca and a line east to the north-eastern watershed of the Upper Burdekin River, by that watershed south-easterly and a line south to the northern bend of the Kirk River, by that river and Pandanus Creek downwards to the Burdekin River; and thence by that river downwards to the point of commencement.

#### THE CLERMONT LAND AGENT'S DISTRICT.

Commencing at the confluence of the Suttor and Cape Rivers, and bounded thence by the Suttor River upwards to its source in the Leichhardt Range, by that range and Denham Range southerly to Fletcher's Awi; thence by Peak Range and the watershed separating Crinum Creek from Oaky and Carooro Creeks south-easterly to the south-east corner of East Crinum Run; thence by the south boundaries of East Crinum, Lower Crinum, and East Esmond; the eastern boundary of Berbeth, the south-east and south-west boundaries of Gordonstone South, and the north-west boundary of Misslone south-westerly to Theresa Creek, by that creek downwards to the north corner of Kingower Run, by the north-western and western boundaries of that run to Retreat Creek, by that creek upwards to the east boundary of Retreat Run, by part of that boundary northerly, the northern boundary thereof and the northern watershed of Retreat Creek westerly to the watershed separating the Nogoia River waters from the Belyando River waters, by that watershed southerly and the western watershed of the Belyando River north-westerly to the southern watershed of the Cape River, by that watershed north-easterly and a line north to the confluence of the Cape and Campaspe Rivers; and thence by the Cape River downwards to the point of commencement.

#### THE COOKTOWN LAND AGENT'S DISTRICT.

Commencing at Cape Tribulation, and bounded thence by a spur range to Peter Botte; thence by the southern watershed of the Bloomfield River south-westerly and a line westerly to a point thirty miles from the coast; thence by a line parallel with the coast and distant thirty miles therefrom north-westerly to a point west from Cape Sidmouth, by a line east to Cape Sidmouth; and thence by the coast south-easterly to the point of commencement,—inclusive of adjacent islands.

#### THE CUNNAMULLA LAND AGENT'S DISTRICT.

Commencing on the Paroo River at the north-east corner of Paroo West Run, and bounded thence by the north boundaries of Paroo West and Yalyeary, part of the east boundary of Largs, the north boundaries of Largs and Fairlie Plains South, part of the north boundary of Koolpitta, the east, north, and west boundaries of Buthana, part of the north boundary of Chum Plains, the north boundaries of Watchum and Goythorne, part of the west boundary of Goythorne, the south boundary of Napoleon, the west boundaries of Watoota, Wat, Tem, and part of the west boundary of Cecil Downs, the northern boundary of Cecil Plains, the west boundary of Cecil Plains, part of the north and west boundaries of Werie-Ela West, the north, west, and south boundaries of Kieni, the east boundary of Clayton East, and part of the north boundary of Wyara to Bundilla Creek; thence by that creek downwards to the south boundary of Wyara, by the south and part of the west boundary of that run, the north boundary of

Wyara West, the west boundaries of Wyara West, Tinderry North, and Humebo West, part of the north boundary of Polee West, the west boundaries of Polee West and Tunga West, the north and west boundaries of Zaroni, the north and west boundaries of Cortesi, the north boundary of Melville, and the west boundaries of Melville and Riboldi southerly to the 29th parallel of south latitude (the southern boundary of the colony); thence by the 29th parallel true east to the south-east corner of Cogee Run, by the east boundaries of Cogee, Waverley, and Oxford, part of the south boundary of Quambone, the east boundaries of Quambone, Balbon, and Floriana, the north boundary of Floriana, part of the north boundary of Speeling East, the east boundaries of Uhroka, Balboona, Hesperia, Sunny Flat, Yarmouth, Oblong South, and Oblong, northerly, the north boundary of Oblong, part of the east and the north boundary of Cob, part of the east boundary of Stairs, the north boundaries of Stairs, Werrai, Nargoon, Radford, Alicia, and Cliffdale No. 1, the western boundary of Cliffdale No. 1, part of the west boundary of Tyson, and the north boundaries of Juanbong, Dugganbla, and Paroo north westerly to the Paroo River; and thence by that river upwards to the point of commencement.

#### THE DALBY LAND AGENT'S DISTRICT.

Commencing at the confluence of Dogwood Creek with the Condamine River, and bounded thence by Dogwood Creek upwards to the north-eastern boundary of Balle Run; thence by the north-eastern boundaries of Balle, Centrebit, Upper Tingin, Moongool, and the western watershed of Tchanning Creek northerly to the Great Dividing Range, by that range easterly and south-easterly to the western boundary of the parish of Milton, by that boundary southerly, the southern boundary thereof easterly, and the eastern boundary of the parish of Jondaryan southerly to the north-east corner of portion 35, parish of Watts; thence by a line south along the west boundaries of portions 35, 36, and 37 to Oakey Creek, by that creek downwards to the north-west corner of P.P. XV.; thence by a line southerly along the west boundaries of P.P. XV., P.P. LXXXIII., portions A 2610, 2611, 2691, parish of Westbrook, and a line north-westerly along the north-eastern boundaries of portions 1652, 1662, 2434, 2439, 2471, 2460, 3125, and 3127, parish of East Prairie, to the north-east corner of portion 128, parish of West Prairie; thence by a line south along the east boundaries of portions 128, 198, 528, 526, 1019, 1034, 539, 541, 739, 1065, 1288, to the north-eastern boundary of the parish of Cecil Plains, by that boundary north-westerly and by the northern boundary of the parish of Cecil Plains, the southern boundary of portion 777, and part of the eastern and the northern boundaries of P.P. XI. westerly to the Condamine River; by the Condamine River upwards to the north-western boundary of the parish of Yandilla, by that boundary south-westerly to the watershed separating the Condamine River from the Weir and Moonie Rivers, by that watershed north-westerly and westerly to the north-east corner of Bombombah Run; thence by the western boundary of Cobblegun, part of the north-east boundary of Dinwoodie, and the south-east boundary of Murilla north-easterly to the Condamine River; and thence by the Condamine River downwards to the point of commencement.

#### THE GAYNDAH LAND AGENT'S DISTRICT.

Commencing at the confluence of Degilbo Creek with the Burnett River, and bounded thence by the Burnett River upwards to Sunday Creek; thence by the northern boundary of Yenda Run, part of the eastern and the

northern boundary of Jonday, the north-eastern and north-western boundaries of Branch Creek No. 1, the northern boundaries of Lochaber and Hollywell, and part of the eastern boundary of Geumga westerly to the Burnett River, by that river downwards to the eastern boundary of Telemark, by that boundary and the eastern watershed of Rawbelle Creek northerly to the watershed separating the Burnett River waters from Kroombit Creek, by that watershed south-westerly, the watershed separating the Burnett River waters from the Dawson River waters southerly, and the Great Dividing Range easterly to the north-west corner of Durong Run, by the north boundary of that run east to the Boyne River, by that river downwards to Lawson's Broad Creek, by that creek and Covertly Creek upwards to the road from Burrandowan to Proston, by that road north-westerly to the Stuart River, by that river upwards to the north-western boundary of Kingsland Run, by that boundary north-easterly to the watershed separating the Boyne River from Barambah Creek; thence by the eastern boundaries of Proston and Ballyhew Runs northerly to the source of Woroon Creek, by that creek and Barambah Creek downwards to Boonara Creek; thence by the north-eastern boundary of Boonimba south-easterly and the north-western boundary of Boonbyjan north-easterly to the western watershed of the Mary River, by that watershed and the eastern watershed of Degilbo Creek north-easterly to a point where it is intersected by a line from the north-east corner of Degilbo Town Reserve to Agnes Vale Creek at the crossing of the Maryborough and Gladstone road; thence by a line south-westerly to the north-east corner of Degilbo Town Reserve, by the north boundary thereof westerly to Degilbo Creek; and thence by that creek downwards to the point of commencement.

#### THE GLADSTONE LAND AGENT'S DISTRICT.

Commencing at the mouth of Raglan Creek, and bounded thence by that creek upwards to the south-western boundary of the parish of Targinie, by that boundary south-easterly, the south-eastern boundary of the parish of Langmorn south-westerly, the southern boundary of the parish of Raglan westerly and the north-western boundary of the parish of Craiglands south-westerly to Manton's Creek, by that creek and the Don River downwards to the eastern boundary of the parish of Bundalba, by that boundary southerly and south-easterly and the southern boundary thereof along the south boundary of portion 1679 westerly to the western watershed of Callide Creek, by that watershed and the watershed separating Kroombit Creek from the Dawson River southerly, the watershed separating Kroombit Creek from the Burnett River waters north-easterly, Dawes Range, and the northern watershed of the Kolan River easterly to Double Sloping Hummock; thence by the eastern watershed of Bottle Creek and a line (being the boundary of the Old Coast Reserve) north-westerly to Baffle Creek, by that creek downwards to its mouth; and thence by the coast north-westerly to the point of commencement,—inclusive of Curtis Island and other adjacent islands.

#### THE GOONDIWINDI LAND AGENT'S DISTRICT.

Commencing at the confluence of Macintyre Brook with the Dumaresq or Severn River, and bounded thence by the western watershed of the Macintyre Brook north-easterly to the watershed separating the Condamine River waters from the Weir and Moonie River waters near Mount Denville, by that watershed north-westerly and westerly to the north-west corner of Bombombah Run, by the west boundary of that run, part of the north

boundary of Wagganba, the east boundaries of Wagganba, Lower Teelba, East Teelba, Brigalow Scrub, Ula Ula, Fairymount, and North Guralda, part of the north and the east boundary of Gurardera, and the south-west boundary of Binigi, southerly to the Weir River, by that river downwards and an anabranch (forming part of the eastern boundary of Newinga Run), to the Barwon or Macintyre River; and thence by that river upwards to the point of commencement.

#### THE GYMPIE LAND AGENT'S DISTRICT.

Commencing on the shore of Tin Can Bay, and bounded thence by a line west along the south boundary of Tiaro Town Reserve to the south-west corner of portion 30, parish of Tiaro, by part of the west boundary of that portion and the southern boundary of portion 92 westerly to the Mary River, by that river and Munna Creek upwards to a point near the south-west corner of mineral selection 1310; thence by a spur-ridge and the northern watershed of Yaroombah Creek north-westerly to the western watershed of the Mary River, by that watershed and the watershed separating the waters of the Mary River from those of the Brisbane River south-easterly to Mount Gerald; thence by the western and northern boundaries of the parish of Connondale northerly and easterly to the western boundary of the Blackall Range Timber Reserve proclaimed in the *Government Gazette* for 1882, volume 2, page 260, by that boundary northerly to the south boundary of portion 21, parish of Kenilworth, by part of the south and east boundaries thereof, the south and east boundaries of portion 22, and a line north to a point west from the north-west corner of portion 130, parish of Maroochy; thence by a line east along part of the north boundary of that portion and by the northern boundary of the parish of Maroochy easterly to the coast; and thence by the coast northerly to the point of commencement.

#### THE HERBERTON LAND AGENT'S DISTRICT.

Commencing at the confluence of Emerald Creek with the Barron River, and bounded thence by that river and Abbot Creek upwards to a point west from the summit of Mount Abbot; thence by a line west to the western watershed of the Barron River; thence by that watershed and the western watershed of the Wild and Herbert Rivers southerly to the northern watershed of Rudd Creek, by that watershed south-easterly to the confluence of Rudd Creek with the Herbert River; thence by the south-eastern watershed of the Herbert River above Rudd Creek north-easterly, the western watershed of the Johnstone River and the eastern watershed of the Barron River northerly; and thence by the watershed separating Emerald Creek from the Clohesy River north-westerly and a line west to the point of commencement.

#### THE HUGHENDEN LAND AGENT'S DISTRICT.

Commencing on Landsborough Creek at the north-east corner of Cameron Downs Run, and bounded thence by the north boundary of that run and part of the north boundary of Katandra No. 11 westerly, the west boundary of Stamfordham No. 2 northerly, the north boundaries of Stamfordham No. 2 and Stamfordham easterly, the west and north boundaries of Ingleounda, the east boundaries of Redeliff South and Redeliff, part of the south boundary of Redeliff North, the eastern boundaries of Redeliff North and Hughenden, the south boundary of Prairie Plains and the north-east boundary of Prairie Plains northerly, the south-east boundary of Glendower, and the water-

shed separating tributaries of the Flinders River from those of the Thomson River north-easterly to the western watershed of the Cape River, by that watershed south-easterly to the road from Charters Towers to Winton, by that road south-westerly to Landsborough Creek, and thence by that creek upwards to the point of commencement.

#### THE INGHAM LAND AGENT'S DISTRICT.

Commencing on the coast four miles north of Tam O'Shanter Point, and bounded thence by a line west, the northern watershed of the Hull and Tully Rivers westerly, and the eastern watershed of the Herbert River above the confluence of Rudd Creek south-westerly to the confluence of Rudd Creek with the Herbert River, by the northern watershed of Rudd Creek north-westerly, the western watershed of the Herbert River and the western watershed of the Burdekin River southerly to the northern watershed of the Clarke River, by that watershed and the north-west boundary of South Merino Run north-easterly to the Burdekin River, by that river downwards to the north-west boundary of Yandilla Run, by that boundary, part of the north-west boundary of Poon Boon and the western watershed of the Star River northerly to Sea View Range, by that range south-easterly to the source of Saltwater Creek, by that creek downwards to Halifax Bay, and thence by the coast northerly to the point of commencement,—inclusive of adjacent islands.

#### THE IPSWICH LAND AGENT'S DISTRICT.

Commencing at the confluence of Woogaroo Creek with the Brisbane River, and bounded thence by Woogaroo Creek upwards to Mount Flinders Range, by that range southerly to the source of Woollaman Creek, by that creek downwards to Teviot Brook, by Teviot Brook upwards to the western boundary of portion 57A, parish of Teviot; thence by that boundary southerly, and by the western and north-western boundaries of the parishes of Bromelton, Tamrookum, Knapp, and Melcombe south-westerly to Macpherson's Range (the southern boundary of the colony), by that range westerly to the Great Dividing Range, by the Great Dividing Range north-westerly to the southern boundary of the Drayton Commonage proclaimed in the *Government Gazette* for 1877, volume 2, page 603, by that boundary easterly and the boundary of the reserve for pasturage proclaimed in the *Government Gazette* for 1880, volume 2, page 995, north-easterly to the south boundary of portion 14, parish of Campbell, by that boundary westerly to Flagstone Creek, by Flagstone and Lockyer Creeks downwards to the south-east corner of portion 48, parish of Helidon, by the east boundary of that portion, the eastern and northern boundaries of 148, and the north-eastern boundaries of 62 and 80 north-westerly; thence by the southern, western, and north-western boundaries of the Timber Reserve proclaimed in the *Government Gazette* for 1876, volume 2, page 589, and the western and part of the northern boundary of the Timber Reserve proclaimed in the *Government Gazette* for 1876, volume 2, page 907, northerly to the western boundary of the parish of Buaraba, by that boundary northerly, the south-western boundaries of the parishes of Deongwar and Anduramba, and the eastern boundary of the parish of Emu Creek north-westerly to Emu Creek, by that creek downwards to Googa Googa Creek, by the eastern watershed of that creek and of Taromeo Creek and a spur range northerly to Cooyar Creek opposite the confluence of Paradise Creek, by Cooyar Creek upwards to Taromeo Creek, and by a spur range forming the northern boundary of the Taromeo Homestead Area north-westerly to the range separating the waters of the

Brisbane River from those of the Burnett River; thence by that range north-easterly and the range separating the waters of the Brisbane River from those of the Mary River south-easterly to D'Aguilar's Range, by that range south-easterly and a line south to the north-east corner of portion 172, parish of Moggill, by the east boundary of that portion, the south-western boundaries of 171, 170, 169, and 167, part of the west boundary of 18, the west boundaries of 159 and 158 southerly, and the south boundaries of 158, 13, and 14 easterly to the Brisbane River; and thence by the Brisbane River upwards to the point of commencement.

#### THE ISISFORD LAND AGENT'S DISTRICT.

Commencing at the confluence of the Alice and Barcoo Rivers, and bounded thence by the Alice River upwards to the east corner of Seaford Run; thence by part of the north and the eastern boundary of that run, the east boundaries of Tylden and Oakhampton, part of the north boundary of Oakhampton, part of the east boundary of Dartmouth, the south, east, and north boundaries of Ilfracombe, the north boundaries of Dartmouth, Collumpton, Combemartin and Henry Downs northerly and westerly, the north-west boundaries of Henry Downs and Blackall Downs south-westerly, the south-west boundary of Rio Downs No. 3 north-westerly to the Thomson River, by that river downwards to the north-east boundary of Bundabarinia Run, by the north-east boundaries of Bundabarinia and Moselle south-easterly, the south-east boundary of Moselle south-westerly, the south boundaries of Hazlemere and Douglas Downs, part of the south boundary of Mary Downs, the west boundaries of St. Helena and St. Helena South, the south boundary of St. Helena South, part of the south boundary of Barnstaple and the west boundary of Welbeck easterly and southerly to the Barcoo River; thence by the north-east boundaries of Isis Downs No. 3, Tichborne, and Talundilly, and by the east and north boundaries of Talundilly and Emmett Downs No. 1 south-easterly to the south-west corner of Rokewood West, by the west boundaries of Rokewood West, Deadlock, and Deepwater, part of the north boundary of Deepwater and the west boundaries of Overreach and Longreach northerly to the Barcoo River; and thence by that river upwards to the point of commencement.

#### THE MACKAY LAND AGENT'S DISTRICT.

Commencing at Cape Palmerston, and bounded thence by Mount Funnel Range south-westerly, the watershed separating Funnel Creek from waters flowing direct to the coast, and the watershed separating the Bowen River from the Pioneer River, O'Connell River, and other coast waters north-westerly to the source of the Andromache River, by that river and the O'Connell River downwards to the coast; and thence by the coast south-easterly to the point of commencement,—inclusive of adjacent islands.

#### THE MARYBOROUGH LAND AGENT'S DISTRICT.

Commencing at the mouth of the Burrum River, and bounded thence by the Burrum and Isis Rivers and Agnes Vale or Broom's Creek upwards to the Maryborough and Gladstone road; thence by a line south-westerly to the eastern watershed of Degilbo Creek at a point where it is intersected by a line from the north-east corner of Degilbo Town Reserve to Agnes Vale Creek at the crossing of the Maryborough and Gladstone road; thence by the eastern watershed of Degilbo Creek and the western watershed of

the Mary River southerly to the northern watershed of Yaroombah Creek, by that watershed and a spur-ridge south-easterly to Munna Creek near the south-west corner of mineral selection 1310, by Munna Creek and the Mary River downwards to the west corner of portion 92, parish of Tiaro, by the south boundary of that portion, part of the west boundary of portion 30, and a line east along the south boundary of Tiaro Town Reserve to Tin Can Bay; and thence by the coast north-westerly to the point of commencement,—inclusive of Great Sandy Island and other adjacent islands.

#### THE MOUNT BRITON LAND AGENT'S DISTRICT.

Commencing on Funnell Creek at the south-west corner of Drumgondra Run, and bounded thence by the south and east boundaries of that run and part of the south and east boundaries of Howth Run northerly to the southern watershed of Boothill Creek, by the southern and eastern watershed of that creek easterly and northerly to Connor's Range, by that range and the watershed separating Funnell Creek from waters flowing direct to the coast north-westerly, the watershed separating the Bowen and Suttor Rivers from the Isaacs River and tributaries westerly and Denham Range southerly to the northern watershed of Phillip's Creek, by that watershed easterly to the south-west corner of Stephens' Run, by the west and north boundaries of that run northerly and easterly, part of the west boundary of Hugh's Creek Run, the west and part of the north boundary of Cherwell and the west boundary of Exeter Downs northerly to the Isaacs River, by that river downwards to North Creek, by North Creek upwards to the south-west corner of Bullingdon Run, by the south and part of the east boundary of that run, the north boundary of Alwick, and a line easterly to the south-west corner of Cockenzie Run, by the south boundary of that run east to Funnell Creek; and thence by that creek upwards to the point of commencement.

#### THE MOURILYAN LAND AGENT'S DISTRICT.

Commencing on the coast four miles north of Tam O'Shanter Point, and bounded thence by a line west, the northern watershed of the Hull and Tully Rivers westerly, the western watershed of the Johnstone River northerly, the northern watershed thereof easterly, and a line north-east to Cooper Point, and thence by the coast southerly to the point of commencement,—inclusive of adjacent islands.

#### THE NANANGO LAND AGENT'S DISTRICT.

Commencing at the confluence of Lawson's Broad Creek with the Boyne River, and bounded thence by Lawson's Broad Creek and Coverty Creek upwards to the road from Burrandowan to Proston, by that road north-westerly to the Stuart River, by that river upwards to the north-western boundary of Kingsland Run, by that boundary north-easterly to the watershed separating the Boyne River from Barambah Creek; thence by the eastern boundaries of Proston and Ballyhew Runs northerly to the source of Woroon Creek, by that creek and Barambah Creek downwards to Boonara Creek; thence by the north-eastern boundary of Boonimba south-easterly and the north-western boundary of Boombyjan north-easterly to the western watershed of the Mary River, by that watershed southerly, the range separating the waters of the Brisbane River from those of the Burnett River south-westerly, and a spur-range forming the northern boundary of the

Taromeo Homestead Area south-easterly to the confluence of Taromeo Creek with Cooyar Creek, by Cooyar Creek downwards to Paradise Creek, by a spur-range and the eastern and southern watersheds of Taromeo Creek southerly and south-westerly to the east boundary of Cooyar Run, by that boundary north-westerly to Cooyar Creek, by that creek downwards to the south-east corner of portion 1, parish of Cooyar, by the south and west boundaries of that portion and a camping reserve to Yeraman Creek, by that creek downwards to the road from Taromeo to Nanango, by the southern side of that road north-easterly and a spur-range forming the southern boundary of Taromeo Homestead Area south-westerly to the range separating the waters of the Brisbane River from those of the Burnett River, by that range south-westerly and the Great Dividing Range north-westerly to the north-west corner of Durong Run, by the north boundary of that run east to the Boyne River; and thence by that river downwards to the point of commencement.

#### THE NORMANTON LAND AGENT'S DISTRICT.

Commencing on the shore of the Gulf of Carpentaria at the mouth of Morning Inlet, and bounded thence by Morning Inlet upwards to a point thirty miles from the coast; thence by a line parallel with the coast and distant thirty miles therefrom north-easterly to the Mitchell River, by that river downwards to its mouth; and thence by the shore of the Gulf of Carpentaria south-westerly to the point of commencement.

#### THE PORT DOUGLAS LAND AGENT'S DISTRICT.

Commencing at Cape Tribulation, and bounded thence by a spur-range to Peter Botte; thence by the southern watershed of the Bloomfield River south-westerly and a line westerly to a point thirty miles from the coast; thence by a line parallel with the coast and distant thirty miles therefrom south-easterly to the western watershed of the Barron River, by that watershed and a line east to Abbot Creek at a point west from the summit of Mount Abbot, by Abbot Creek downwards to the Barron River, by that river downwards about six miles in a direct line to the Gorge; thence by a line north-west to the northern watershed of the Barron River, by that watershed easterly and a line north-east to Double Point; and thence by the coast northerly to the point of commencement,—inclusive of adjacent islands.

#### THE RAVENSWOOD LAND AGENT'S DISTRICT.

Commencing at the confluence of the Bogie and Burdekin Rivers, and bounded thence by a line west to the north-eastern watershed of the Upper Burdekin River, by that watershed north-westerly and a line south to the northern bend of the Kirk River, by that river and Pandanus Creek downwards to the Burdekin River, and thence by the Burdekin River downwards to the point of commencement.

#### THE ROCKHAMPTON LAND AGENT'S DISTRICT.

Commencing at the mouth of Raglan Creek, and bounded thence by that creek upwards to the south-western boundary of the parish of Targinie, by that boundary south-easterly, the south-eastern boundary of the parish of Langmorn south-westerly, the southern boundary of the parish of Raglan westerly, and the north-western boundary of the parish of Craiglands south-westerly to Manton's Creek, by that creek and the Don River downwards

to the eastern boundary of the parish of Bundalba, by that boundary southerly and south-easterly and the southern boundary thereof, along the south boundary of portion 1679 westerly to the western watershed of Callide Creek, by that watershed southerly and the northern watershed of Banana Creek westerly to the confluence of that creek with the Dawson River; thence by the Dawson River downwards to the south-west corner of Denby No. 4 Run; by the south boundary of that run and a line west to the eastern watershed of Perch Creek, by that watershed and the northern watershed of Mimosa Creek north-westerly to Expedition Range, by that range and the eastern watershed of the Comet River north-westerly to the source of Taurus Creek, by that creek, Blackwater Creek, and the Mackenzie River downwards to the Isaacs River; thence by a line north-east to Connor's or Broadsound Range, by that range northerly to the source of Granite Creek, by that creek and the Styx River downwards to Broad-sound, and thence by the coast and the shore of Keppel Bay south-easterly to the point of commencement,—exclusive of Curtis Island but inclusive to other adjacent islands.

#### THE ROMA LAND AGENT'S DISTRICT.

Commencing at the north-east corner of Balle Run, and bounded thence by the north boundaries of Balle, Warkon, Amoollee, Horsetrack Creek, and Combarngo, part of the north-east, the north-west, and part of the south-west boundary of Bainbilla North, the north-west and part of the south-west boundary of Wallumbulla North, the north-west boundary of Yambugle North, part of the north-east and the north-west boundary of Bungil North, part of the north-east and north-west boundaries of Gunda Gunda North, the south-west boundaries of Oberina and Pannonia, part of the south-east and south-west boundaries of Lower Deepwater, the southern boundaries of Stirling and Redeap, part of the east and the north boundary of Mabbergulla, and the north boundary of Yourangle No 1 to the Maranoa River, by that river downwards to the south-east corner of Dunkeld; by the south boundaries of Dunkeld and Annie Vale, part of the east boundary of Delphi, the north boundaries of Marathon, Hellespont, and Tulludunna, part of the east and the north boundary of Tomoo No. 1, the north and part of the west boundary of Hoogarunna, the south boundary of Occident, part of the east and the south boundary of Durella South, part of the east, the south, and part of the west boundary of Chance Downs, and a line westerly to the south-east corner of Cashmere, by part of the east boundary of that run northerly and the south boundary of Arkansas South Run easterly to the eastern watershed of the Warrego River, by that watershed north-easterly to the Great Dividing Range, by that range south-easterly to the western watershed of Tchanning Creek; and thence by that watershed and the north-eastern boundaries of Moongool, Upper Tingin, and Centrebit south-easterly to the point of commencement.

#### THE ST. GEORGE LAND AGENT'S DISTRICT.

Commencing on the Balonne River at the south-west corner of Burgurrah Run, and bounded thence by the south and part of the east boundary of that run, the southern boundary of Byanbunno East, the south and part of the east boundary of Glenearn Back Run, part of the south boundary of Noona South, the west and south boundaries of Wunger Creek, and the south boundary of South Teelba to Teelba Creek, by that creek upwards to the north-west corner of Lower Teelba, and by the north boundary of that

run easterly; thence by the east boundaries of Lower Teelba, East Teelba, Brigalow Scrub, Ula Ula, Fairymount, and North Guralda, part of the north and the east boundary of Gurardera, and the south-west boundary of Binigi southerly to the Weir River, by that river downwards and an anabranch (forming part of the eastern boundary of Newinga Run) to the Barwon or Macintyre River, by that river downwards to the 29th parallel of south latitude (the southern boundary of the colony), by the 29th parallel true west to the south-east corner of Cogee Run, by the east boundaries of Cogee, Waverley, and Oxford, part of the south boundary of Quambone, the east boundaries of Quambone, Balbon, and Floriana, the north boundary of Floriana, part of the north boundary of Speeling East, the east boundaries of Uhroka, Balboona, Hesperia, Sunny Flat, Yarmouth, Oblong South, Oblong, Pericoota, Toorumburry, and part of the south and the east boundary of Colombo northerly, by a line east along the south boundaries of Plagonie, Yoval, Crowfoot Plains East, and Cashmere to the west boundary of Chance Downs, by part of the west, the south, and part of the east boundary of that run, the south and part of the east boundary of Durella South, the south boundary of Occident, part of the west boundary of Hoogarburnna, the north boundaries of that run and of Tomoo No. 1, part of the east boundary of Tomoo No. 1, the north boundaries of Tuludunna, Hellespont, and Marathon, part of the western and the southern boundary of Glenelg, the west and south boundaries of Tapley, the south boundary of Bald Ridges, part of the south-west boundary of Albany, part of the north-west and the south-west boundary of Montpelier, the north-west, south-west, and part of the south-east boundary of Hillsborough Back, the south-west boundary of Keepit, part of the north-west, the south-west, and part of the south-east boundary of Bulourbul, the south-west boundaries of Yarara Lake and Miltonise, and the south boundaries of Miltonise and Cullowhey to the Balonne River; and thence by that river upwards to the point of commencement.

#### THE ST. LAWRENCE LAND AGENT'S DISTRICT.

Commencing at the mouth of the Styx River, and bounded thence by that river upwards to Granite Creek, by that creek upwards to its source in Connor's or Broudsound Range, by that range southerly and a line south-west to the confluence of the Isaacs and Mackenzie Rivers, by the Mackenzie River upwards to the north-eastern boundary of Woodlands Run, by the north-eastern boundaries of Woodlands, Bloomfield, Coorah, and Kynebil, the north-western boundary of Kynebil and the northern boundary of Yan Yan Gurt westerly to the watershed separating Crinum Creek from Caroora Creek, by that watershed and Peak Range north-westerly to Fletcher's Awl; thence by the watershed separating Logan Creek from the Isaacs River, and the northern watershed of Phillip's Creek north-easterly to the south-west corner of Stephens Run, by the west and north boundaries of that run northerly and easterly, part of the west boundary of Hugh's Creek Run, the west and part of the north boundary of Cherwell, and the west boundary of Exeter Downs northerly to the Isaacs River, by that river downwards to North Creek, by North Creek upwards to the south-west corner of Bullingdon Run; by the south and part of the east boundary of that run, the north boundary of Alnwick, and a line easterly to the south-west corner of Cockenzie Run, by the south boundary of that run easterly to Funnel Creek, by that creek upwards to the south-west corner of Drumgondra Run, by the south and east boundaries of that run and

part of the south and east boundaries of Howth Run northerly to the southern watershed of Boothill Creek; by the southern and eastern watershed of that creek easterly and northerly to Connor's Range, by Connor's Range and Mount Funnell Range north-easterly to Cape Palmerston; and thence by the coast south-easterly to the point of commencement,—inclusive of adjacent islands.

#### THE SPRINGSURE LAND AGENT'S DISTRICT.

Commencing on the Mackenzie River at the north-east boundary of Woodlands Run, and bounded thence by the north-eastern boundaries of Woodlands, Bloomfield, Cooral, and Kynebil, the north-western boundary of Kynebil, and the northern and north-western boundaries of Yan Yan Gurt westerly, the south boundaries of East Crinum, Lower Crinum, and East Esmond, the eastern boundary of Berbeth, the south-east and south-west boundaries of Gordonstone South, and the north-west boundary of Misslone south-westerly to Theresa Creek, by that creek downwards to the north corner of Kingower Run, by the north-western and western boundaries of that run to Retreat Creek, by that creek upwards to the east boundary of Retreat Run, by part of that boundary northerly, the northern boundary thereof, and the northern watershed of Retreat Creek westerly to the watershed separating the Nogoia River waters from the Belyando River waters, by that watershed southerly to the Great Dividing Range, by that range and Carnarvon Range south-easterly; thence by Expedition Range and the eastern watershed of the Comet River northerly to the source of Taurus Creek; and thence by that creek, Blackwater Creek, and the Mackenzie River downwards to the point of commencement.

#### THE STANTHORPE LAND AGENT'S DISTRICT.

Commencing at the confluence of Macintyre Brook with the Dumaresq or Severn River, and bounded thence by the western watershed of Macintyre Brook north-easterly to Mount Domville; thence by the watershed separating the Condamine River waters from the Dumaresq River waters south-easterly to the Great Dividing Range near Maryland, by that range southerly and the watershed separating Tenterfield Creek from the Severn River westerly to the confluence of Tenterfield Creek with the Dumaresq or Severn River; and thence by that river downwards to the point of commencement.

#### THE SURAT LAND AGENT'S DISTRICT.

Commencing on the Balonne River at the south-west corner of Burrurrah Run, and bounded thence by the south and part of the east boundary of that run, the southern boundary of Byanbunno East, the south and part of the east boundary of Glenearn Back Run, part of the south boundary of Noona South, the west and south boundaries of Wunger Creek, and the south boundary of South Teelba to Teelba Creek, by that creek upwards to the north-west corner of Lower Teelba, by the north boundary of that run easterly, the east and part of the north boundary of Wagganba, the west boundary of Bombombah, the western boundary of Cobblegun, part of the north-east boundary of Dinwoodie and the south-east boundary of Murilla north-easterly to the Condamine River, by that river downwards to Dogwood Creek, by that creek upwards to the north-east boundary of Balle Run, by the north-east boundary of that run, the north boundaries of Balle,

Warkon, Amoolee, Horseback Creek, and Combarngo, part of the north-east, the north-west, and part of the south-west boundary of Bainbilla North, the north-west and part of the south-west boundary of Wallumbilla North, the north-west boundary of Yambugle North, part of the north-east and the north-west boundary of Bungil North, part of the north-east and north-west boundaries of Gunda Gunda North, the south-west boundaries of Oberina and Pannonia, part of the south-east and south-west boundaries of Lower Deepwater, the southern boundaries of Stirling and Redcap, part of the east and the north boundary of Mabbergulla, and the north boundary of Yourangle No. 1 to the Maranoa River, by that river downwards to the south-east corner of Dunkeld, by the south boundaries of Dunkeld and Annie Vale, the western and southern boundaries of Glenelg, the west and south boundary of Tapley, the south boundary of Bald Ridges, part of the south-west boundary of Albany, part of the north-west and the south-west boundary of Montpelier, the north-west, south-west, and part of the south-east boundary of Hillsborough Back, the south-west boundary of Keepit, part of the north-west, the south-west, and part of the south-east boundary of Bulourbul, the south-west boundaries of Yarara Lake and Miltonise, and the south boundaries of Miltonise and Cullowhey to the Balonne River; and thence by that river upwards to the point of commencement.

#### THE TAMBO LAND AGENT'S DISTRICT.

Commencing on the Barcoo River at the north-east corner of Caerthedine Run, and bounded thence by the east and part of the south boundary of that run and the west boundary of Bexhill Run southerly to the Warrego Range, by that range south-westerly to the north-west corner of Stafford Run, by the west and south boundaries of that run, part of the west and south boundaries of Tring, part of the west boundary of Bayswater, the north, east, and part of the south boundaries of Acton, and the west and south boundaries of Baykool to the Langlo River, by that river upwards to the north-west corner of Mount Morris Run, by the north boundary of that run, the west, south, and east boundaries of Hermitage, part of the south, the west, and the north boundaries of Jingidilla, the west and south boundaries of Byrganna, the south and east boundaries of Carawan, part of the south and the east boundary of Damson East, the east boundary of Hoszfeldt East, the north boundaries of Muggadilla, Watford, Narga, Cargara, and Chili, part of the east boundary of China, the south boundary of Bolan, and a line north along the east boundary of Canoe West to the watershed separating the Warrego River from the Nogoia River; thence by that watershed, the watershed separating the Barcoo from the Belyando River north-westerly and a line west along the north boundary of Birkhead No. 6, by part of the east boundary of Birkhead No. 3, the north boundaries of Birkhead Nos. 3 and 4, the west boundary of Birkhead No. 4, the north and west boundaries of Paradise Downs No. 5, part of the west boundary of Paradise Downs No. 1, and the north and west boundaries of Spring Block to the Barcoo River; and thence crossing that river to the point of commencement.

#### THE TAROOM LAND AGENT'S DISTRICT.

Commencing at the confluence of Zamia Creek with the Dawson River, and bounded thence by the Dawson River upwards to Cracow Creek; thence by the southern watershed of that creek easterly to the range dividing the Dawson River waters from the Burnett River waters, by that range southerly to the Great Dividing Range, by that range westerly and

northerly to Carnarvon Range, by that range easterly, the watershed separating the Comet River from the Dawson River northerly, and the southern and eastern watershed of Zamia Creek and tributaries easterly and northerly to the point of commencement.

#### THE TENNINGERING LAND AGENT'S DISTRICT.

Commencing at the confluence of Degilbo Creek with the Burnett River, and bounded thence by the Burnett River upwards to Sunday Creek; thence by the northern boundary of Yenda Run, part of the eastern and the northern boundary of Jonday, the north-eastern and north-western boundaries of Branch Creek No. 1, the northern boundaries of Lochaber and Hollywell, and part of the eastern boundary of Geumga westerly to the Burnett River, by that river downwards to the eastern boundary of Telemark, by that boundary and the eastern watershed of Rawbelle Creek northerly to the watershed separating the Burnett River waters from Kroombit Creek, by that watershed north-easterly, Dawes Range south-easterly, and the range separating the waters of the Burnett River from those of the Kolan River south-easterly and easterly to a point north-west from the confluence of Degilbo Creek with the Burnett River; and thence by a line south-east to the point of commencement.

#### THE THARGOMINDAH LAND AGENT'S DISTRICT.

Commencing on the 29th parallel of south latitude (the southern boundary of the colony) at the south-west corner of Onepar Run, and bounded thence by the west and north boundaries of that run, the western boundaries of Bulloo Lake South, Bulloo Lake, Mucheroo, Muggera West, Parabina South and Parabina northerly, the north boundary of Parabina, the west and north boundaries of Whippa North, part of the west boundary of Narrawaltha, the northern boundaries of Narrawaltha, Noccunida, and Bellara easterly, part of the west boundary of Koolyadhu North, the south boundary of Mooroola, the west boundaries of Mooroola and North Gibbers, part of the north boundary of North Gibbers, the west boundaries of Vincent and Dowling, the north boundaries of Dowling, Blondin, and part of Boomally and the west boundaries of Jumbuck and Adelong northerly, by the north boundaries of Adelong, Yea Yea, and Rose easterly, the south-western, south, west, and part of the north boundaries of Mary, the west and north boundaries of Oban, part of the north boundary of Tobermory, the west boundary of Corangina, part of the south, the west, and part of the north boundary of Karawla and the west boundaries of Count and Whynot northerly, by the north boundary of Whynot, part of the west, the north, and part of the east boundary of Yourie, the north and east boundaries of Mongarlo, and the north boundaries of Nyngin West, Nyngin, Comongin, Owthorpe No. 6, Balthazzar, and Napoleon easterly, by the east and south boundaries of Napoleon, the west boundaries of Watoota, Wat, Tem, and part of the west boundary of Cecil Downs, the northern boundary of Cecil Plains, the west boundary of Cecil Plains, part of the north and west boundaries of Werie-Ela West, the north, west, and south boundaries of Kieni, the east boundary of Clayton East, and part of the north boundary of Wyara to Bundilla Creek; thence by that creek downwards to the south boundary of Wyara, by the south and part of the west boundary of that run, the north boundary of Wyara West, the west boundaries of Wyara West, Tinderry North, and Humebo West, part of the

north boundary of Polce West, the west boundaries of Polce West and Tunga West, the north and west boundaries of Zanoni, the north and west boundaries of Cortesi, the north boundary of Melville, and the west boundaries of Melville and Riboldi southerly to the 29th parallel of south latitude (the southern boundary of the colony); and thence by the 29th parallel true west to the point of commencement.

#### THE TOOWOOMBA LAND AGENT'S DISTRICT.

Commencing on the north branch of the Condamine River at the north-west corner of portion 96, parish of Tummaville, and bounded thence by the north branch and the Condamine River upwards to King's Creek, by that creek upwards to the north-east corner of portion 1, parish of King's Creek; thence by the southern boundaries of the parishes of Stephens, Elphinstone, Clifton, Tabletop, and Pilton easterly to the Great Dividing Range, by that range north-westerly to the southern boundary of the Drayton Commonage proclaimed in the *Government Gazette* for 1877, volume 2, page 603, by that boundary easterly and the boundary of the reserve for pasturage proclaimed in the *Government Gazette* for 1880, volume 2, page 995, north-easterly to the south boundary of portion 14, parish of Campbell, by that boundary westerly to Flagstone Creek, by Flagstone and Lockyer Creeks downwards to the south-east corner of portion 48, parish of Helidon, by the east boundary of that portion, the eastern and northern boundaries of 148 and the north-eastern boundaries of 62 and 80 north-westerly; thence by the southern, western, and north-western boundaries of the Timber Reserve proclaimed in the *Government Gazette* for 1876, volume 2, page 589, and the western and part of the northern boundary of the Timber Reserve proclaimed in the *Government Gazette* for 1876, volume 2, page 907, northerly to the western boundary of the parish of Buaraba, by that boundary northerly, the south-western boundaries of the parishes of Deongwar and Anduramba and the eastern boundary of the parish of Emu Creek north-westerly to Emu Creek, by that creek downwards to Googa Googa Creek; thence by the eastern and northern watershed of Googa Googa Creek northerly and westerly to the east boundary of Cooyar Run, by that boundary north-westerly to Cooyar Creek, by that creek downwards to the south-east corner of portion 1, parish of Cooyar, by the south and west boundaries of that portion and a camping reserve to Yeraman Creek, by that creek downwards to the road from Taromeo to Nanango, by the southern side of that road north-westerly and a spur-range forming the southern boundary of Taromeo Homestead Area south-westerly to the range separating the waters of the Brisbane River from those of the Burnett River, by that range south-westerly to the Great Dividing Range, by the Great Dividing Range south-easterly to the western boundary of the parish of Milton, by that boundary southerly, the southern boundary thereof easterly and the eastern boundary of the parish of Jondaryan southerly to the north-east corner of portion 35, parish of Watts; thence by a line south along the west boundaries of portions 35, 36, and 37 to Oaky Creek, by that creek downwards to the north-west corner of P.P. XV.; thence by a line southerly along the west boundaries of P.P. XV., P.P. LXXXIII., portions A, 2610, 2611, 2691, parish of Westbrook, and a line north-westerly along the north-eastern boundaries of portions 1652, 1662, 2434, 2439, 2471, 2460, 3125, and 3127, parish of East Prairie, to the north-east corner of portion 128, parish of West Prairie; thence by a line south along the east boundaries of portions 128, 198, 528, 526, 1019, 1034, 539, 541, 739, 1065,

and 1288 to the north-eastern boundary of the parish of Cecil Plains, by that boundary north-westerly and by the northern boundary of the parish of Cecil Plains, the southern boundary of portion 777 and part of the eastern and the northern boundary of P.P. XI. westerly to the Condamine River, by the Condamine River upwards to the north-western boundary of the parish of Yandilla, by that boundary south-westerly to the watershed separating the Condamine River from the Weir River and Macintyre Brook, by that watershed south-easterly; thence by the western boundary of the parish of Tummaville and a line north-easterly along the north-western boundaries of portions 262, 407, 308, and 230, parish of Tummaville, and by the west boundary of P.P. IV. north to the Broadwater, by the Broadwater upwards to the south-west corner of portion 96; and thence by the western boundary of that portion north-easterly to the point of commencement.

#### THE TOWNVILLE LAND AGENT'S DISTRICT.

Commencing on the shore of Halifax Bay at the mouth of Saltwater Creek, and bounded thence by that creek upwards to its source in the Seaview Range, by that range north-westerly and the western watershed of the Star River southerly to the north-west boundary of Poon Boon Run, by that run north-easterly, the north-east boundaries of Poon Boon and Yallock Vale Runs, and a line in continuation thereof south-easterly, the north and part of the east boundary of Dotswood, the north boundary of Avoca, and a line east to the north-eastern watershed of the Upper Burdekin River, by that watershed south-easterly and a line east to the confluence of the Bogie and Burdekin Rivers, by the Bogie River upwards to the northern boundary of Strathbogie Run, by the north boundary of that run easterly, the eastern boundary of the parish of Tondara northerly, and part of the southern, the eastern, and the northern boundary of portion 333, parish of Tondara, to Wangaratta Creek, by that Creek downwards to Upstart Bay; and thence by the coast north-westerly to the point of commencement,—inclusive of adjacent islands.

#### THE WARWICK LAND AGENT'S DISTRICT.

Commencing on the north branch of the Condamine River at the north-west corner of portion 96, parish of Tummaville, and bounded thence by the north branch and the Condamine upwards to King's Creek; by that creek upwards to the north-east corner of portion 1, parish of King's Creek; thence by the southern boundaries of the parishes of Stephens, Elphinstone, Clifton, Tabletop, and Pilton easterly to the Great Dividing Range, by the Great Dividing Range south-easterly and south-westerly to the watershed separating the Condamine River from the Dumaresq or Severn River, by that watershed north-westerly; thence by the western boundary of the parish of Tummaville and a line north-easterly along the north-western boundaries of portions 262, 407, 308 and 230, parish of Tummaville, and by the west boundary of P.P. IV. north to the Broadwater, by the Broadwater upwards to the south-west corner of portion 96; and thence by the western boundary of that portion north-easterly to the point of commencement.

PASTORAL LEASES ACT OF 1869.

33 VICTORIA, No. 10.

\* 33 VICTORIA, No. 10. *An Act to Consolidate and Amend the Laws relating to the Pastoral Occupation of Crown Lands in the Unsettled Districts.*

[Assented to 14th September, 1869.]

*Preamble.*

**B**E it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in this present Parliament assembled and by the authority of the same as follows—

PRELIMINARY.

*Repeal of existing Acts &c.*

1. The several Orders in Council and Acts specified in the schedule A annexed hereto and all other Acts (if any) inconsistent with the provisions of this Act shall be and the same are hereby repealed saving always all rights claims and liabilities already accrued or incurred and in existence Provided always that no action suit or proceeding civil or criminal in any court of law or equity already commenced shall abate or be prejudiced or hindered by anything herein contained but that all such actions suits and proceedings shall continue to their lawful termination as if this Act had not been passed.

*Application of Act.*

2. The provisions of this Act shall apply to the unsettled districts only.

*Interpretation clause.*

3. The following terms within inverted commas shall for the purposes of this Act except where the context otherwise indicate bear the meanings set against them separately—

“Crown Lands”—All lands vested in Her Majesty which have not been dedicated to any public purpose or which have not been granted or lawfully contracted to be granted to any person in fee-simple or for any less estate and all lands which at the time of the passing of this Act shall not be subject to any contract promise or engagement made by or on behalf of Her Majesty and all lands which at the time of the passing of this Act may have become or which after the passing of this Act may have become forfeited by reason of any breach in the conditions on which the same have been granted or contracted to be granted

“Run”—Any portion of Crown lands comprised in any license to depasture or lease for pastoral purposes granted or applied for under the provisions of the Acts Orders in Council and Regulations referred to in schedule A to this Act or any of them or under the provisions of this Act

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\* *Vide sections 6 and 7 of 48 Vic. No. 28, “Crown Lands Act of 1884.”*

- “Unsettled Districts”—All Crown lands which at the time of the passing of this Act or at any time hereafter shall not have been brought within the settled districts as defined by “*The Crown Lands Alienation Act of 1868.*”
- “Governor” and “Governor in Council” shall be held indifferently to mean the Governor with the advice of the Executive Council
- “Lease and License” shall respectively include every lease or license of Crown lands for pastoral purposes whether issued under the provisions of the Acts Orders or Regulations referred to in section one of this Act or any of them or issued under the provisions of this Act
- “Lessee and Licensee” shall respectively mean the lawful holder of any such lease or promise of lease or license whether as original lessee or licensee or the lawful assignee of any such lease or license
- “Commissioner” shall mean and include any commissioner of Crown lands or acting commissioner or other officer duly appointed under the provisions of this Act for the performance of similar duties
- “Improvements”—Permanent buildings reservoirs wells dams and fencing.

*Commissioners to be appointed.*

4. The Governor may from time to time appoint fit and proper persons to be commissioners of Crown lands and such commissioners shall execute the provisions of this Act in such districts as may be assigned to them respectively Provided that the Governor shall define and declare the duties of such commissioners in regulations to be made for that purpose pursuant to the provisions of the seventy-sixth section of this Act Provided also that the Governor may appoint from time to time suitable persons as acting commissioners of Crown lands for any particular districts and similarly define and limit their duties either subject to the approval of the Secretary for Lands or not so as may be necessary.

*New leases to be issued on surrender of existing leases.*

5. Lessees of runs in the unsettled districts holding under the Order in Council dated the ninth day of March one thousand eight hundred and forty-seven or “*The Unoccupied Crown Lands Occupation Act of 1860*” “*The Tenders for Crown Lands Act of 1860*” or “*The Pastoral Leases Act of 1863*” or any other Act may on application to the Secretary for Lands in the form contained in schedule I surrender their existing leases or promises of lease and obtain new leases under the provisions of this Act Provided that such application shall be made before the 1st day of January one thousand eight hundred and seventy-one.

*Term of lease.*

6. Such new leases shall be for a term of twenty-one years from the first day of July one thousand eight hundred and sixty-nine.

The annual rent chargeable on such new leases shall be as follows—

*Leases under Order in Council.*

- (1) Where the surrendered lease was held under the Order in Council aforesaid the rent for the first seven years of the term of lease shall be equal to the rent payable under said Order in Council together with the assessment chargeable under “*The Increased Rent and Assessment Act of 1858*” on the thirtieth September one thousand eight hundred and sixty-nine.

*Leases under 24 Vict. 12, 24 Vict. 15, 27 Vict. 17, and 28 Vict. 20.*

- (2) Where the surrendered lease has been held under "*The Tenders for Crown Lands Act of 1860*" "*The Unoccupied Crown Lands Occupation Act of 1860*" "*The Pastoral Leases Act of 1863*" or "*The Pastoral Assessment Act of 1864*" the rent for the first seven years of the term of the new lease shall be equal to the rent payable under the surrendered lease on the thirtieth September one thousand eight hundred and sixty-nine. Provided that the said rent shall in no case exceed the amount payable under the second period of the surrendered lease.

*Rent from eighth to fourteenth year.*

- (3) During the seven years from the eighth to the fourteenth year inclusive of the term of lease the annual rent shall be equal to the annual rent for the first seven years with the addition of one-tenth part thereof.

*Rent from fifteenth to twenty-first year.*

- (4) During the seven years from the fifteenth to the twenty-first year inclusive the annual rent shall be equal to the annual rent chargeable on the preceding seven years of the term of lease with the addition of one-tenth part thereof.

#### NEW LEASES.

*Leases for twenty-one years.*

7. It shall be lawful for the Governor to grant leases for pastoral purposes of Crown lands within the unsettled districts for any term not exceeding twenty-one years subject to the conditions hereinafter set forth.

*Mode of obtaining run.*

8. If any person be desirous of obtaining a run he shall make application in writing to the commissioner of the district in which such run is situated for a license to occupy the same for one year from the granting of such license and shall at the same time of making such application pay to the commissioner a sum of five shillings per square mile on the estimated area of the run and shall accompany his application with a declaration to the effect that he has occupied the said run with stock to an extent equal to one-fourth of the number of sheep or equivalent number of cattle which such run shall by this Act be deemed to be capable of carrying and if the said commissioner shall be satisfied that the provisions of this Act have been complied with and that the land is open for license he shall grant to the applicant a license in the form mentioned in schedule C of this Act. But if the commissioner be aware that the land applied for is wholly or in part already under authorised occupation or reserved for any special purpose he may refuse a license and such issue or refusal shall be recorded in the register of applications for licenses.

*Additional fee to be paid if commissioner estimates area to exceed that stated in the application.*

9. Provided that if the said commissioner shall estimate the area of the lands applied for to be greater than that on which the fee shall have been paid then a further sum of five shillings for every square mile estimated by him to be in excess of the area paid for shall be paid into the hands of the

said commissioner within ninety days from the date of notice by the said commissioner that the said further sum is due and in default of such payment the license together with the fee paid thereon shall be forfeited. Provided that such further sum shall not exceed the amount of five years' rent or license. Provided that if the area on survey shall be found to be less than that estimated by the commissioner then the Government shall refund to the lessee all rents paid by him for country not contained in his lease. Provided that such refundment shall be limited to the amount paid during the preceding five years. Provided also that if it shall subsequently be ascertained that such license included lands previously granted or was obtained by means of any false representation the same shall be cancelled.

*Description of runs to be given on application for license.*

10. All applications for licenses shall be in the form contained in schedule B of this Act and shall contain clear descriptions of the runs applied for and the boundaries thereof and the marks or natural features by which such boundaries are indicated so as nearly as may be to describe the run according to the provisions of section eleven of this Act. Provided that it shall be lawful for the commissioner or other officer duly authorised to amend any such description and to insert such amended description either in the license or in the lease to be applied for and granted as hereinafter provided as well as in the book to be kept by the commissioner as hereinafter mentioned.

*Area of runs.*

11. Each run shall consist of not less than twenty-five square miles nor more than one hundred square miles and shall be of rectangular form in which the external lines shall run east and west and north and south and the length of each run shall be as nearly as may be equal to the width subject however to such deviations as the general features of the country and the adoption of natural boundaries may require but in no case shall the extreme length of any run exceed three times the mean width thereof and subject also to the exclusion of water necessary to the beneficial occupation of adjoining lands. Provided that in computing the area of any run it shall be competent for the local commissioner to exclude any portion which may be unavailable for pastoral purposes. Provided that the portion so excluded shall in no case exceed half the area comprehended within the external boundaries.

*Applications to be entered in a book to be kept by the commissioner.*

12. Every such application shall be entered in a book to be kept by the commissioner of the district for that purpose every such entry shall contain a description of the run applied for and shall be then and there signed by the applicant or his authorised agent and such book shall be open for inspection by all persons on demand and on payment of a fee of two shillings and sixpence. Provided always that it shall not be lawful for any commissioner or assistant commissioner to sign the said book as agent for any applicant.

*When applications may be made.*

13. Applications for runs as aforesaid may be made and shall be received at the usual office of the district commissioner on all days except Sundays and such other days as the Governor with the advice aforesaid shall declare in any regulation to be issued under this Act between the hours of ten

o'clock in the forenoon and four o'clock in the afternoon and at no other time or place and all applications made on the same day between those hours shall be considered as having been made at the same time.

*If applications made at the same time licenses to be regulated by occupation.*

14. If two or more persons occupy the same country and shall apply for it at the same time preference shall be given and a license issued to each applicant for such blocks of the said country as he shall by actual survey be found to be entitled to by virtue of having been the first to occupy the same with stock.

*Area to be divided ratably between persons occupying at the same time.*

15. If two or more such persons applying at the same time shall be found to have stocked at the same time the country for which they apply and that the runs applied for are identical or partly so should their boundaries be found to clash the commissioner shall when necessary adjust boundaries and divide the country fairly between the applicants if the same be sufficient for all but should the number of blocks so applied for be insufficient for all the parties and none be willing to withdraw their application each block shall then be submitted separately to competition among the said applicants only and the license to occupy issued in all cases to the highest bidder.

*Upset price of license.*

16. The upset price at which a license shall be offered to competition under the last preceding section shall be five shillings per square mile on the estimated area and the highest amount bid shall be the license fee for the term of one year from the day of sale but such amount shall in no way affect the amount of rent to be charged on any lease of the said run which may be subsequently granted to the licensee.

*Occupation fee to be refunded if license refused or cancelled.*

17. In all cases where a license is refused or cancelled the Government shall on demand refund the occupation fee.

*Return of licenses to be published.*

18. A return of all licenses granted under this Act shall not less than once in six months be published in the *Government Gazette* together with the descriptions given in such licenses.

*Leases may be granted on application.*

19. Any holder of a license may at any time prior to the expiration of the year for which his license has been granted apply in the form given in schedule D of this Act to the Chief Commissioner of Crown Lands through the district commissioner for a lease of the run comprised in such license and a lease of the same at the rent hereinafter specified shall be granted to such holder for a period of twenty-one years subject to the following conditions.

*Rent to be paid—Amount of rent during first seven years—Amount of rent during residue of term.*

20. The lessee of every run shall during the continuance of his lease pay a yearly rent for the same as hereinafter mentioned and such yearly rent shall be payable at the Treasury in Brisbane on the thirtieth day of September in each year and at the rates following—First the rent to be paid for each

run during the first seven years of any lease of the same shall be a sum of five shillings per square mile according to an estimate of the area of such run to be made by the commissioner and by the party applying and in the event of their not agreeing by an umpire to be appointed as hereinafter provided Secondly the rent payable in respect of such lease for the succeeding period of seven years from the eighth to the fourteenth year inclusive shall be at the annual rate of ten shillings per square mile and for the seven years from the fifteenth to the twenty-first year inclusive at the rate of fifteen shillings per square mile Provided that the Governor or lessee may during the currency of the seventh or fourteenth years of the term of lease require that the annual rent for the ensuing seven years shall be determined by appraisal as hereinafter provided and when such appraisal shall be required by the Governor it shall be by notice in the *Government Gazette* under the hand of the Secretary for Lands and when the lessee shall require such appraisal it shall be by notice to the Secretary for Lands in the form in the schedule F to this Act and such lessee shall at the same time pay into the Treasury in Brisbane a sum of five pounds to cover the cost of such appraisal on the part of the Government Provided also that in no case shall the rent for the seven years from the eighth to the fourteenth year inclusive be less than seven shillings or more than fifteen shillings per square mile and during the seven years from the fifteenth to the twenty-first year the rent shall not be less than twelve shillings or more than twenty-five shillings per square mile of the available area but such available area shall in no case be computed at less than one-half the gross area of the run.

*Date of lease.*

21. The term of every such lease shall be computed from the first day of July next after the expiration of the license in virtue of which the lease is granted.

*If lease not applied for runs to be dealt with as forfeited or vacant runs.*

22. If any licensee of a run shall omit or neglect to apply for a lease of the same within the time specified in this Act and according to the provisions thereof or shall fail to lawfully obtain a lease of the same or shall fail to keep up the amount of stock required to be on the run at the time of obtaining the license such run shall be dealt with as a forfeited or vacated run.

*Defined capability of runs.*

23. Every run shall be deemed to be capable of carrying at least one hundred sheep or twenty head of cattle per square mile.

*Lessee may register contiguous runs not exceeding 200 square miles as a consolidated run and place the stock on any part thereof.*

24. Where a licensee or lessee shall have two or more runs adjoining each other not exceeding in the aggregate two hundred square miles he may apply to the commissioner to register the same as a consolidated run and after such registration it shall be sufficient that the amount of stock required to be maintained on the several runs be depastured on any part of the consolidated run.

*Power to subdivide runs.*

25. Any person holding by license or lease a run of not less than fifty square miles may apply to the Chief Commissioner of Crown Lands to have

such run divided into two or more runs and to have the rent payable for such original run allotted in due portions to the new runs respectively and such application shall be granted with consent of the Governor in Council if no good reason appear to the contrary. Provided always that no subdivision of an original run shall be of less extent than twenty-five square miles and that the aggregate of the new rents shall not be less than the entire amount of the original rent. Provided also that a fee of ten pounds shall be paid into the Treasury at Brisbane and a receipt for the amount of such fee shall be lodged with every such application.

*Lease will be forfeited if stock be not maintained thereon.*

26. If the lessee of a run shall fail to keep the same stocked to at least one-fourth part of the grazing capabilities thereof as defined by the twenty-third section of this Act unless prevented by unavoidable natural causes the lease shall be thereby forfeited.

*Sale at auction of leases of forfeited and vacated runs.*

27. All runs whether leased under this Act or any of the hereinbefore repealed Acts or Orders in Council which may be forfeited or vacated during the currency of the lease thereof shall be offered for sale by public auction for the residue of the term of the lease computed from the nearest first day of July. The upset price shall not be less than five shillings per square mile according to the estimated area and the highest amount bid shall be the annual rent to be paid for the remainder of the term of lease.

*If not sold may be offered at a lower upset price.*

28. Any such lease if unsold may be once again put up for sale in like manner and if not then sold the Governor with the advice aforesaid may reduce the minimum upset rent to such sum as may be deemed just and reasonable and the same shall be again submitted for sale as aforesaid at such reduced upset price.

*Time and place of payment of rent.*

29. The amount of the first year's rent shall be paid to the land agent at the time of sale and in each succeeding year the rent shall be paid into the Treasury in Brisbane on or before the thirtieth day of September.

*Runs purchased at auction to be stocked within six months.*

30. If the purchaser of the remainder of a lease shall fail to stock the run within six months from the day of sale to the extent of one-fourth part of its grazing capabilities as defined in the twenty-third section of this Act or shall not thereafter maintain that amount of stock thereon unless prevented by unavoidable natural causes the lease may be cancelled.

#### UNWATERED RUNS.

*Power to apply for special license for unwatered run.*

31. If any person be desirous of obtaining a run no part of which shall be at the date of application within five miles in a straight line from any permanent water he shall make a special application for a license to occupy the same for one year as an unwatered run without any condition of compulsorily stocking the same.

*Mode of application.*

32. Such application shall be in the form in the schedule G to this Act addressed to the commissioner of the district in which such run is situated and such application shall contain a description of the run and the boundaries and other particulars concerning the same and the area and general directions of the external lines shall be governed by the same rules and regulations as if the run were of the ordinary character.

*Occupation fee.*

33. In lieu of the license fee payable upon ordinary applications for runs there shall be payable an occupation fee on every application for a license for an unwatered run as also on every application for a renewal of such license under the provisions hereinafter contained after the rate of three shillings per square mile.

*Particulars to accompany application.*

34. Every application for any such original license shall be accompanied by a statutory declaration verifying the truth of the statements contained in such application to be made by the applicant or his authorised agent and also by the occupation fee as specified in the last preceding sections but it shall not be necessary to make any declaration as to the occupation of any such unwatered run with cattle or sheep prior to the issue of a license to occupy the same.

*Application to be entered.*

35. Every such application shall be entered by the commissioner in an application book to be kept for the purpose in the same manner as an ordinary application with such alterations in the entry as may be necessary.

*Proceedings of commissioner thereon.*

36. On the receipt of any such application the commissioner or some other person duly authorised in that behalf shall when necessary personally examine the run and satisfy himself as to the absence of permanent water and if there be only one applicant for the run in question and if there is no good ground for withholding a license the commissioner shall proceed to issue the same accordingly in such form as shall be provided by regulations as aforesaid.

*Provisions in case of applications clashing.*

37. If two or more persons shall apply under these provisions for the same run or for runs comprising the same country preference shall be given and a license issued to the one who first lodged his application with all necessary accompaniments. But if no difference in point of time exist having reference to the provisions of section fourteen of this Act the commissioner shall endeavour to divide the country applied for and adjust the boundaries to the satisfaction of both or all the applicants failing in such endeavour the blocks shall be submitted to competition amongst the applicants alone and the one who on the spot offers and pays down the highest premium in cash independently of the occupation fee as hereinbefore provided shall be the successful applicant.

*Power to renew licenses.*

38. The licensee of any unwatered run may prior to the expiration of his license apply to the Chief Commissioner of Crown Lands through the district commissioner for a renewal of such license for another year and in case such

licensee shall prove to the satisfaction of the said chief commissioner that he has made reasonable efforts to establish permanent water on the run for which he holds such license and has failed from the inclemency of the weather or other sufficient cause without any default on his part such licensee shall be entitled to the renewal applied for on his paying into the Treasury a sum equivalent to the occupation fee originally paid by him for such run and upon such payment it shall be lawful for the said chief commissioner to renew such license accordingly Provided always that such renewal shall not in any case be repeated more than twice in respect of the same run and that the renewal fee be paid prior to the expiration of the current license during which the application for renewal was made.

*Unwatered runs to be generally subject to the same rule as others.*

39. Except as herein specially provided or as may be hereafter provided by any regulations as aforesaid unwatered runs shall be governed and dealt with and be subject to the same regulations as other runs and on the application for any lease of an unwatered run prior to the expiration of the license or renewed license as the case may be the same requirements shall be demanded and insisted on both as to stocking and otherwise as if the license had been one of the ordinary character instead of a special one under these provisions.

#### RENEWAL OF LEASES WITHIN THE UNSETTLED DISTRICTS.

*Power to grant renewal of leases.*

40. It shall be lawful for the Governor on the expiration of any existing lease or promise of lease to grant to the holder thereof a renewed lease for fourteen years of the land held by him or such portion thereof as shall not be required to be resumed for sale or otherwise lawfully withdrawn for merely pastoral occupation.

*Power to lessee to apply for renewal.*

41. It shall be lawful for the lessee of any run at any time not less than three months prior to the expiration of his lease to apply to the Chief Commissioner of Crown Lands for a renewed lease of the run or runs comprised in such lease and such renewed lease shall be granted to him for the term of fourteen years from the first day of July nearest the expiration of his former lease of such run or runs or of such portion thereof as it may not seem to be expedient to resume subject to the following conditions.

*Lessee to pay annual rent.*

42. The lessee of every run under such renewed lease shall during the continuance of such lease pay a yearly rent for the same as hereinafter provided such rent to be payable at the Treasury in Brisbane on the thirtieth day of September in each year.

*Mode of estimating rent under renewed leases—Governor or lessee may require the rent to be fixed by arbitration—Lessee requiring appraisal to pay £5 costs—Limitation of the amount of rent.*

43. For the first four years of such renewed lease the annual rent shall be equal to rent for the last year of the expired term with the addition of one-tenth part thereof Provided that in the case of expired leases or runs which have been held under the Order in Council the rent shall be computed as including both the annual rent charged under the Order in Council and

the annual assessment under "*The Increased Rent and Assessment Act of 1858*" and for the five years from the fifth to the ninth year of such renewed lease the annual rent shall be equal to the amount of annual rent for the first four years with the addition of one-tenth part thereof and for the five years from the tenth to the fourteenth year the annual rent shall be equal to the amount of the annual rent for the preceding five years together with the addition of one-tenth part thereof. Provided that the Governor or the lessee may during the last year of the expired lease or the currency of the fourth or ninth years of the renewed lease demand that the rent for the succeeding term of four years or five years and five years respectively shall be determined by arbitration and where such arbitration shall be required by the Governor it shall be by notice published in the *Government Gazette* under the hand of the Secretary for Lands and when the lessee demands such arbitration it shall be by notice in the form contained in the schedule F to this Act delivered at the office of the Secretary for Lands in Brisbane and such notification shall be accompanied by a sum of five pounds to cover the costs of such appraisement on the part of the Government. Provided that in no case shall the annual rent be appraised at less than one pound per square mile or more than four pounds per square mile on the available area not being less than one-half of the gross area of the run.

*Rent in special cases.*

44. When neither the Governor nor the lessee shall require the rent of a run to be appraised in the fourth or ninth year of the term of lease the increased rent for the ensuing period of five years shall be computed in reference to the actual rent for the last year of the previous period whether such previous rent has been determined by appraisement or otherwise.

*Renewed leases subject to the same conditions as original.*

45. In all other respects than hereinbefore specified or to be specified in any regulations to be lawfully made for the working of this Act all renewed leases shall be liable to the same general conditions as original leases.

ARBITRATION.

*Commissioner to act as arbitrator for the Crown.*

46. All arbitrations and appraisements under this Act shall be conducted as follows—

*Commissioner to be arbitrator unless another appointed.*

- (1) The Commissioner of Crown Lands for the district shall act as arbitrator for the Crown unless the Governor shall appoint a special arbitrator.

*Lessee to appoint arbitrator on his behalf.*

- (2) The lessee or licensee shall nominate an arbitrator to act on his behalf and in the case of disputed boundaries where the matter at issue is between the lesses of adjacent runs such lessee shall nominate his arbitrator and such nomination shall be in writing in such form as may be required by regulations issued under this Act.

*Appointment of umpire.*

- (3) Before proceeding to determine any matter the arbitrators shall proceed to the appointment of an umpire to decide in case the arbitrators fail to agree to an award.

*Lessee failing to appoint arbitrator commissioner to make appointment.*

- (4) If a lessee or licensee shall fail to appoint an arbitrator to act on his behalf within two months from the time of being required by the commissioner to make such appointment such commissioner may appoint an arbitrator to act on behalf of such lessee or licensee and the award of such arbitrator shall be valid and effectual as though he had been appointed by the lessee or licensee for whom he acts.

*Arbitrators failing to appoint umpire Governor may nominate.*

- (5) If the arbitrators fail to agree in the appointment of an umpire within two months from the date of their appointment then the Governor may nominate and appoint the umpire. Provided that no paid servant of the Government shall be such umpire.

*Proceedings not to stop on failure to agree on umpire.*

- (6) Notwithstanding that arbitrators may fail in the agreement to appoint an umpire they may on formal record of such disagreement proceed to consider the matter at issue and make an award without waiting the appointment of an umpire by the Governor.

*Umpire to decide if award delayed for six months.*

- (7) If the arbitrators shall fail to make an award within six months from the date of their appointment the Secretary for Lands may require that the matter at issue shall be referred to the umpire for his decision.

*Reference to umpire may be on special points.*

- (8) Arbitrators failing to agree to an award may refer either the whole matter to the umpire or only such points as they cannot agree upon or the amounts offered on the one part and demanded on the other part and the award of the umpire shall be limited to the points submitted or the amount of rent to be determined and shall not in any case exceed the limits offered by the one arbitrator or demanded by the other.

*Awards to be published.*

47. The material substance of every award by arbitrators or an umpire shall be published in the *Government Gazette* within three months. Provided that if within three months from such publication it shall appear that there are valid objections thereto the Governor may by notice published in the *Government Gazette* declare such award to be void and of no effect and shall require that the matter be again referred to arbitration.

*Certain persons disqualified to act as arbitrators or umpire.*

48. No lessee or licensee shall appoint as an arbitrator on his behalf any person who has any pecuniary interest in the award sought nor any person in the paid employ of such lessee or licensee nor shall the Chief Commissioner of Crown Lands in any case be appointed as an umpire.

*Costs.*

49. Each party to an arbitration shall pay his own costs in regard to the arbitrator acting on his behalf and the costs incurred by the umpire shall be borne equally.

## GENERAL CONDITIONS.

*Penalty for non-payment of rent.*

50. If default be made by any lessee in the payment of any rent the lease shall be forfeited but the lessee shall be permitted to defeat the forfeiture and prevent its becoming absolute by payment within ninety days from the date of the original rent day of the full annual rent with the addition of a sum equal to one-fourth part thereof by way of penalty but unless the whole of the said yearly rent together with such penalty as aforesaid shall be paid within the term of ninety days counting from the original rent day inclusive the lease shall be absolutely forfeited.

*Rates to be paid pending assessment by arbitration.*

51. When the rent of a run has been required to be determined by appraisement the lessee shall until the appraisement has been completed continue to pay into the Treasury in Brisbane on the thirtieth day of September in each year the amount of annual rent which would have been due under the provisions of this Act if no such appraisement had been demanded or required and when the amount of rent has been determined by appraisement the lessee shall on the next thirtieth day of September pay into the Treasury any arrears of rent or be allowed a remission of rent to adjust the balance due to the Treasury or lessee as the case may be.

*Transfer of leases.*

52. Licenses and leases of runs may be transferred on application to the Chief Commissioner of Crown Lands Provided that before the transfer is registered the lessee or licensee shall pay into the hands of the said chief commissioner or other officer duly appointed to receive the same a transfer fee of one pound and one shilling for every such run and returns of such transfers shall be published from time to time.

*Accepted tender &c. equivalent to lease in certain proceedings.*

53. As against all parties but Her Majesty and her successors or those lawfully claiming under her or them in any action suit or other proceeding civil or criminal for the recovery of possession or damages for trespass or the infliction of any fine or penalty in relation to any run of which a lease from the Crown shall not be in force it shall be lawful for any person claiming such run under any accepted tender license or promise or contract for a lease made or issued by the Crown or any of its agents lawfully authorised to plead and put in evidence such accepted tender license or promise or contract for lease which for the purpose of any such action suit or proceeding shall be received as equivalent to an actual and then present lease from the Crown.

*Pre-emptive right over improved lands.*

54. For the purpose of securing permanent improvements it shall be lawful for the Governor to sell to the lessee of a run without competition at the price of ten shillings per acre any portion of such run in one block not being more nor less than two thousand five hundred and sixty acres and the boundaries of any such block shall as nearly as the natural features of the country and adjacent boundaries will admit be equilateral and rectangular.

*Resumption of run in whole or in part.*

55. The Governor in Council may by notification in the *Government Gazette* resume from lease any portion of a run not exceeding in the whole two

thousand five hundred and sixty acres Provided that if it shall be deemed expedient to resume any further portion or the whole of a run the Secretary for Lands shall give six months' notice of such intention in writing to the lessee and after the expiration of said term shall lay before both Houses of Parliament a schedule of the lands to be resumed from lease and if the said schedule shall not have been dissented from by resolution passed by both Houses of Parliament within sixty days during a session of Parliament the said reservations shall take effect and the lessee of all land so reserved may require that lands alienated or selected for sale in virtue of such reservations shall be computed in deduction of the rent paid by such lessee and the amount of rent to be remitted shall be determined by arbitration in reference to the grazing capabilities of the said leasehold.

*Grazing rights over resumed portions and compensation for improvements.*

56. Notwithstanding any notice of resumption the lessee shall have a right to depasture on the resumed portion until the same shall be actually alienated or otherwise disposed of by the Crown when the lessee shall be entitled to claim and be paid by the Crown the value of his improvements erected or made on the lands so alienated or disposed of such value to be ascertained by arbitration under the provisions of this Act.

*Compensation for fencing to be allowed in certain cases.*

57. In respect to fencing payment shall be made by the Crown to the lessee according to such valuation subject to a reduction of one-fourteenth part of the value of the fence at its original cost for each and every clear year that has elapsed from the date of the erection of the fence up to the fourteenth year therefrom Provided further that no claim for compensation shall be entertained or allowed for any fence which has been erected for a period exceeding fourteen years on land alienated or disposed of as mentioned in the preceding clause.

*Description of leases to be published in the "Gazette."*

58. Three months before the issue of any lease for pastoral purposes the Secretary for Public Lands shall publish in the *Government Gazette* the description of the country proposed to be inserted in such lease and if any person shall deem his interests prejudiced by the issue of such lease he shall within three months from the publication of such description lodge a written statement of his objection with the Secretary for Public Lands and shall at the same time deposit a sum of five pounds in liquidation of the cost of inquiring into the said objections and on the receipt of any such objection the Secretary for Public Lands shall cause the matter at issue to be submitted to arbitration as provided by this Act and the description of the boundaries to be inserted in the lease shall be the boundaries awarded by the arbitrators or umpires as the case may be unless the said award shall be declared void and of no effect as provided by the forty-seventh section of the Act in which case the matter shall be again dealt with as required by the said section and a lease shall be issued in pursuance of the final award.

*Description of leased lands.*

59. In any license or lease it shall be sufficient if the land thereby granted or demised be defined according to the best description of such land and of the boundaries thereof which may have been procurable notwithstanding that such description may not have been prepared after actual

survey and no license or lease shall be liable to be set aside by reason only of the imperfection of any such description so long as the land shall thereby be defined with reasonable certainty.

*Proviso for amendment of defective descriptions.*

60. Provided that if after the issue of any such lease it shall be found on survey or by mutual consent of the parties interested that the description of the boundaries of the run therein contained does not describe with sufficient certainty the lands thereby intended to be demised it shall be competent for the Governor to cancel such lease by proclamation to that effect and thereupon issue a fresh lease for the remainder of the term and embody therein an amended description of the run.

*Cost of survey to be paid by lessee but not exceeding six shillings per square mile.*

61. If any runs which have been licensed or leased shall have been or shall be surveyed by the Government the cost of such survey not in any case exceeding six shillings per square mile on the area comprised in the run shall be defrayed by the licensee or lessee (as the case may be) and in default of payment within six months from the date on which such payment shall have been required by notice published in the *Government Gazette* the Governor may cancel the licenses or leases of the runs for which the cost of survey has not been paid. Provided always that the cost of all surveys between adjoining runs required to be defrayed by the licensees or lessees of such runs respectively shall be divided and apportioned according to the proportion the dividing lines shall respectively bear to the areas of such runs respectively and any licensee or lessee having paid any such cost of survey shall be entitled to recover from the licensee or lessee of the adjoining run a fair proportion of such cost accordingly.

*Passage of stock.*

62. Any person driving horses cattle or sheep along any road used for the purpose of travelling may pasture the same on any unenclosed Crown lands within the distance of one-half mile of such road notwithstanding any lease of any such land for pastoral purposes. Provided that unless prevented by rain or flood such horses or cattle shall be moved at least eight miles and such sheep at least six miles in one and the same direction within every successive period of twenty-four hours and any person or persons driving horses cattle or sheep and depasturing the same contrary to the provisions of this clause shall forfeit and pay a sum not exceeding twenty pounds to be recovered before any two justices of the peace at any court of petty sessions and for every subsequent offence shall forfeit a like sum. Provided that no information for any subsequent offence shall be laid until the expiration of one week succeeding the filing of any preceding information.

*Fencing Act to apply.*

63. All Crown lands leased for pastoral purposes under this Act shall be deemed land within the meaning of "*The Fencing Act of 1861*" and any lessee from the Crown for the time being of any such lands shall be deemed the owner or occupier thereof within the meaning of the said Act. The said "*Fencing Act of 1861*" shall apply to all such lands as aforesaid in the same way as if the said Act had been passed concurrently with this Act. Provided that the lessee of Crown lands adjoining a run on which a boundary fence

may be erected shall be exempt from payment of his share of the cost thereof so long as he does not in any way avail himself of the advantage of such fence as part of the fencing of his own run.

*Proclamation of a goldfield shall not withdraw from lease.*

64. If the whole or any part of a run be proclaimed as a goldfield it shall not thereby be withdrawn from pastoral lease but the lessee may continue to occupy the same and to depasture his stock thereon in common with the holders of miners' rights or business licenses who may be resident on such goldfield subject to such regulations as may from time to time be made by the Governor in Council respecting such common occupation Provided that a reduction of rent be made in proportion to the decreased carrying capacity of the run to the lessee to be assessed by arbitration.

*Licenses to cut timber &c. may be granted Provided that any reasonable objection may be entertained by Government.*

65. The Governor may (subject to any regulations to be made as hereinafter enacted) authorise the commissioners or bench of magistrates to issue licenses for any term not exceeding one year to enter any Crown lands whether under lease or license or not and to cut and take therefrom any timber and to dig for and remove any gravel stone brick-earth shells or other material but not within two miles of any head station unless by consent of the lessee Provided that the fee fixed for such license shall be paid in advance Provided also that any lessee may make any reasonable objection to the granting of such license and the granting or withholding of such license after any objection shall have been made to the commissioner or bench of magistrates shall be determined by the Governor Provided that any lessee may notice in writing to that effect given to any such licensee restrict him or her from exercising his or her rights as such licensee in any given spot to be mentioned in such notice for a period not exceeding one month and such licensee may within such period appeal to the commissioner or nearest bench of magistrates who shall have power respectively to decide the matter in issue between the parties and such licensee shall be liable to a penalty not exceeding twenty pounds if after such notice given as aforesaid or in the event of the matter in issue being decided against him he or she shall exercise the right of a licensee and such penalty may be recovered before any two justices of the peace in petty sessions.

*Use of timber or material by lessees.*

66. Lessees of runs shall be permitted to cut and use such timber and material for building and other purposes as may be required by them as tenants of their several lands.

*Removal of timber and material by other than lessees.*

67. Except as provided in this Act lessees of runs shall not have power to restrict other persons duly authorised by the Government either from cutting or removing timber or material for building or other purposes or from searching for any metal or mineral within the run leased.

*Right to enter on lands.*

68. Nothing in this Act or in any license or lease granted thereunder shall be held to prejudice or interrupt the right of the Governor or of any officer duly authorised in that behalf by the Governor to go upon any lands included in any license or lease or to make any survey inspection or examination of the same.

*In case of dispute Governor may refer.*

69. Whenever any dispute shall arise as to the boundaries of any runs it shall be lawful for the Governor or the officer duly authorised to act in that behalf to require the same to be settled by arbitration and such arbitration shall be carried out by arbitrators one to be appointed by each of the lessees the boundaries of whose runs are in dispute and shall be in all other respects conducted in the manner provided in this Act with respect to the determination of the rent of such runs.

*Declaration to be made.*

70. Before any commissioner of Crown lands arbitrator appraiser or umpire shall enter into the consideration of any matter referred to him he shall in the presence of a justice of the peace make and subscribe the following declaration that is to—

“ I do solemnly and sincerely declare that I have  
 “ no pecuniary or other interest either directly or indirectly in  
 “ the matter in question that I will faithfully and honestly and  
 “ to the best of my skill and ability hear and determine the  
 “ matters referred to me under the provisions of ‘*The Pastoral  
 “ Leases Act of 1869.*’

“ Made and subscribed in the presence of \_\_\_\_\_ at \_\_\_\_\_  
 “ on the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_

And such declaration shall be annexed to the award when made.

*Removal of trespassers.*

71. On information in writing preferred by any commissioner of Crown lands or other person duly authorised in that behalf to any justice of the peace setting forth that any person is in the unlawful occupation of any Crown lands or land reserved or dedicated for any public purpose such justice shall issue his summons for the appearance before any two justices of the peace at a place and time therein specified of the persons so informed against and at such time and place such justices on the appearance of such person or on due proof of the service of such summons on him or at his usual or last place of abode or business shall hear and inquire into the subject-matter of such information and on being satisfied of the truth thereof either by the admission of the person informed against or on other evidence such justices shall issue their warrant addressed to the sheriff or deputy sheriff or commissioner of Crown lands or to any chief or district constable requiring him forthwith to dispossess and remove such person from such land and to take possession of the same on behalf of Her Majesty and the person to whom such warrant is addressed shall forthwith carry the same into execution Provided that the lessee or manager of a run may in like manner lay an information against any person who shall be in unlawful occupation of any part of the land included in his license lease or promise of lease.

*Penalties for trespassing.*

72. Any person unless lawfully claiming under any subsisting lease or license or otherwise under this Act who shall be found occupying any Crown lands or land granted reserved or dedicated for public purposes either by residing or by erecting any hut or building thereon or by clearing digging up enclosing or cultivating any part thereof or cutting timber otherwise than firewood not for sale thereon shall be liable on conviction to a penalty not exceeding five pounds for the first offence and not exceeding ten pounds

for the second offence and not exceeding twenty pounds for the third or any subsequent offence. Provided that no information shall be laid for any second or subsequent offence until thirty clear days shall have elapsed from the date of the previous conviction.

*Limitation of action.*

73. All actions or other proceedings against any commissioner of Crown lands or other officer acting under the provisions of this Act for anything wrongly done under or against the provisions of this Act shall be commenced within twelve months after the matter complained of was committed and not otherwise. And notice in writing of any such action and of the cause thereof shall be given to the defendant one month at least before the commencement of the proceeding. And in every such proceeding 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 proceeding if tender of sufficient amends shall have been made before the same was commenced or if a sufficient sum of money shall have been paid into court after such commencement by or on behalf of the defendant together with costs incurred up to the time. And if a verdict shall pass for the defendant or the plaintiff shall become nonsuit or discontinue such proceeding or if upon demurrer or otherwise judgment shall be given against the plaintiff the defendant shall recover his full costs as between attorney and client and have the like remedy for the same as any defendant has by law in other cases.

*No quashing for error nor certiorari.*

74. No order judgment or proceeding made touching or concerning the matters aforesaid or touching or concerning the conviction of any offender against this Act shall be quashed or vacated for want of form only or be removed or removable by *certiorari* into the Supreme Court.

*Instruments under Act to be evidence.*

75. Any lease or other instrument issued under this Act may be proved in all legal proceedings by the production of a certified copy thereof signed by the officer to be authorised for that purpose under any regulation made as hereinafter enacted.

*Penalty for false declaration.*

76. Any person making a false declaration under this Act shall be deemed guilty of perjury.

*Governor may make regulations.*

77. It shall be lawful for the Governor from time to time to make vary and alter regulations respecting the forms of leases and licenses granted under this Act and respecting all matters and things necessary to give effect to the same and every such regulation shall be published in the *Government Gazette* and when so published shall have the force of law. Provided such regulations are in accordance with the provisions of this Act.

*Regulations to be laid before Parliament.*

78. A copy of all regulations made under the authority of this Act shall be laid before the Parliament within fourteen days from the publication thereof if the Parliament shall be then sitting and if the Parliament shall not be then sitting then within fourteen days after the commencement of the next session.

*Short title.*

79. This Act shall be entitled and may be cited as "*The Pastoral Leases Act of 1869.*"

SCHEDULES.

A.

The Orders in Council and Regulations issued under the Imperial Act 9 and 10 Victoria chapter 104.

*Parliament of Queensland—*

Pastoral Leases Act of 1863 ... .. 27 Vic. No. 17.

And the Regulations issued respectively thereunder.

B.

*Application for license to occupy a new run of Crown lands in the Unsettled Districts.*

Received this                      day of                      18                      at                      o'clock.

Commissioner of Crown Lands,  
District.

No.

In accordance with the provisions of "*The Pastoral Leases Act of 1869*" do hereby apply for a license to occupy for one year the Crown lands known as the                      run in the district of                      which lands are particularly described in the annexed schedule and I herewith tender the sum of five shillings for each square mile comprised within the area of the said run and I also agree to pay any further fee at the same rate that may be demanded for additional area found to exist after survey or other examination by the Commissioner of Crown Lands.

Given under                      hand this                      day of                      18 .  
The Commissioner of Crown Lands,

District of

Received from                      the sum of                      pounds                      shillings  
being the amount of occupation fee chargeable on the above application.

Commissioner of Crown Lands.

*Schedule to application for license.*

Commissioner's District :

Name of Run :

Estimated area—

Square miles.

Available for pastoral purposes                      ...                      ...                      ...                      ...  
Unavailable for pastoral purposes                      ...                      ...                      ...                      ...

Total area comprised within boundaries                      ...                      ...

*Description of the lands by reference to leading geographical features or marked or determined boundary lines.*

C.

QUEENSLAND.

License No.

District of

*License to occupy Crown lands for pastoral purposes for one year.*

In accordance with the provisions of "*The Pastoral Leases Act of 1869*" I do hereby authorise Commissioner of Crown Lands for the district of of to occupy for pastoral purposes for the term of one year from the date hereof the land known as the and which lands are more particularly described in the schedule annexed such occupation to be subject to the conditions prescribed in the aforesaid Act.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_ Commissioner of Crown Lands for the \_\_\_\_\_ District.

*Schedule to license to occupy Crown lands.*

Commissioner's District: \_\_\_\_\_

Name of Run: \_\_\_\_\_

Estimated area—

					Square miles.
Available for pastoral purposes	...	...	...	...	
Unavailable for pastoral purposes	...	...	...	...	
Total area comprised within the boundaries					...

*Description of the lands by reference to leading geographical features or marked or determined boundary lines.*

D.

*Application for a lease of a licensed run of Crown lands in the Unsettled Districts.*

Received this \_\_\_\_\_ day of \_\_\_\_\_ 186\_\_\_\_ Commissioner of Crown Lands District.

No. In accordance with the provisions of "*The Pastoral Leases Act of 1869*" of do hereby apply for a lease for twenty years of the run called \_\_\_\_\_ in the district of \_\_\_\_\_ which is particularly described in the annexed schedule and of which is licensed occupant in virtue of a license No. \_\_\_\_\_ dated the \_\_\_\_\_ day of \_\_\_\_\_ 186\_\_\_\_ and do hereby agree in the event of a lease being issued and notified in the *Government Gazette* to pay forthwith into the Colonial Treasury in Brisbane the amount of the first year's rent.  
Given under \_\_\_\_\_ hand this \_\_\_\_\_ day of \_\_\_\_\_ 186\_\_\_\_



G.

" PASTORAL LEASES ACT OF 1869."

*Application for license to occupy an unwatered run of Crown lands in the Unsettled Districts.*

Received this \_\_\_\_\_ day of \_\_\_\_\_ 18 at \_\_\_\_\_ o'clock.  
 Commissioner of Crown Lands  
 District.

In accordance with the provisions of "*The Pastoral Leases Act of 1869*" and of the regulations published in pursuance thereof\* \_\_\_\_\_ of † \_\_\_\_\_ do hereby apply for a license to occupy for one year as an unwatered run the Crown lands known as \_\_\_\_\_ in the district of \_\_\_\_\_ which lands are particularly described in the annexed schedule And I hereby certify that the whole of the said lands are more than five miles distant from any permanent water.

Given under \_\_\_\_\_ hand this \_\_\_\_\_ day of \_\_\_\_\_ 18 .  
 Commissioner of Crown Lands  
 for the District of \_\_\_\_\_

\* State christian and surname in full. † State place of residence or nearest post office.

*Schedule to application for license.*

Commissioner's District :

Name of Run :

Estimated area :

	Square miles.
Available for pastoral purposes ... ..	...
Unavailable for pastoral purposes ... ..	...
Total area comprised within boundaries ... ..	...

*Description of the land by reference to leading geographical features or marked or determined boundary lines.*

H.

" PASTORAL LEASES ACT OF 1869."

*License to occupy an unwatered run for one year.*

License No. \_\_\_\_\_  
 District of \_\_\_\_\_

In accordance with the provisions of "*The Pastoral Leases Act of 1869*" and of the regulations published by the Government in pursuance thereof I the Commissioner of Crown Lands for the district of \_\_\_\_\_ do hereby license \_\_\_\_\_ of \_\_\_\_\_ to occupy for pastoral purposes for the term of one year from the date hereof the lands known as the unwatered run \_\_\_\_\_ and which lands are particularly described in the schedule annexed such occupation to be subject to all the conditions prescribed in the aforesaid Act and the regulations published in pursuance thereof for the occupation of unwatered runs.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_ 18 .  
 Commissioner of Crown Lands  
 for the \_\_\_\_\_ District.

*Schedule to license to occupy Crown lands as an unwatered run.*

---

Commissioner's District : \_\_\_\_\_

---

Name of Run : \_\_\_\_\_

---

Estimated area :		Square miles.
Available for pastoral purposes	... ..	...
Unavailable for pastoral purposes	... ..	...
Total area comprised within the boundaries	...	...

---

*Description of the land by reference to leading geographical features or marked or determined boundary lines.*

---

I.

"PASTORAL LEASES ACT OF 1869."

*Application to surrender a lease of a run and to obtain a new lease for twenty-years.*

District of \_\_\_\_\_  
 Name of Run \_\_\_\_\_

I the undersigned \_\_\_\_\_ claiming a lease under\* \_\_\_\_\_ the  
 run known as \_\_\_\_\_ in the district of \_\_\_\_\_ do hereby surrender  
 said lease or promise of lease and apply for a new lease for twenty-one years in  
 accordance with the provisions of "*The Pastoral Leases Act of 1869.*"

Given under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 18 .

Signed by the said \_\_\_\_\_ }  
 day of \_\_\_\_\_ 18 in the presence }  
 of \_\_\_\_\_ }  
 [Signature] \_\_\_\_\_ J.P.

\* State the Order in Council or Act under which the run is held.

Department of Public Lands,  
 Brisbane, 1st December, 1869.

"PASTORAL LEASES ACT, 1869."

THE Regulations hitherto in force under the provisions of the Act 27 Victoria, No. 17, having been repealed by the Act 33 Victoria, No. 10, except as regards existing contracts; His Excellency the Governor, with the advice of the Executive Council, directs it to be notified that the following Regulations have been established under the provisions of "*The Pastoral Leases Act of 1869.*"

By His Excellency's Command,  
 JAMES TAYLOR.

## REGULATIONS.

*Duties of commissioners of Crown lands.*

1. The duties of the commissioners of Crown lands shall consist in executing the provisions of this Act in the manner specified in the following Regulations, and in such other instructions as they may, from time to time, receive.

*Surrender of leases under previous Acts.*

2. Applications to surrender leases of runs under the provisions of the fifth clause of the Act will require to be made on the form A, in the schedule hereto annexed, and to be forwarded to the Chief Commissioner of Crown Lands' Office, Brisbane, before the 1st day of January, 1871. A separate application must be lodged for each run; and where a lease has been issued, the same will have to be returned.

*Application for licenses to be made to district commissioner.*

3. Applications for licenses to occupy Crown lands for pastoral purposes, in the unsettled districts, must be made to the commissioner for the district in which the land is situate, and shall be in the form B in the schedule hereto annexed.

*Application to be accompanied by cash, or Treasury receipts, and by declaration of stocking.*

4. Every such application shall be accompanied by a declaration, in the form C, that the run has been stocked to the extent of at least twenty-five sheep, or five head of cattle, for every square mile; and also by an amount in cash, or a Treasury receipt for a sum at the rate of five shillings for each square mile of area contained in the run.

*Receipts for license fees may be obtained at the Treasury.*

5. Persons desiring to procure Treasury receipts for the amount of license fees may obtain the same by paying any sum not less than £6 5s. into the Treasury in Brisbane, when a receipt for the whole amount, or receipts for separate portions thereof, not less than £6 5s., will be issued to the applicant as he may desire.

*Balance of Treasury receipts available for future applications.*

6. In the case of a Treasury receipt being for a larger sum than is required to meet the license fee of a run, the commissioner or recording clerk will endorse thereon the amount expended and the balance remaining available; retaining a copy thereof to be attached to the application, and returning the original to the holder.

*Treasury receipt transferable by delivery.*

7. Treasury receipts for license fees will be transferable by delivery, and will be received from the holder by the commissioner, without reference to the name of the person to whom the receipt was issued.

*Receipts issued under previous Acts available under these Regulations.*

8. Treasury receipts for license fees issued under the Act twenty-sixth Victoria, number eight, or Act twenty-seventh Victoria, number seventeen, will be available for licenses under this Act.

*Advertising license fee to be paid.*

9. Before the issue of a license, the commissioner is empowered to demand from the applicant the payment of five shillings, to cover the cost of publishing the description in the *Government Gazette*, as provided for in the eighteenth section of the Act, and to withhold the license until such payment is made.

*Applications for leases to be made within nine months.*

10. Applications (in the form E, hereto annexed) for leases for twenty-one years of runs held under annual licenses, must be lodged at the office of the commissioner for the district within nine months from the date of the license under which the run has been acquired.

*Declaration of stocking required before issue of lease.*

11. The licensee will also be required to produce to the commissioner a declaration in the form F, that the run has been stocked during the whole term of the license.

*Additional license fee to be paid when the area of run is found to be in excess.*

12. If, after the issue of a license, it is ascertained that the run contains a greater available area than that on which license fee has been paid, the licensee will be required to pay the license fee of five shillings for each square mile of additional available area; and unless the same be paid to the district commissioner within ninety days from the date of the notice that such further payment is due, the license may be declared forfeited. Should, however, the excess be found to exist during the currency of the lease, the arrears of back rent chargeable on such excess within the limit prescribed in the ninth section of the Act must, in all cases, be paid on demand, if the lessee desires to retain the country.

*When the area of a run is found to exceed 100 square miles, the excess to be included in a separate lease.*

13. Where, after the issue of a license or lease, a run shall be found to contain a greater available area than one hundred square miles, it will be optional for the Governor, with the advice of the Executive Council, to declare in what manner the boundaries of the run shall be altered, so as to exclude the area which may be in excess of one hundred square miles; and the area thus excluded from the original run may be leased to the holder thereof, on condition of paying all arrears of license fee or rent due or to become due in respect thereof, or may offer the said excessive area to competition by auction.

*Term of lease of excess of area not to exceed original lease.*

14. The period for which any such excess of area will be leased, after separation from the original run, will be the same as the unexpired term of the lease in which it was previously included.

*Special conditions where the area is under 125 square miles.*

15. Where the excess of available area over one hundred square miles is less than twenty-five (25) square miles, such further portion of the one hundred square miles as may be necessary to make up the said excess to twenty-five square miles will be deducted from the original run; but if such

deduction reduce the available area thereof to less than that on which rent has been paid, the lessee shall have the option of taking the lease of the separated run.

*Applications for unwatered runs.*

16. Applications for unwatered runs must be made to the district commissioner in the form G in the schedule, accompanied by a declaration in the form H, verifying the truth of the statement contained in the application; and also by an amount in cash, or a Treasury receipt for a sum at the rate of three shillings per square mile of the area contained in the run.

*Commissioner to satisfy himself as to absence of permanent water.*

17. Before the issue of a license of an unwatered run, it will be necessary for the commissioner to satisfy himself, by personal inspection or otherwise, as to the country being destitute of permanent water; and if any doubt should exist respecting the character of the country applied for, he will be authorised in withholding the issue of a license until the run is examined and the true facts of the case ascertained. A fee of five shillings to cover the cost of advertising the license in the *Government Gazette* must be paid to the district commissioner previous to the issue of the license.

*Renewal of licenses of unwatered runs.*

18. Licensees of unwatered runs may, prior to the expiration of their licenses, apply to the Chief Commissioner of Crown Lands for a renewal of such license for another year in the form G in the schedule. The application will require to be forwarded through the district commissioner, accompanied by an amount in cash, or a Treasury receipt equivalent to the occupation fee originally paid, and also by a statement of the grounds on which the application is based; and if the said chief commissioner is satisfied that sufficient cause is shown, he is authorised to renew such license accordingly, in the form J in the schedule; but such renewal shall not in any case be repeated more than twice in respect of the same run.

*Notification of renewals in the "Gazette."*

19. All renewals of licenses of unwatered runs granted by the Chief Commissioner of Crown Lands are to be notified in the *Government Gazette* from time to time at the cost of the applicant, for which a fee of five shillings is to be charged.

*Application for lease of an unwatered run.*

20. Applications in the form E, hereto annexed, for leases for twenty-one years, of country held under license as an unwatered run, must be lodged with the district commissioner before the expiration of the license, or renewal of license, as the case may be, accompanied by a declaration, in the form F, that the country has been stocked at the time of such application.

*What shall be deemed available country.*

21. In computing the area of a run for the payment of license fees or rent, no land shall be excluded, as unavailable, except absolutely barren country or dense scrubs. All grass lands, whether within accessible distance from permanent water or otherwise, shall be deemed available country.

*Registration of contiguous runs as "consolidated runs."*

22. Where the holder of two or more contiguous runs, not exceeding in the aggregate two hundred square miles, may desire to register the same as a consolidated run, he shall make application to the district commissioner, in the form K, annexed hereto; and the commissioner, unless there be some objection thereto, shall record the same in the register of the district office, and such register shall be open to inspection by any person, on the payment of two shillings and sixpence for each inspection.

*Rules applicable to "consolidated runs."*

23. The following rules will be observed with regard to the registration of runs as "consolidated runs":—

The aggregate area of the several runs consolidated must not exceed two hundred square miles in each case.

No fractional parts of runs can be included in a consolidated run.

The whole of the separate runs must be under lease or license to the same lessee or licensee.

*Contiguity of consolidated runs affected by transfers.*

24. Where a series of runs have been registered as a consolidated run, as being contiguous, if any one run be transferred, or withdrawn, and thereby destroy the contiguity of the remainder, the consolidation of the whole of the runs will thereby terminate and cease to be operative.

*Instruments of lease issued on application.*

25. Instruments of lease for runs held under this or previous Acts will be issued, on application to the Chief Commissioner of Crown Lands, after the expiration of the period required by notice in the *Government Gazette*, in pursuance of the fifty-eighth section of the Act. On application for a lease, a fee of ten shillings will require to be paid, to cover the cost of preparation thereof.

*Copy of instruments under Act to be evidence when certified to by the proper officer.*

26. In pursuance of the provisions in the seventy-fifth section of the Act, the Chief Commissioner of Crown Lands is to be deemed the officer authorised to certify to copies of leases or other instruments issued under the same that may require to be proved in any legal proceedings. A charge of half-a-crown will be made for each certificate, independently of the cost of preparing the copy.

## TRANSFERS OF RUNS.

*Mode of application.*

27. Holders of runs of which the leases have not been issued may have their rights of lease transferred by an application addressed to the Chief Commissioner of Crown Lands, and bearing the signature of the person entitled to the lease, attested by a magistrate, or a commissioner of the Supreme Court of Queensland, or a notary public. On such application being recorded, the applicant will be debarred from all further claim to the lease, the right to which will thenceforth become vested in the transferee.

*Runs of insolvents, or of parties absent or deceased.*

28. In the event of the licensee, lessee, or the holder of the promise of lease of any run dying, or being declared insolvent, or being absent from the colony, the notification of transfer of any such run may be made by his



B.  
Application for license to occupy a new run of Crown lands in the Unsettled Districts.

Received this day of 18, at o'clock.

Commissioner of Crown Lands, District.

No. In accordance with the provisions of "The Pastoral Leases Act of 1869," \* of † do hereby apply for a license to occupy for one year the Crown lands known as the run in the district of which lands are particularly described in the annexed schedule; and I herewith tender the sum of five shillings for each square mile comprised within the area of the said run, and I also agree to pay any further fee at the same rate that may be demanded for additional area found to exist after survey, or other examination by the commissioner of Crown lands.

Given under hand this day of 18.

The Commissioner of Crown Lands, District.

Received from the sum of pounds shillings, being the amount of occupation fee chargeable on the above application.

Commissioner of Crown Lands.

\* I or we, and state christian and surname in full.  
† State place of residence.

Schedule to application for license.

Commissioner's District:

Name of Run:

Estimated area—

	Square miles.
Available for pastoral purposes	...
Unavailable for pastoral purposes	...
Total area comprised within boundaries	...

Description of the land by reference to leading geographical features or marked or determined boundary lines.

Name of Run:

do hereby surrender said lease or purchase of lease and apply for a new lease for twenty-one years, in accordance with the provisions of "The Pastoral Leases Act of 1869."

I, , being the\* of the run now applied for, called in the district of do solemnly declare that the said run has been stocked by me to the extent of one-fourth of its grazing capabilities, as defined by the twenty-third section of "The Pastoral Leases Act of 1869," and that the run continues to be so stocked to the present time with sheep- and cattle.

[Signature.]  
Declared before me, at this day of 18.

\* Occupant or manager for such occupant. J.P.

D. QUEENSLAND.

License No.  
License Date  
District of

License to occupy a new run of Crown lands for pastoral purposes for one year.

In accordance with the provisions of "The Pastoral Leases Act of 1869," I, Commissioner of Crown Lands for the district of do hereby authorise of to occupy for pastoral purposes, for the term of one year from the date hereof, the land known as the run in the district of and which lands are more particularly described in the schedule annexed; such occupation to be subject to the conditions prescribed in aforesaid Act.

Given under my hand this ... day of 18 . Commissioner of Crown Lands For the ... District.

Schedule to license to occupy a new run of Crown lands.

Commissioner's District :

Name of Run :

Estimated area—

Square miles.

Available for pastoral purposes

Unavailable for pastoral purposes

Total area comprised within the boundaries

Description of the land by reference to leading geographical features or marked or determined boundary lines.

E. Application for a lease of a licensed run of Crown lands in the Unsettled Districts.

Received this day of 18 . Commissioner of Crown Lands, District.

In accordance with the provisions of "The Pastoral Leases Act of 1869," \* of †, do hereby apply for a lease for twenty-one years of the run called ... in the district of ... which is particularly described in the annexed schedule, and of which ‡ the licensed occupant, in virtue of a license No. ... dated the day of 18, and do hereby agree, in the event of a lease being issued and notified in the Government Gazette, to pay forthwith into the Colonial Treasury, in Brisbane, the amount of the first year's rent.

Given under hand this day of 18 .

\* I or we, and state christian and surname in full.

† State place of residence.

‡ I am, or we are.

*Schedule referred to in the foregoing application.*

Commissioner's District :

Name of License :

Date of License :

Name of Run :

Estimated area :

Square Miles.

Available for pasturage	...	...	...	...	...
Unavailable for pasturage	...	...	...	...	...
Total comprised within the boundaries	...	...	...	...	...

*Description of lands referred to, and marked or determined boundary lines.*

F.

*Declaration to be made by the licensed occupant or lessee of a run [or his manager] that such run has been stocked in accordance with "The Pastoral Leases Act of 1863."*

I, \_\_\_\_\_, being the (\*) of the run called \_\_\_\_\_, in the district of \_\_\_\_\_, do solemnly declare that the said run has been stocked and continues to be stocked to the extent of one-fourth of its grazing capabilities, according to the provisions of "The Pastoral Leases Act of 1869" (33 Victoria, No. 10), from the \_\_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_, to the present time.

[Signature.]

Declared before me at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_; J.P.

\* Licensed occupant, or manager for such licensed occupant or lessee.

G.

"PASTORAL LEASES ACT OF 1869."

*Application for license to occupy an unwatered run of Crown lands in the Unsettled Districts.*

Received this \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_, at \_\_\_\_\_ o'clock. Commissioner of Crown Lands, District.

In accordance with the provisions of "The Pastoral Leases Act of 1869," and of the regulations published in pursuance thereof,\* of †

\* I or we, and state christian and surname in full.  
 † State place of residence.

do hereby apply for a license to occupy for one year, as an unwatered run, the Crown lands known as \_\_\_\_\_, in the district of \_\_\_\_\_, which lands are particularly described in the annexed schedule. And I hereby certify that the whole of the said lands are more than five miles distant from any permanent water

Given under \_\_\_\_\_ hand this \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_ .  
 \_\_\_\_\_  
 The Commissioner of Crown Lands,  
 District of \_\_\_\_\_ .

Received from \_\_\_\_\_ the sum of \_\_\_\_\_ pounds  
 on the above application. \_\_\_\_\_ shillings, being the amount of occupation fee chargeable  
 \_\_\_\_\_  
 Commissioner of Crown Lands.

*Schedule to application for license.*

Commissioner's District :

Name of Run :

Estimated area—

Available for pastoral purposes ... ..	...	...	...	...	Square Miles.
Unavailable for pastoral purposes...	...	...	...	...	
Total area comprised within boundaries					...

*Description of the land by reference to leading geographical features or marked or determined boundary lines.*

H.

I, \_\_\_\_\_ being the applicant [*or agent for such applicant*] of the unwatered run now applied for, called \_\_\_\_\_, in the district of \_\_\_\_\_, do solemnly declare that the said run contains no permanent water, and that no such water is existing on any vacant Crown lands situated within a distance of five miles in a straight line from any boundary of the said run.

[*Signature.*]

Declared before me at \_\_\_\_\_ }  
 this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_ }  
 \_\_\_\_\_ J.P.

I.

"PASTORAL LEASES ACT OF 1869."

License to occupy an unwatered run for one year.

License date.

License No.

District of

In accordance with the provisions of "The Pastoral Leases Act of 1869," and of the regulations published by the Government in pursuance thereof, I, the Commissioner of Crown Lands for the

district of do hereby license of to occupy for pastoral purposes, for the term of one year from the date hereof, the lands known as the unwatered run in the district of, and which lands are particularly described in the schedule annexed; such occupation to be subject to all the conditions prescribed in the aforesaid Act, and the regulations published in pursuance thereof, for the occupation of unwatered runs.

Given under hand this day of, 18.

Commissioner of Crown Lands for the District.

Schedule to license to occupy Crown lands as an unwatered run.

Commissioner's District:

Name of Run:

Estimated area— Square miles.

Available for pastoral purposes ... ..

Unavailable for pastoral purposes ... ..

Total area comprised within the boundaries ...

Description of the land by reference to leading geographical features or marked or determined boundary lines.

J.

"PASTORAL LEASES ACT OF 1869."

Renewal of license to occupy an unwatered run for one year.

License No.

License date.

District of

In accordance with the provisions of "The Pastoral Leases Act of 1869," and of the regulations published by the Government in pursuance thereof, I, the Chief Commissioner of Crown Lands for the Colony of Queensland, do hereby renew the license issued to, of, on, which license expired on; and do hereby authorise the said to occupy for pastoral purposes for the term of one year from the date hereof, the lands known as the unwatered run, in the district of



## L.

*Application to have run appraised.*

In pursuance of the provisions contained in "*The Pastoral Leases Act of 1869*,"  
I, \_\_\_\_\_, being the lessee of the \_\_\_\_\_ run, in the district  
of \_\_\_\_\_, do hereby require that the annual rent of the said run charge-  
able from the \_\_\_\_\_ year to the \_\_\_\_\_ year of the lease be determined  
by appraisement in the manner prescribed in "*The Pastoral Leases Act of 1869*,"  
and I do appoint \_\_\_\_\_, of \_\_\_\_\_, to act as valuer on my behalf,  
to appraise the rent to be annually paid during the above-mentioned period.

Given under my hand at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_.

[Signature.]

Signed by the said \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_.

J.P.

The Honourable the Secretary for Lands.

Received from \_\_\_\_\_ the sum of \_\_\_\_\_ pounds, being the amount  
required by the above recited Act in liquidation of the cost of appraisement.

Brisbane, \_\_\_\_\_ 18 \_\_\_\_.

Colonial Treasurer.

## M.

*Declaration made by any arbitrator, appraiser, or umpire.*

I, \_\_\_\_\_, do solemnly and sincerely declare that I have no  
pecuniary or other interest, either directly or indirectly, in the matter in question;  
that I will faithfully and honestly, and to the best of my skill and ability, hear and  
determine the matters referred to me, under the provisions of "*The Pastoral Leases  
Act of 1869*."

Made and subscribed this \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_, in the  
presence of \_\_\_\_\_

J.P.

## N.

Sir,  
\* hereby notify to you that \_\_\_\_\_ have assigned and transferred  
to † \_\_\_\_\_ of ‡ \_\_\_\_\_, all \_\_\_\_\_ right, title, and interest in and to the run  
of Crown lands situate in the district of \_\_\_\_\_, and known as \_\_\_\_\_,  
now held by \_\_\_\_\_ under § \_\_\_\_\_ from the Crown, and hereby  
relinquish in favour of the said \_\_\_\_\_ all and any the rights and privileges  
of occupation or of pre-emption which may belong or accrue to \_\_\_\_\_ as the  
holder of a § \_\_\_\_\_ of said run under the laws and regulations for the time  
being.

As witness \_\_\_\_\_ hand, at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, in the  
year of our Lord one thousand eight hundred and \_\_\_\_\_

Signed by the said \_\_\_\_\_, in the presence of \_\_\_\_\_

J.P., or Commissioner of the Supreme Court of  
Queensland, or Notary Public.

To the Chief Commissioner of Crown Lands, Brisbane.

\* I or we.

† State christian and surname in full.

‡ State place of residence.

§ Whether under license, lease, or promise of lease.

Department of Public Lands,  
Brisbane, 27th May, 1870.

## REGULATION.

33 VICTORIÆ, No. 10.

*Sale at auction of leases of forfeited or vacated runs.*

In cases where forfeited or vacated runs, the boundaries of which have not been defined by actual survey, shall be offered for sale by auction, in pursuance of the provisions contained in clause twenty-seven of the Act; the right, title, and interest of the previous lessee in the unexpired term of the lease will only be sold; and the Government will not hold themselves responsible for the correctness of the area or boundaries of any unsurveyed run so offered.

By His Excellency's Command,

J. MALBON THOMPSON.

Crown Lands Office,  
Brisbane, 21st July, 1870.

## RENEWAL OF PASTORAL LEASES.

*"Pastoral Leases Act of 1869."*

It is hereby notified that applications under the provisions of the forty-first section of "*The Pastoral Leases Act of 1869*," for renewed leases for fourteen years of the runs in the unsettled districts, the current leases of which will expire on and after the 31st December, 1870, may be addressed to the Chief Commissioner of Crown Lands, Brisbane, on forms to be obtained at this office. These applications will require to be lodged not later than three months prior to the expiration of the existing leases, as prescribed in the said Act.

W. ALCOCK TULLY,  
Chief Commissioner of Crown Lands.

Department of Public Lands,  
Brisbane, 2nd September, 1870.

His Excellency the Governor, with the advice of the Executive Council, has been pleased to establish the following Regulations under the provisions of "*The Pastoral Leases Act of 1869*," for regulating the proceedings of valuers appraising the rent of runs during the terms of renewed leases for pastoral purposes.

By His Excellency's Command,

J. MALBON THOMPSON.

## REGULATIONS.

1. The appointment of assessors and umpires for the purpose of valuing runs and appraising the rents to be charged thereon, and also the mode of procedure in conducting the appraisement so far as prescribed, shall be carried out in accordance with the provisions of the 46th, 47th, 48th, and 49th sections of the Act.

2. Before entering on any appraisement, the assessors and umpire shall each respectively make a declaration in the form set forth in the 70th section

of the Act, and in the schedule annexed, that they have no direct or indirect pecuniary interest in the matter in question. These declarations will require to be attached to the award in each appraisalment.

3. After the requirements of the preceding clauses have been complied with, the valuers shall proceed to procure such evidence as may be necessary for the appraisalment of the rent to be paid for the run during the term of renewed lease, in the following manner:—

- (a.) The gross area of the run shall be determined as nearly as practicable.
- (b.) The proportion of the gross area which may be wholly unavailable for pastoral purposes at all seasons of the year shall be estimated, but such amount of unavailable area shall never be computed at more than one-half the gross area of the run. The gross area, and the area unavailable for pastoral purposes, shall be entered on form B.
- (c.) The quantity of stock which the run is capable of depasturing in average years shall be determined, and the number of sheep and cattle shall be entered separately on the form B.
- (d.) The grazing capabilities of the run having been determined, the annual rent shall be computed at a rate ranging from one pound to four pounds per square mile of the available area, according to its capabilities for grazing stock; but as every run, in pursuance of the 23rd section of the Act, is deemed capable of carrying at least one hundred sheep or twenty head of cattle per square mile, this estimate may be adopted as a standard for the guidance of the valuers, who will thereby be enabled to determine the cases in which the minimum rent allowed by the Act may be appraised.
- (e.) Should the assessors deem that the special advantages of the run are such that any further amount of rent should be charged, they are to enter the amount thereof in the form B, and the total sum of such valuation shall be the rent appraised.

4. The following forms shall be those used for the purposes of these Regulations:—

#### SCHEDULES.

##### A.

33 VICTORIE, No. 10.

*Application for a renewed lease.*

District of \_\_\_\_\_

Name of Run: \_\_\_\_\_

In pursuance of the fortieth and forty-first clauses of "*The Pastoral Leases Act of 1869*,"\* \_\_\_\_\_, the undersigned, † \_\_\_\_\_, claiming a lease under ‡ \_\_\_\_\_ of the run known as \_\_\_\_\_, in the district of \_\_\_\_\_, do hereby apply for a renewed lease thereof, for the term of fourteen years, subject to the provisions of the said Act.

Given under my hand at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_\_.

[Signature.]

Signed by the said \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_\_, in the presence of \_\_\_\_\_

[Signature.]

J.P.

\* I or we, as the case may require.

† State christian and surname in full.

‡ State Act or Order in Council.

B.

*Certificate of valuation.*

District of \_\_\_\_\_  
 Name of Run : \_\_\_\_\_  
 Claimant of Lease : \_\_\_\_\_

WE, the undersigned, \_\_\_\_\_ acting as valuers on behalf of the  
 lessee of the run called \_\_\_\_\_, and \_\_\_\_\_ the  
 Commissioner of Crown Lands acting on behalf of the Crown, under the pro-  
 visions of the Act 33 Victoria, No. 10, do hereby certify that we assess the area,  
 grazing capabilities, and special advantages of the run as follows :—

Area of Run,	_____	square miles.		
Grazing capabilities—	{	Sheep	... ..	...
	{	Cattle	... ..	...
Appraised rental	... ..	£	...	...
Special advantages of run	... ..		...	...
		Total	... ..	£

And we do accordingly appraise the rent at \_\_\_\_\_ pounds \_\_\_\_\_ shillings  
 and \_\_\_\_\_ pence.

Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_, 18 ..

\_\_\_\_\_  
 [Signature.]  
 \_\_\_\_\_  
 [Signature.]

C.

*Appointment of umpire by valuers.*

District of \_\_\_\_\_  
 Name of Run : \_\_\_\_\_  
 Claimant of Lease : \_\_\_\_\_

WE, the undersigned, \_\_\_\_\_ acting as valuers on behalf of the  
 lessee of the run called \_\_\_\_\_, and \_\_\_\_\_ the  
 Commissioner of Crown Lands acting on behalf of the Crown, under the pro-  
 visions of the Act 33 Victoria, No. 10, do hereby certify that we have appointed  
 to act as umpire in the appraisement of the annual rent of  
 the said run.

Given under our hands, at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 18 ..

\_\_\_\_\_  
 [Signature.]  
 \_\_\_\_\_  
 [Signature.]

D.

*Reference to umpire by valuers.*

District of \_\_\_\_\_  
 Name of Run : \_\_\_\_\_  
 Claimant of Lease : \_\_\_\_\_

WE, the undersigned, \_\_\_\_\_ acting as valuers on behalf of the  
 lessee of the run called \_\_\_\_\_, and \_\_\_\_\_ the  
 Commissioner of Crown Lands, acting on behalf of the Crown, under the provisions  
 of the Act 33 Victoria, No. 10, do hereby certify that we have appointed  
 to act as umpire in the appraisement of the annual rent for the said run,

and that having failed to agree to an appraisement of the rent for the reasons stated in the accompanying documents, numbered respectively \_\_\_\_\_, do accordingly refer the matter at issue for the decision of the said umpire.

The maximum rent agreed to by the valuer for the lessee being £ \_\_\_\_\_ per annum, and the minimum rent claimed by the valuer on behalf of the Crown being £ \_\_\_\_\_ per annum.

Given under our hands at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 18 .

[Signature.]  
[Signature.]

E.

*Certificate of valuation by umpire.*

District of \_\_\_\_\_  
Name of Run : \_\_\_\_\_  
Claimant of Lease : \_\_\_\_\_

I, the undersigned, \_\_\_\_\_, having been appointed umpire to appraise the rent of the run called \_\_\_\_\_, under the provisions of the Act 33 Victoria, No. 10, do hereby certify that I assess the area, grazing capabilities, and special advantages of the said run as follows:—

Area of Run,	square miles.	...	...	...
Grazing capabilities—	{ Sheep	...	...	...
	{ Cattle	...	...	...
Appraised rental	...	...	...	£
Special advantages of the run	...	...	...	...
Total	...	...	...	£

And I do accordingly appraise the rent at \_\_\_\_\_ pounds \_\_\_\_\_ shillings and \_\_\_\_\_ pence per annum.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 18 .

F.

*Appointment of valuer by commissioner.*

District of \_\_\_\_\_  
Name of Run : \_\_\_\_\_  
Claimant of Lease : \_\_\_\_\_

WHEREAS the lessee of the run named \_\_\_\_\_ has failed to appoint a valuer to appraise the rent to be paid for a renewed lease thereof, under the provisions of the Act 33 Victoria, No. 10: Now, therefore, I, \_\_\_\_\_, do the Commissioner of Crown Lands for the district of \_\_\_\_\_, do appoint \_\_\_\_\_ to act as valuer on behalf of the lessee of the said run.

Given under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 18 .  
Commissioner of Crown Lands.

G.

*Appointment of umpire by the Governor.*

District of \_\_\_\_\_  
Name of Run : \_\_\_\_\_  
Claimant of Lease : \_\_\_\_\_

WHEREAS the lessee of the run called \_\_\_\_\_ has applied for a renewed lease thereof, under the provisions of the Act 33 Victoria, No. 10, and the

arbitrators appointed to assess the rent to be reserved under said lease have failed to agree in the choice of an umpire: His Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint \_\_\_\_\_ to act as umpire in the appraisal of the rent of said run, in accordance with the provisions of the said Act.

By His Excellency's Command,

Department of Public Lands,  
Brisbane, \_\_\_\_\_, 18 .

H.

*Declaration of quantity of stock.*

District of \_\_\_\_\_  
Name of Run: \_\_\_\_\_  
Claimant of Lease: \_\_\_\_\_

I, \_\_\_\_\_, being the manager for the lessee of the run called \_\_\_\_\_, in the district of \_\_\_\_\_, do solemnly and sincerely declare that, to the best of my knowledge and belief, the average number of sheep and cattle depastured on the said run, during the period from the \_\_\_\_\_ to the \_\_\_\_\_ has been \_\_\_\_\_ sheep and \_\_\_\_\_ cattle.

[Signature.]

Declared before me, this \_\_\_\_\_ day of \_\_\_\_\_, 18 . J.P.

I.

*Declaration made by the arbitrator, appraiser, or umpire, in the assessment of rent for the run or sections known as*

I, \_\_\_\_\_ do solemnly and sincerely declare that I have no pecuniary or other interest, either directly or indirectly, in the matter in question; that I will faithfully and honestly, and to the best of my skill and ability, hear and determine the matters referred to me, under the provisions of "The Pastoral Leases Act of 1869."

Made and subscribed this \_\_\_\_\_ day of \_\_\_\_\_, in the presence of \_\_\_\_\_ J.P.

REGULATION.

QUEENSLAND, } Proclamation by His Excellency WILLIAM WELLINGTON  
TO WIT. } CAIRNS, Esquire, Companion of the Most Distinguished  
[L.S.] } Order of St. Michael and St. George, Governor and Com-  
W. W. CAIRNS, } mander-in-Chief of the Colony of Queensland and its  
Governor. } Dependencies.

IN pursuance of the authority in me vested, and in accordance with the provisions of "The Pastoral Leases Act of 1869," I WILLIAM WELLINGTON CAIRNS, Esquire, the Governor aforesaid, with the advice of the Executive Council, do hereby notify and proclaim that the following Regulation, governing the mode of serving notices upon lessees of runs, has been established under said Act.

REGULATION.

*Mode of serving notices upon lessees of runs.*

All notices required or authorised to be given to lessees of runs, under "The Pastoral Leases Act of 1869," may be served by posting the same in a registered letter duly stamped, and addressed to the lessee of the run at the run, or at the principal house on the station of which the run forms part, or at the lessee's usual place of residence or business within the colony.

Given under my hand and seal, at Government House, Brisbane, this twenty-fourth day of September, in the year of our Lord one thousand eight hundred and seventy-five, and in the thirty-ninth year of Her Majesty's reign.

By Command,  
WILLIAM FRYAR.

GOD SAVE THE QUEEN!

PROCLAMATION.

By His Excellency Sir ARTHUR EDWARD KENNEDY, Knight Commander of the Most Distinguished Order of St. Michael and St. George, Companion of the Most Honourable Order of the Bath, Administrator of the Government of the Colony of Queensland and its Dependencies.

[L.S.]  
A. E. KENNEDY,  
Administrator.

IN pursuance of the power in me vested, I, the Administrator aforesaid, with the advice of the Executive Council, do, by this my proclamation, notify and proclaim that the following Regulation has been established under the provisions of "The Pastoral Leases Act of 1869."

REGULATION.

The lessee of any run who may apply to make pre-emptive selections, under the provisions of section 54 of "The Pastoral Leases Act of 1869," shall, upon demand, pay a deposit of ten per centum of the purchase money, and upon further demand, on completion of the survey of the boundaries of the land selected, shall pay the balance of the purchase money, together with the Deed, Survey, and Assurance Fees, prescribed by "The Crown Lands Alienation Act of 1876." Provided that in the event of the said lessee failing to pay the deposit or balance as aforesaid, within a period of one month from the date of demand, this application to select shall lapse, and all the expenses incurred in surveying the land applied for, or otherwise, in consequence of the application, shall be deducted from the deposit made thereon.

Given under my hand and seal, at Government House, Brisbane, this fourth day of June, in the year of our Lord one thousand eight hundred and seventy-seven, and in the fortieth year of Her Majesty's reign.

By Command,  
JOHN DOUGLAS.

GOD SAVE THE QUEEN!

By Authority: JAMES C. BEAL, Government Printer, William street, Brisbane.

CROWN LANDS ACT OF 1884 AMENDMENT  
ACT OF 1885.

49 VICTORIÆ, No. 7.

49 VICTORIA, No. 7. *An Act to Amend "The Crown Lands Act of 1884" with respect to the Selection of Land before Survey and in other respects.*

[Assented to 4th September, 1885.]

Preamble.

**W**HEREAS it is desirable to amend "*The Crown Lands Act of 1884*" in certain particulars: Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act shall be read and construed with, and as an amendment of "*The Crown Lands Act of 1884*" hereinafter called "*The Principal Act*," and may be cited as "*The Crown Lands Act of 1884 Amendment Act of 1885*."

Power to suspend operation of s. 43<sup>2</sup> of "*Crown Lands Act of 1884*."

2. The Governor in Council, on the recommendation of the Land Board, may suspend the operation of the forty-third section of the Principal Act with respect to any land situated in any of the districts specified in the Schedule hereto which did not at the commencement of the Principal Act form part of a Run, and which had, before the commencement of that Act, been open to selection under "*The Crown Lands Alienation Act of 1876*." And thereupon the following provisions shall have effect:—

(1.) Any application to select any of such land must give a clear description of the locality and

boundaries of the land applied for, and must state whether it is already surveyed or is unsurveyed.

Selections must be marked.

- (2.) Every selection applied for must, before the application is lodged, be marked at the starting point of the description by a marked tree or post at least three feet out of the ground and six inches in diameter, and such tree or post must be maintained until the boundaries of the land have been surveyed.

A statement that the marking has been duly effected must accompany the application.

- (3.) In Agricultural Areas, the boundaries not having frontage to roads or natural features must be rectangular and be directed to the cardinal points, unless any other general bearings are adopted for that portion of country.

Selector may employ a licensed surveyor.

- (4.) If any selection of unsurveyed lands is not surveyed by the Minister within three months from the date of the approval of the application by the Commissioner, the selector may apply to the Minister for a refundment of the survey fee, and, if the survey is not made within two months from the date of such application, may employ a licensed surveyor to effect the survey at the cost of such selector, and on such survey being made and approved by the Board the survey fee shall be refunded to the selector.

- (5.) If upon the survey it appears that, by reason of a prior application or any other reason, the applicant cannot obtain the whole of the land applied for, he may abandon the application and demand back the deposit of the first year's rent and the survey fee.

(6.) If for any other reason the applicant wishes not to proceed with the application, he may demand and receive back the deposit of the first year's rent less twenty per centum thereof, but shall not receive back the survey fee.

(7.) The approval of the application by the Commissioner shall not be confirmed by the Board until the land has been surveyed.

Notice of confirmation to be given to selector.

(8.) When a selection has been surveyed and the Board has confirmed the approval of the Commissioner, notice of such confirmation shall be given to the selector, as provided by the fifty-first section of the Principal Act.

On confirmation license to issue.

(9.) When the application has been confirmed by the Board, and the applicant has paid the value of the improvements on the land (if any), he shall be entitled to receive from the Commissioner a license to occupy the land comprised in the application according to the boundaries as defined by the survey.

(10.) In other respects the provisions of the Principal Act shall be applicable.

Conditions of occupation dispensed with in certain cases.

**3.** When any selector of land under the provisions of "*The Crown Lands Alienation Act of 1876*," who resides personally and *bonâ fide* thereon, or any owner in fee of land which, if it had not been alienated from the Crown, would be country land, who resides personally and *bonâ fide* thereon, selects under Part IV. of "*The Crown Lands Act of 1884*" other country land adjoining the land whereon he so resides, he shall in such case, but for so long only as he continuously and *bonâ fide* resides on either portion of land, be exempt from performance of the condition of occupation in respect of the other.

Provided that such exemption shall not extend to any selections of greater area in the aggregate than the maximum area allowed to be selected by one person in the district, inclusive of the land whereon the selector resides.

Not to enable acquisition of homestead without residence.

4. The provisions of the last preceding section shall not enable a selector to obtain a Deed of Grant under the provisions of the seventy-fourth section of the Principal Act, unless the condition of occupation is performed in the manner by that section prescribed.

Amendment of subsection (4) of section 74 of Principal Act.

5. Notwithstanding the provisions of the fourth sub-section of the seventy-fourth section of the Principal Act, a lessee of two or more contiguous Agricultural Farms, the aggregate area whereof does not exceed one hundred and sixty acres, and who is not, and has not been during the term of the lease of any of the Farms, the lessee of any other contiguous Agricultural Farm, may take advantage of the provisions of that section in respect of any or all of such Farms: Provided that the conditions of the said seventy-fourth section are fulfilled in all other respects.

When a lessee of an Agricultural Farm has at any time during the term of the lease been the lessee of another contiguous Agricultural Farm or other contiguous Agricultural Farms the aggregate area whereof, including the first-mentioned Farm, exceeds one hundred and sixty acres, he shall not be entitled to take advantage of the provisions of that section in respect of any of the Farms.

Declaration of rights of selectors of Agricultural Farms of 160 acres.

6. And whereas doubts have arisen as to the total amount which may become payable as rent by a lessee of an Agricultural Farm the area whereof does not exceed one hundred and sixty acres, who becomes

entitled to a Deed of Grant of the land in fee-simple under the provisions of the seventy-fourth section of the Principal Act: Be it declared and enacted as follows—

If the amount paid by any such lessee as rent in respect of the Farm for the five years preceding the time when he so becomes entitled to a Deed of Grant exceeds a sum equal to two shillings and sixpence per acre of the land comprised in the Farm, the lessee shall be entitled to have returned to him a sum equal to the difference between the sum so paid and a sum equal to two shillings and sixpence per acre.

THE SCHEDULE.

The Land Agents' Districts of Beenleigh, Brisbane, Ipswich, Toowoomba, Warwick, Gympie, Maryborough, Bundaberg, Gladstone, and Rockhampton.

C. F. BUTTICK

THE SCHEDULE

REGULATIONS UNDER THE CROWN LANDS ACT OF 1884.

1. These Regulations relate only to land open to selection before survey.
2. Applications which do not give a full description of the locality and boundaries of the land applied for will be rejected by the Commissioner.
3. Applications for selection of land under the provisions of section 2 of the Act mentioned in the first section of this Act shall be received by the Commissioner at the following times and places, and when the survey of the land applied for is completed, the application will be required to pay the amount of the rent as the case may be, and an amount as will be entitled to receive as the case may be, such amount as will be the difference, if any, between the amount so paid provisionally and the actual cost of survey of the land.

entitled to a Deed of Grant of the land in the sample under the provisions of the seventy-fourth section of the Principal Act. It is hereby enacted and ordered as follows:—

## REGULATIONS.

### PROCLAMATION.

By His Excellency Sir ANTHONY MUSGRAVE, Knight Grand Cross of the [L.S.] Most Distinguished Order of St. Michael and St. George, A. MUSGRAVE, Governor and Commander-in-Chief of the Colony of *Governor.* Queensland and its Dependencies.

**I**N pursuance and execution of all powers and authorities in me vested under the provisions of "*The Crown Lands Act of 1884*," I, Sir ANTHONY MUSGRAVE, the Governor aforesaid, by and with the advice of the Executive Council, do hereby make and establish the Regulations set forth in the Schedule to this Proclamation, whereof all persons concerned are to take notice and govern themselves accordingly.

Given under my Hand and Seal, at Government House, Brisbane, this thirtieth day of October, in the year of our Lord one thousand eight hundred and eighty-five, and in the forty-ninth year of Her Majesty's reign.

By Command,

C. B. DUTTON.

GOD SAVE THE QUEEN !

### THE SCHEDULE.

REGULATIONS UNDER "*THE CROWN LANDS ACT OF 1884*."

1. These Regulations relate only to land open to selection before survey, under the provisions of the second section of "*The Crown Lands Act of 1884 Amendment Act of 1885*."

2. Applications which do not give a clear description of the locality and boundaries of the land applied for will be rejected by the Commissioner.

#### *Survey Fees.*

3. Applicants for Agricultural or Grazing Farms within areas proclaimed open to selection before survey under the provisions of section 2 of the lastmentioned Act will be required to pay provisional survey fees according to the following scale; and when the survey of the boundaries of the land applied for is completed, the applicants will be required to pay, or will be entitled to receive, as the case may be, such amount as will make up the difference, if any, between the amount so fixed provisionally and the actual cost of survey of the land.

SCALE.

Acreage.		Rate.
	Not exceeding 30 acres	£ s. d.
30 acres and	40	3 3 0
40 "	60	3 13 6
60 "	80	4 7 0
80 "	120	4 16 6
120 "	160	5 17 6
160 "	240	6 13 0
240 "	320	7 7 6
320 "	480	7 18 0
480 "	640	8 18 0
640 "	960	10 1 0
960 "	1,280	12 10 0
1,280 "	1,280	14 16 0
2,560 "	2,560	16 4 0
2,560 "	5,120	22 10 0
5,120 "	10,000	31 0 0
10,000 "	15,000	37 15 0
15,000 "	20,000	43 10 0

*Improvements.*

4. If any improvements are situated upon the land applied for, the applicant must specify in his application the nature and estimated value of the improvements. If the value has been notified in the Proclamation by which the land was declared open to selection, that value must be stated in the application.

*Forms.*

5. The Forms in the Schedule to these Regulations shall be used for the purposes to which they are respectively applicable.

THE SCHEDULE.

E 1.

No.

District of  
Maximum Area

"THE CROWN LANDS ACT OF 1884."

*Application to select an Agricultural Farm before Survey.*

Received this            day of            188 , at            o'clock.

Land Agent at

I,\*            , do hereby apply to become the Lessee of the Crown lands described in the Schedule annexed, as an Agricultural Farm, which lands are now open to selection before survey under the provisions of "*The Crown Lands Act of 1884 Amendment Act of 1885*," and I hereby tender the sum of            pounds shillings and            pence, as the first year's Rent, together with the Provisional Survey Fee prescribed by the Regulations. I have marked the starting point of the description of the land as required by the Act. I am of the full age of eighteen years. I select the land for my own use, and not as the agent or trustee or servant of or for any other person. And the said land, together with

\* Insert the Christian and Surname at full length.

all other land now held by me as agricultural farms, under the said Act, in the same District, does not exceed \_\_\_\_\_ acres, nor one thousand two hundred and eighty acres in the colony.

(Signature)

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 188 .

Area of Land applied for.								Rent per Acre.	Deposit.		
Acres.	Roods.		Perches.						£	s.	d.
Survey Fee	...	...	...	...	...	...	...				
TOTAL	...	...	...	...	...	...	...	£			

Received from \_\_\_\_\_ the sum of \_\_\_\_\_ pounds \_\_\_\_\_ shillings and \_\_\_\_\_ pence, as the Rent of the above land and Provisional Survey Fee.

Land Agent.

SCHEDULE TO APPLICATION.

Date of Proclamation :  
 Folio in Gazette :  
 No. of Acres in Selection :  
 County :  
 Parish or Place :  
 Nature and Value of Improvements :  
 Particulars of other Selections held or applied for by Applicant :

DESCRIPTION OF LAND :

(Stating whether it has been surveyed or is unsurveyed.)

F 1.

No.

District of  
 Maximum Area

“THE CROWN LANDS ACT OF 1884.”

Application to select a Grazing Farm before Survey.

Received this \_\_\_\_\_ day \_\_\_\_\_ 188 , at \_\_\_\_\_ o'clock.

Land Agent at

I,\* \_\_\_\_\_ of \_\_\_\_\_ do hereby apply to become the Lessee of the Crown Lands described in the Schedule annexed as a Grazing Farm, which lands are now open to selection before survey under the provisions of “The Crown Lands Act of 1884 Amendment Act of 1885”; and I hereby tender the sum of \_\_\_\_\_ pounds \_\_\_\_\_ shillings and \_\_\_\_\_ pence, as the first year’s Rent, together with the Provisional Survey Fee prescribed by the Regulations. I have marked the starting point of the description of the land as required by the Act. I am of the full age of eighteen years. I select the land for

\* Insert the Christian and Surname at full length.



my own use, and not as the agent or trustee or servant of or for any other person  
My interest in land in the same district is at present as follows, viz. :—

Area held by me as Grazing Farms	Ac
Area of freehold land in which I am beneficially interested	...
Extent of Interest	...
Area held by me under Part III. of "The Crown Lands Act of 1884"	...
Area held by me under pastoral lease under any of the Acts repealed by "The Crown Lands Act of 1884"	...

I am not the holder of any run within twenty-five miles of the Farm now applied for.

I do not hold in the Colony of Queensland any Grazing Farms, the area of which, together with that of the Farm now applied for, exceeds twenty thousand acres. And I am not in any other manner legally disqualified from making this application.

(Signature)

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 188 .

Area of Land applied for.	Rent per Acre.	Deposit.		
Acres.		£	s.	d.
Survey Fee				
TOTAL	£			

Received from \_\_\_\_\_ the sum of \_\_\_\_\_ pounds \_\_\_\_\_ shillings \_\_\_\_\_ pence, as the Rent of the above land and Provisional Survey Fee.  
Land Agent.

SCHEDULE TO APPLICATION.

- Date of Proclamation :
- Folio in *Gazette* :
- No. of Acres :
- County :
- Parish or Place :
- Nature and Value of Improvements :
- Particulars of other Selections held or applied for by Applicant :

DESCRIPTION OF LAND :

(Stating whether it has been surveyed or is unsurveyed.)





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The Crown Lands Act of 1884  
(48 Victoriae No. 28), and  
the Crown Lands Act of 1884  
Amendment Act of 1885 (49  
Victoriae No. 7

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