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OF  
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No. 729.—C.S.O.

**PROCLAMATION**

WESTERN AUSTRALIA, }  
to wit. }  
(L.S.)  
WILLIAM C. F. ROBINSON,  
Governor.

By His Excellency SIR WILLIAM CLEAVER FRANCIS ROBINSON, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the territory of Western Australia and its Dependencies, &c., &c., &c.

WHEREAS, by an Act of the Imperial Parliament of Great Britain, passed in the 18th and 19th years of the reign of Her present Majesty, intituled "An Act to repeal the Acts of Parliament now in force respecting the disposal of the Waste Lands of the Crown in the Australian Colonies, and to make other provisions in lieu thereof";—it is provided that it shall be lawful for Her Majesty, by instructions under Her Signet and Sign Manual, or through one of Her Principal Secretaries of State, to regulate the Sale, Letting, Disposal, and Occupation of Waste Lands of the Crown in Western Australia, and the disposal of the proceeds arising therefrom, until Parliament shall otherwise provide; AND WHEREAS Her Majesty's Principal Secretary of State for the Colonies has authorised and instructed me to publish the following Regulations for the Sale, Letting, Disposal, and Occupation of the Waste Lands of the Crown in the Kimberley District, within the said Colony; Now THEREFORE I, the said Governor, pursuant to the authority vested in me in that behalf, do hereby proclaim and issue the following Regulations, to take effect on and after the 29th November, 1880.

Given under my hand and issued under the Public Seal of the said Colony, this twenty-ninth day of November, One thousand eight hundred and eighty.

By His Excellency's Command,  
GIFFORD,  
Colonial Secretary.

GOD SAVE THE QUEEN!!!

**LAND REGULATIONS**  
FOR THE  
**KIMBERLEY DISTRICT.**

1.—All that portion of the territory of Western Australia lying to the North of the parallel of 19° 30' South Latitude shall henceforth be designated and known as "The Kimberley District." The Southern boundary of the Kimberley District shall henceforth be the North boundary of the Northern District of Western Australia.

*Except where herein altered, present Regulations to apply.*

2.—Except as herein is specially provided, the Land Regulations of the fourteenth of September, one thousand eight hundred and seventy-eight, shall apply to the Waste Lands of the Crown in the Kimberley District.

**AS TO FREEHOLD LANDS.**

*Price and area of Freehold Sections. Mode of Sale.*

3.—The minimum price of Rural and Suburban Land in fee simple shall be ten shillings per acre. The minimum area of Rural Sections shall be two hundred acres. Sections of less area when so shut in by private lands or other bounds as not to contain two hundred acres

may be purchased in fee simple at a price not less than ten shillings per acre; and all such land may be sold by auction or private contract as the Governor in Council may from time to time approve.

*Shape.*

4.—Rural Sections shall, if possible, be right-angled parallelograms, with a frontage on a lake, river, or main stream not exceeding one-third of the average depth.

*Applications for Purchase. Expenses of Survey. Boundaries.*

5.—The application for the purchase of any such land in fee simple shall be accompanied in each case with a sketch of the boundaries, which shall be fixed, wherever possible, with reference to some natural or permanent artificial object, and also showing the position of the land with reference to any lake, river, or main stream, and also to land held by or in the occupation of any other person; and also showing all permanent water holes and springs within its area. Such applications may be made at any time before a permanent survey shall have been made by the Crown. The expenses of survey shall in all cases be borne by the applicant, and in the event of his becoming the purchaser be repaid to him by the Crown, at rates to be fixed by the Surveyor General, or his deputy in the District, but not exceeding in any case one-half the amount of the purchase money. And the boundaries of lands fronting on lakes, rivers, and main streams shall be limited in every case where possible by straight lines, which shall be plainly marked on the ground by Surveyors.

6.—Access to water holes and springs on such land, with roads leading thereto, may be provided for in the deed of grant. If at any time after these Regulations shall come into force, any portion of such land may be deemed by the Governor in Council necessary to resume for the purpose of being included within the limits of a township, such land may be resumed for that purpose, and notice thereof shall be published in the *Government Gazette*. Upon such resumption the owner of such land shall be compensated for such resumption, either by a grant of the fee simple of land in the District equal in area to that resumed, or to a refund of the original price of the resumed portion. And in the event of any improvements having been made on the resumed portion he shall be entitled to compensation, to be assessed in manner provided by section 59 of the Land Regulations of the fourteenth day of September, one thousand eight hundred and seventy-eight.

*Bonus on Products.*

7.—If at any time within one year from the date when these Regulations shall come into force any one person, firm, or company shall apply for the purchase in fee simple of land in the District, and at the same time notify his intention of growing thereon tea, sugar, coffee, rice, cotton, tobacco, or any other merchantable tropical or semi-tropical product, and such person, firm, or company shall, within five years from the date of such application being approved, prove to the satisfaction of the Governor in Executive Council, or officer appointed on that behalf, that such products or any of them have been grown on such land, in any one year, and exported from the District, and have been sold for a sum not less than five hundred pounds, he or they shall be entitled to have from the Crown a grant of the fee simple of five hundred acres of rural land, to be selected in the first instance in immediate contiguity to the land on which such products shall have been grown, and if there shall be no such land, then from any rural land in the district. Such selections shall be made within three calendar months after such satisfaction of the Governor in Council shall have been notified in the *Government Gazette*.

*Preferential Bonus.*

8.—The first two several persons, firms, or companies who shall prove that he or they respectively has or have effected such sales in manner aforesaid, shall be each entitled to a similar grant of one thousand acres.

AS TO LEASEHOLDERS.

*Leases of Pastoral Lands.*

9.—Leases of blocks of Pastoral Land shall be in the form shown in the Schedule hereto; and, unless with the special permission of the Governor in Executive Council, shall not contain less than fifty thousand acres when on a frontage nor less than twenty thousand acres when any part of its boundary shall not be on a frontage; and shall be held for a term not extending beyond the thirty-first day of December, one thousand eight hundred and ninety-three. The Lessee of any frontage block may, with the approval of the Governor in Executive Council, obtain a lease of any contiguous Pastoral Land, to the extent of not less than ten thousand acres, on the same conditions and for the same term as his original block.

*Frontage Blocks. Boundaries.*

10.—A frontage block shall be such as has its lesser boundary on a lake, river or main stream, or other water channel, or on an estuary or the sea shore. Its boundaries shall be rectangular so far as the area and the shape of the land allows, and its mean depth shall not be less than three times its mean breadth.

*No pre-emptive rights.*

11.—No Lessee shall have any pre-emptive right of purchase, but he, his allowed assigns, or under-tenants shall be entitled to claim the fair value of any lawful improvements on the land, as is provided by the General Regulations with reference to first class pasture lands in the events therein specified.

*Rental.*

12.—The minimum rental of all pastoral lands within the Kimberley District shall be ten shillings per annum for every one thousand acres and fraction of one thousand acres payable in advance. And every lease shall be subject to the condition, whether expressed in the instrument of lease or not, that before the expiration of the second year of the term the land comprised therein shall have on it at the rate of at least two head of large stock or twenty sheep, the actual property of the Lessee, for every one thousand acres, and that such proportion of stock and sheep shall not be diminished during the said term, and that in default the said lease shall be thereby absolutely forfeited to the Crown, and such forfeiture shall be forthwith notified in the *Government Gazette*, whereupon the land comprised in such lease shall be open for selection.

*Returns of Stock.*

13.—Every tenant shall make and send yearly, to the officer named by the Governor for such purpose, a return verified by declaration under the 18th Victoria, No. 12, of all cattle, horses, and sheep, and other stock his property, depasturing on his Pastoral Land, with a full description thereof, including ownership and brands; and any person making a false return shall forfeit all his Pastoral Lands in the District, and be debarred from having any further application approved for such land.

*No assignment or sub-letting, except with consent.*

14.—No Lessee shall assign or sub-let the whole or any portion of his land to any person or persons without the consent in writing thereto endorsed on the Lease by the Commissioner of Lands, or his Deputy for the District, for which consent a fee of ten shillings shall in each case be payable.

GENERAL, AND AS TO RESERVATIONS.

*Grants of Fee-simple reserve metals, jewels, &c., Governor may exempt any such from such reservation, and make regulations.*

15.—In addition to the powers of resumption by the Crown of land for public purposes, and of cutting and taking away indigenous timber, and of searching and digging for building and repairing materials, and to the reservation of mines of gold, silver, and other precious metals in and under lands to be granted by the Crown, with all rights of entry, the Governor in Council may, from time to time, by order under his hand, direct whether any of the precious metals existing in the form of alluvial deposits, or any inferior metals, or any gems or jewels, shall be in like manner reserved to the Crown, in which case the forms of Deeds of Grant will be modified accordingly. The Governor in Council may also grant licenses from time to time to any person or persons on such terms and conditions as may be deemed sufficient, as well for the purposes of such Licensee as for the protection of the interests of the owner or occupant of the land to be entered on, to enter on any lands, freehold or leasehold, to stay on and examine the said land, and to search, dig for, and carry away such metals, gems, or jewels; and the Governor in Council may also in like manner sell by auction or private contract, in whole or in part, the subject of any reservation not being gold or silver.

*Names of Lessees to be published in "Government Gazette."*

16.—The names of Lessees and a description of their lands shall be from time to time notified in the *Government Gazette* as soon as practicable after the approval of applications.

*Governor in Council may prescribe forms of Deeds, &c.*

17.—The Governor in Council may from time to time, by order under his hand, to be published in the *Government Gazette*, prescribe the forms of deeds of sale and leasing, or other instruments requisite for carrying into effect the above regulations; and also by like order regulate the cutting and disposal of timber, and other trees, shrubs, and plants, whether for internal consumption, or for exportation, living or dead, being or growing on the lands in the District held otherwise than in fee simple.

PASTORAL LEASE, No.

FIRST CLASS.

DISTRICT OF KIMBERLEY, WESTERN AUSTRALIA.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., &c. To all to whom these presents shall come, GREETING: Know Ye that We, of Our especial Grace, and in consideration of the sum of \_\_\_\_\_ to our Collector of Revenue for the Colony of Western Australia, already paid by \_\_\_\_\_ in the said Colony, the Lessee in these Premises, and also in consideration of the rents hereinafter reserved on the part of the said Lessee, h Executors, Administrators, and allowed assigns to be paid, and in exercise of the powers in this behalf to Us given by an Act of the Imperial Parliament, intituled "An Act to repeal the Acts of Parliament now in force respecting the disposal of the "Waste Lands of the Crown in the Australian Colonies, and "to make other provisions in lieu thereof," and by certain Regulations for the sale, letting, disposal, and occupation of the Waste Lands of the Crown within the said Colony, proclaimed and published by Our Governor of Our said Colony, made in pursuance of the provisions of the said Imperial Act, do by these Presents demise and lease unto the said Lessee, ALL THAT piece or parcel of land described in the Schedule hereunder written, with the appurtenances; EXCEPT and always reserved to Us, Our Heirs and Successors, full power during the term hereby granted, from time to time to sell to any person or persons all or any unsold portion of the said demised Premises, subject to any claim for improvements that may be lawfully made in pursuance of the said Regulations; also full power and absolute authority, at any time during the continuance of this demise, to make grants or sales

of all or any part or parts of the said demised premises for public purposes, and also to except from sale, and reserve to Us, Our Heirs and Successors, or to resume and enter upon or dispose of in such other manner as for the public interest to Us, Our Heirs and Successors, may seem best, such part or parts of the said demised Premises as may be required for Public roads, or other internal communications by land or water, or for the use and benefit of the Aboriginal inhabitants of the Country, or for purposes of Military defence, or as the sites of places of public worship, schools, or parsonages, or other public buildings, or as places for the interment of the dead, or places for the recreation and amusement of the inhabitants of any town or village, or as the sites of public quays or landing places on the sea coast or shores of navigable streams, or for the construction of railways or railway stations, or for the purpose of sinking shafts, and digging for gems and jewels, and for coal, iron, copper, lead, or other minerals and metals, or for any other purposes of public defence, safety, utility, convenience, or enjoyment, or for otherwise facilitating the improvement and settlement of the Colony; and also permanently or for temporary use to lay out, declare open, and make public roads into, through, and out of or over any part of the said demised Premises; with liberty to Ourselves, Our servants, agents, and workmen, to enter upon the said demised Premises, and dig for, quarry, and take away any indigenous produce, rock, soil, or other material required for public purposes; and to fell, cut, and remove all or any timber, sandalwood, or other woods growing or being thereon, and to issue licenses to any person or persons, authorising him or them to cut, remove, and cart away the same, with full and free liberty to such licensed persons, at all reasonable times, of ingress, egress, and regress, for such purposes; also to sell any mineral land comprised within the said demised Premises; and subject to any rights of the Lessee aforesaid, to license to occupy, or to sell any other portion of the said premises at any time, and with a right of immediate entry; also to depasture on the unenclosed or enclosed but otherwise unimproved portions of the said demised Premises, any horses or cattle in the employment of the Government, working on or passing over the said demised Premises; also for any person or persons to enter, pass over, through and out of any such part of the said demised Premises, while passing from one part of the country to another, with or without horses, stock, teams, or other conveyances, on all necessary occasions; and full right to the Aboriginal natives of the said Colony at all times to enter upon any unenclosed or enclosed but otherwise unimproved part of the said demised Premises for the purpose of seeking their subsistence therefrom in their accustomed manner; and also full right to any person or persons to enter on any part of the said demised Premises to examine the mineral capabilities thereof, and to do all things necessary for the purpose of effectually making such examination, but paying, nevertheless, full compensation for any damage arising therefrom. TO HAVE AND TO HOLD the Premises hereby demised (except as aforesaid, and subject to the powers, reservations, and conditions herein and in the said Regulations contained, and with all the rights, powers, and privileges conferred by such of the said Regulations as are applicable hereto), unto the said Lessee, h Executors, Administrators, and allowed assigns, for the term of \_\_\_\_\_ 18 \_\_\_\_\_ to be computed from the first day of \_\_\_\_\_ for the same, always in advance, during the said term, unto Us, Our Heirs and Successors, on or before the first day of March in each year, without deduction, except such deduction as the said Lessee, h Executors, Administrators, or allowed assigns may be entitled to under the present existing or any future Land Regulations; the first of such annual payments to be made on or before the first day of March next, and all of such annual payments to be made to the Collector of Revenue of Our said Colony, at Perth, or to the Sub-Collector of Revenue residing nearest to the said demised Premises. Provided, nevertheless, and it is hereby declared, that if the said rent be not paid in advance as aforesaid, on or before the first day of March in each and every year, then, and in all or any of such cases, these presents shall become void, and the term hereby granted shall be absolutely and indefeasibly forfeited; and it shall thereupon be lawful for Us, Our Heirs and Successors, into and upon the said demised Premises, or any part thereof in the name of the whole, to re-enter, and the same to have again, repossess, and enjoy, as if this deed-poll had never been executed, without making any compensation to the said Lessee, h Executors, or allowed assigns. Provided that the said Lessee, h Executors, Administrators, or allowed assigns, may at all times during this demise, on any part of the said demised Premises, fell, cut, and use any timber for h domestic and farm purposes, or for the construction of any buildings, fences, stockyards, or other improvements, and use any other materials for the like purposes, but so, nevertheless, that the said Lessee, h Executors, Administrators, and allowed assigns shall not sell the said timber or material, or use the same, or suffer it to be used, except on the said demised Premises. Provided, and it is hereby declared, that the term hereby demised shall not be transfer-

able without the written approval of Our Commissioner of Crown Lands, and unless such transfer, when so approved, shall be made in the form endorsed on these presents; and that any transfer made or attempted to be made, without such consent, or in any other form than last aforesaid, shall be altogether inoperative at law and in equity, and shall not confer any right or interest to or in the said demised Premises upon the transferee. And that We, Our Heirs and Successors, are not, nor shall be liable or responsible for any error in the descriptive boundaries or quantity of land hereby demised, or in respect of any claims which may be set up by any other person or persons to any part or parts of the said demised Premises. Provided, lastly, and it is hereby declared, that We, Our Heirs or Successors, shall not be liable to compensate the said Lessee, his Executors, Administrators, or allowed assigns, for any loss or damage arising from the exercise of all or any of the powers or rights hereby reserved to Us, Our Heirs and Successors, save and except in so far as the same may be provided for by the said Regulations.

SCHEDULE HEREIN REFERRED TO.

In witness whereof We have caused Our Commissioner of Lands to affix hereto his seal, and set his hand, this  
 day of 18  
 .....Commissioner of Crown Lands.

FORM OF TRANSFER.

I hereby transfer all my right, title, and interest in Pastoral Lease No. of acres in the District of Western Australia, to  
 Dated this day of 18  
 Witness.....  
 Signature.....  
 Received the Fee of Ten shillings on this Transfer.  
 .....Commissioner of Crown Lands.  
 I approve the said Transfer.  
 .....Commissioner of Crown Lands.

NOTICE.

Pastoral and Agricultural Lands,  
 Kimberley District.

Crown Lands' Office,

Perth, 30th October, 1880.

APPLICATIONS for Purchase or Lease of the Waste Lands in the Kimberley District will be received at the Survey Office, Perth, from and after the present date.

Applications to be forwarded in a sealed envelope marked on the outside, *Application for Land in Kimberley District.*

On the 1st February, 1881, all applications that have been received will be opened and considered by the Government, and the land allotted under the Regulations.

In the event of two or more applications being for the same land the decision will be by *Ballot*, conducted in the Survey Department.

Forms of Applications will be the same as for Second Class Lands, and can be obtained at the Survey Office, Perth, and at the Offices of the Resident Magistrates, or can be forwarded on ordinary foolscap.

*Each application* must be accompanied with the usual fee of two shillings and sixpence.

JOHN FORREST,

Acting for the Commissioner of Crown Lands.