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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 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 Wednesday next, the 11th day of October, 1882.

Given under my hand, and issued under the Public Seal of the said Colony,
this 7th day of October, One thousand eight hundred and eighty-two.

By His Excellency’s Command,

GIFFORD,

Colonial Secretary.

GOD SAVE THE QUEEN!!!

LAND REGULATIONS OF WESTERN AUSTRALIA.

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R E G U L A T I O N S .

Former regu-
lations
revoked.

Saving exist-
ing rights.

1. THE Regulations proclaimed on the 14th of September, 1878, and all other Regulations heretofore in force affecting the waste lands of the Crown in Western Australia are hereby revoked ; but nothing herein contained shall affect or be construed to affect any contracts, or to prevent the fulfilment of any promises or engagements made by or on behalf of Her Majesty, under such Regulations, with respect to any lands situate within the said Colony, in cases where such contracts, promises, or engagements have been lawfully made before the time at which these Regulations shall take effect therein.

Interpreta-
tion.

2. IN these Regulations, unless the context otherwise indicates:—

“Governor” means the officer for the time being administering the Government of the Colony of Western Australia.

“Governor in Council” means the Governor acting with the advice of the Executive Council of the Colony.

“Crown Lands” means the waste lands of the Crown within the Colony.

“Crown Grant” means a deed of grant issued in the name of Her Majesty, conveying to the grantee some portion of Crown lands in fee simple.

“Person” includes a partnership, company, or corporation.

The masculine includes the feminine, and the plural the singular.

General Administration.

The Governor
may dispose
of Crown
lands accord-
ing to the
Regulations.

3. THE Governor is authorised, in the name and on behalf of Her Majesty, to dispose of the Crown lands within the Colony in the manner and upon the conditions prescribed by these Regulations, or by any Regulations amending or substituted for the same, and all grants and other instruments disposing of any portion of Crown lands in fee simple or for any less estate made in

accordance with such regulations shall be valid and effectual in the law to transfer to and vest in possession in the purchasers the land described in such grants or other instruments for the estate or interest therein mentioned.

Effect of
instruments.

The Governor is authorised to make such grants and other instruments upon such terms and conditions as to resumption of the land or otherwise as to him shall seem fit.

4. THERE shall be a Commissioner of Crown Lands for the Colony.

Commissioner
of Crown Lands.

5. IT shall be the duty of the Commissioner of Crown Lands to superintend the preparation, custody, and delivery of Crown grants, leases, licenses, and other instruments disposing of Crown lands, except where otherwise by law provided, and subject to the provisions of any law relating thereto, and subject also to instructions from the Governor or other officer authorised in that behalf by the Governor.

His duties.

6. EVERY Crown grant signed by the Governor shall be dated on the day of signature, and sealed with the seal of the Colony, and such date shall be deemed the date of issue, and every grant shall be entered of record in the office of the Commissioner of Crown Lands and also in the office of the Registrar of Deeds.

Signature and
date of Crown
grants.

7. ALL leases, licenses, and instruments disposing of Crown lands other than Crown grants shall be signed by the Commissioner of Crown Lands, or other officer authorised in that behalf by the Governor.

Signature of
other instru-
ments.

8. 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 Crown grants, leases, licenses, and other instruments requisite for carrying these Regulations into effect.

Form of
Crown grants
and other
instruments.

Until otherwise notified, Crown grants, leases, and licenses will be issued in the forms given in the Schedules hereto, with such variations as may be necessary to meet the circumstances of any particular case. The forms given in the Schedules hereto for applications and other matters under these Regulations may be used with such variations as circumstances may render necessary in any particular case.

9. ALL expenses of the survey and management of Crown lands, or for effecting sales thereof, or otherwise for carrying these Regulations into effect, shall in the first instance be chargeable upon and be defrayed from the proceeds of the sale and occupation of such lands unless the Legislature shall make other provision for such expenses. After deducting such expenses, if chargeable, the remaining proceeds of all sales, leases, and licenses of land shall be carried to the credit of the general revenue of the Colony, until Parliament shall otherwise provide.

Expenses of
survey and
management.

10. THE Governor in Council may, from time to time, make rules, regulations, and orders for the purpose of providing for the mode in which any land or allotment shall be surveyed and boundaries adjusted, and may fix and decide upon rates of payment to be made for the work done or to be done, and may alter or amend any such rules, regulations, or orders. All such rules, regulations, or orders shall be publicly notified in the *Government Gazette*.

Rules for
survey, &c.

11. No Public Officer shall hereafter be allowed to purchase or lease Crown lands (other than town or suburban lots) without the previous permission of the Governor in writing; and no officer of the Survey Department, or Contract Surveyor shall hereafter be permitted, under any circumstances, to purchase or lease, or to acquire directly or indirectly any interest in such land.

Restrictions
upon Public
Officers
acquiring
Crown lands.

12. ALL land, of any class, except land under mineral lease, which may from time to time become forfeited, either by failure of payment of rent, or by reason of the terms and conditions as to improvements or stocking not having been complied with, shall be offered by auction for the remainder of the term

Forfeited
lands, how
dealt with.

of years for which such land may have been held, at a rental to be determined by the Commissioner of Crown Lands, and approved by the Governor, not being less than that payable thereon by the original tenant. The same public notice shall be given as for auction sales of Crown lands.

Regulations respecting Crown Grants.

13. For preparing every Crown grant there shall be charged one uniform fee of twenty shillings, and for recording there shall be charged a fee of ten shillings. Both fees are to be paid with the purchase money, or with the last payment of rent, as the case may require.

Fees on
Crown grants.

14. AFTER payment of the purchase money for any Crown land, and the fees for the deed of grant and recording, the purchaser shall receive from the Commissioner of Crown Lands a permit to occupy. The form of permit will be found in Schedule No. 3. In the event of any variance between the survey and the application in the cases specified in No. 52 of these Regulations, the permit will be amended, and the Crown grant made out in accordance therewith. In all cases the permit shall be delivered up upon receipt of a Crown grant of the land purchased.

Permit to
occupy.

15. IN any grant where the ocean, sea, or any sound, bay, or creek, or any part thereof, affected by the ebb or flow of the tide, shall be described as forming the whole or part of the boundary of the land to be granted, such boundary or part thereof shall be deemed and taken to be the line of high water mark at ordinary tides.

Boundaries,
&c.

16. THE name of the Surveyor from whose survey the plan on any grant has been made shall in every case be attached to such plan on the grant, as well as that of the Surveyor-General; but the omission of such name shall not affect the validity of the grant.

Surveyor to
sign plans.

17. IN every case where a correction of the plan on a grant is required, the expense of a new survey (if requisite) and of the correction of the grant shall be paid by the surveyor or draughtsman by whose mistake or negligence the error requiring correction was made; and the amount of such expenses may be recovered by the Commissioner of Crown Lands in any court of law having jurisdiction in respect of the amount sought to be recovered.

Expenses of
new surveys.

18. WHENEVER it shall be made to appear to the satisfaction of the Governor that any error exists in the name of any person inserted in a Crown grant as that of the intended grantee, it shall be lawful for the Governor to cancel such grant, and to issue a new grant of the land comprised in the cancelled grant in the correct name of such intended grantee. Prior to the cancellation of any such grant, a statutory declaration shall be made by the Commissioner of Crown Lands, to the effect that the name in the grant to be cancelled is erroneous, and that the correct name of the person to whom such grant was originally intended to have been and should be issued is that stated in the declaration aforesaid.

Erroneous
grants.

19. WHENEVER the name of any person not entitled to the land comprised in any Crown grant has been or hereafter may be inserted by mistake in such grant, instead of the name of the person really entitled thereto, a reconveyance of such land to Her Majesty, her heirs and successors, shall be indorsed on the grant and executed by the person to whom the land has been or may be erroneously granted. If such reconveyance cannot be obtained, a statutory declaration shall be made by the Commissioner of Crown Lands, setting forth the existence and causes of the error, the reasons wherefore the reconveyance is not obtainable, the name of the person entitled to the grant, and the nature of his title, and thereupon it shall be lawful for the Governor to cancel the erroneous grant and issue a new grant of the same land to the person entitled thereto.

Grants by
mistake, how
to be dealt
with.

20. WHENEVER it shall be made to appear to the satisfaction of the Governor that any error exists in any Crown grant in the description of the

Erroneous
descriptions.

land intended to be conveyed thereby, it shall be lawful for the Governor to cause a correct description of the said land to be indorsed on the grant or inserted in the margin thereof, and such correct description shall be signed by the Governor.

21. IN all cases of grants requiring correction, the Commissioner of Crown Lands, or other officer employed in the administration of Crown lands and the preparation of Crown grants, shall furnish such further or other evidence of the errors as the Governor may require, and the requisite correction thereof shall be signed by the Governor.

Governor to sign corrections.

22. EVERY grant on or in which any such description shall have been indorsed or inserted and signed as aforesaid, and every deed and instrument in writing containing the erroneous description founded on and executed subsequently to the date of the said grant, shall have the same force and effect as though such correct description instead of an erroneous description had been inserted in such grant, deed or instrument, before the issuing or execution thereof.

Effect of correction upon other instruments containing erroneous description.

23. THE Governor may in special cases, on the recommendation of the Commissioner of Crown Lands, in lieu of causing any erroneous Crown grant to be corrected as aforesaid, cause the same to be cancelled, and issue a new grant in lieu thereof of the land comprised in the original grant, with a correct description thereof.

New grants in lieu of erroneous grants.

24. EVERY entry in the books of the Registrar of Deeds relating to any land comprised in any grant cancelled under these Regulations shall be cancelled by writing opposite thereto or across the face thereof the words "Cancelled by authority of 'The Land Regulations of 11th October, 1882'"; and such writing shall be signed by the Registrar of Deeds; and such entry shall be thereby cancelled and thereafter be of no force or effect whatever.

Mode of cancelling entries relating to erroneous grants.

25. WITH respect to any grant cancelled under the provisions of these Regulations, on account of any error in the name of the grantee, it shall be lawful for the Registrar aforesaid, at his discretion, in lieu of cancelling the entries in his books relating to the land comprised in the grant, to correct the name of the grantee wherever it occurs in such entries, in accordance with the name in the new grant issued in lieu of the cancelled grant; and every entry so corrected shall be signed in the margin by the said Registrar with his name or initials, and shall be of the same force and effect as if it had been originally made in such corrected form.

Registrar may insert correct name of grantee.

26. EVERY cancellation of a grant under these Regulations shall be effected by a statement thereof on the face of the copy of the grant to be cancelled, in the register of the grants in the office of the Commissioner of Crown Lands, which statement shall be signed by the Governor and countersigned by the Commissioner of Crown Lands and sealed with the seal of his office.

Mode of cancellation of grants.

27. BEFORE such cancellation of the register copy of a grant, the grant itself shall be delivered to the Commissioner of Crown Lands, and having been so cancelled shall be destroyed.

Grants to be destroyed after cancellation.

28. EVERY such cancellation shall have the same force and effect in annulling and making void the cancelled grant as if the same were repealed by process of *scire facias*.

Cancellation to have the effect of a *scire facias*.

Public Reserves.

29. THE Governor is hereby authorised, subject to such conditions and limitations as he may think fit, to sell or to except from sale, and either to reserve to Her Majesty, her heirs and successors, or to dispose of in such other manner as for the public interest may seem best, such lands, whether surveyed or not, as may be required for the following objects and purposes:

Governor may make reserves for public purposes.

1. For the use or benefit of the aboriginal inhabitants.
2. Military or naval defence.
3. Railways, tramways, and canals.
4. Quays, landing places, and ferries.
5. Sites for churches and chapels, with not exceeding 100 acres of glebe land attached, and sites for parsonages.
6. Sites for schools and other buildings for the purposes of education, and land for the endowment of schools and other educational institutions of a public character.
7. Sites for mechanics' institutes, hospitals, and institutions for charitable purposes, markets, court-houses, prisons, or other edifices for public use or purposes for the Colony, or any borough or road board.
8. Cemeteries.
9. Places necessary for the embellishment of towns, or for the health, recreation, or amusement of the inhabitants.
10. For the endowment of municipal corporations within the Colony.
11. For sinking shafts and digging for coal, iron, copper, lead, or other minerals and metals.
12. Resting places and commonage for horses, cattle and sheep.
13. Any purpose of safety, public utility, convenience, or enjoyment, or for otherwise facilitating the improvement and settlement of the Colony.

30. A FULL and complete description of every such reserve, and of the purposes for which it is made, shall, so soon as possible, be published in the *Government Gazette*, and set forth on the authenticated maps in the Lands Office.

31. THE Commissioner of Crown Lands may temporarily reserve land for such purposes, and if such temporary reserve be not confirmed by the Governor making the same a reserve within six months from the date at which such temporary reserve was made, such land shall thereupon cease to be so reserved.

32. THE specified purposes for which any reserve is made may be changed, and any such reserve may be leased or sold, either in whole or in part, by order of the Governor; and notice of such change or sale or lease shall be published in the *Government Gazette* at least thirty days before such change or sale. The Governor may order that the rents, profits, or proceeds arising from any reserve, or the sale or disposition thereof, be paid to any person having the management of such reserve, otherwise all monies received shall go to the credit of the land fund.

33. THE Governor may from time to time, by order under his hand and published in the *Government Gazette*, direct that any such reserve shall vest in and be held by any corporation, to be named in the order, in trust for the like or other public purposes, to be specified in such order and with powers of leasing for any term not exceeding twenty-one years from the date of the lease.

34. RESERVES for roads, public highways, water works, and drains shall be made by the Commissioner of Crown Lands, with the approval of the Governor, and shall be set forth on the authenticated maps in the Land Office of the Colony.

Division of the Colony.

35. FOR the purposes of these Regulations, the Colony is divided into five districts:—

1. The Central District.—Bounded on the west and south by the sea coast, including the Islands adjacent to it; on the north by the

Murchison River; on the east by a line from Bompas Hill in the Great Northern bend of the Murchison River, through Wongan Hills and Mount Stirling to the mouth of the Fitzgerald River, and including a strip of land five miles wide along the south coast, and a block of land at Eucla measuring 20 miles along the coast by ten miles in depth.

2. The South Eastern District.—Bounded on the south and east by the northern boundary of part of the Central District, viz., the strip of land along the coast above described; on the west by a line from the mouth of the Fitzgerald River to Mount Stirling; and on the north by a line due east from Mount Stirling to the aforesaid strip of land.
3. The Central Eastern District.—Bounded on the south by the northern boundary of the South Eastern District; on the west by the eastern boundary of the Central District to the Murchison River; on the north-west by that river upwards to Mount Murchison; on the north by a line due east through the summit of Mount Murchison to the eastern boundary of the Colony; on the east by the eastern boundary of the Colony to the boundary of the Central District in the block at Eucla; and on the south-east by the boundary of the Central District.
4. The Northern District.—Bounded on the south by the northern boundary of the Central Eastern District; on the south-west by the River Murchison to the sea coast; on the west by the sea coast, and including the Islands adjacent to it; on the north by the parallel of 19deg. 30min. south latitude to the eastern boundary of the Colony; and on the east by the eastern boundary of the Colony.
5. The Kimberley District.—So much of the Colony as lies to the north of the parallel of 19deg. 30min. south latitude.

36. No protection or Government establishment in the South Eastern, Central Eastern, Northern, or Kimberley District will be guaranteed to the public until deemed expedient by the Government.

No protection or government guarantee in certain districts.

37. No convict or person holding a ticket-of-leave, and no person under sentence or orders of transportation or of penal servitude, shall be introduced into or allowed to remain within the Northern or the Kimberley District, without the permission of the Government Resident of the District.

Convicts not allowed in the Northern or Kimberley District.

Classification of Crown Lands.

38. THE Crown lands are classed severally as town, suburban, and rural lands. Rural include mineral and pastoral lands.

Classification.

The Governor from time to time may classify any Crown lands, and may cause maps or plans to be prepared, showing such classification, and may vary such classification as he may deem advisable.

Alienation of Lands in fee simple.

39. TOWN lands in all districts of the Colony, and suburban lands in all districts, except the Kimberley District, will be offered for sale by public auction at an upset price to be determined by the Governor in Council.

Sales by auction.

40. SUCH lands may be put up for sale by order of the Commissioner of Crown Lands after notice twice published in the *Government Gazette*, and in one newspaper circulating in the district in which the lands are situated. Such notice shall specify the time and place of sale, the number of lots to be sold and the respective areas of the same, and the upset price thereof.

Notice of auction.

- 41.** ANY person may apply to the Commissioner of Crown Lands to put up for sale by auction any portion of town or suburban lands already surveyed; and at the time of application shall deposit with the Collector of Revenue ten per cent. of the upset price. A form of application will be found in Schedule No. 4, and a fee of two shillings and sixpence must accompany the application.
- 42.** AT all sales by auction, an amount equal to ten per cent. of the purchase money shall be paid on the fall of the hammer; and any such deposit as above mentioned shall be considered as payment thereof, so far as the same will extend. In every case the balance shall be paid within thirty days from the day of sale, and in default thereof the purchaser shall forfeit his purchase money and all right of title to the land.
- 43.** ANY lands put up for auction and not sold may thereafter be open for purchase by selection by any person at the upset price.
- 44.** RURAL lands in all districts of the Colony, and suburban lands in the Kimberley District, subject to any pre-emptive rights affecting the same, are open for sale in fee simple, and may be sold by auction or by private contract, as the Governor may from time to time direct.
- 45.** THE minimum price of rural lands in fee simple shall be ten shillings an acre in the Central and Kimberley Districts, and five shillings an acre in the other districts of the Colony.
- 46.** THE minimum acreage of ordinary sections of rural land shall be—
 In the Central Districts, forty acres;
 In the Kimberley District, two hundred acres;
 In the other districts of the Colony, four hundred acres;
 except where the section is so shut in by private lands or other bounds as not to contain the full area.
- 47.** EVERY section of rural land shall be in one block, and, if possible, a right-angled parallelogram. The proportion of breadth to depth in any section bounded by a frontage line shall be as one to three, unless by approval of the Commissioner of Crown Lands in special cases.
- 48.** A FRONTAGE line shall be taken to mean the boundary of a road, river, public reserve, or any sea-coast, permanent stream, or lake.
- 49.** WHEN, from the frontage not being a straight line, or from the interference of other frontage lines, natural features, or the boundaries of private lands, the foregoing rules in respect of form cannot be accurately observed, the form of the section shall be determined as nearly in accordance therewith as circumstances permit.
- 50.** EVERY application for the purchase of rural land in fee simple, if made before the land has been permanently surveyed by the Crown, shall be accompanied by a sketch of the proposed 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. The form of application will be found in Schedule No. 4. Every application must be accompanied by a fee of two shillings and sixpence.
- 51.** THE expenses of survey, if so required by the Commissioner of Crown Lands, shall 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. 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.

52. If any section, when surveyed, prove to differ in any respect from that intended by the purchaser, the Government will not be responsible for any loss or inconvenience which the purchaser may experience, nor will the purchase money be returned. If the land is found to be in excess, such excess may either be retained by the Government or paid for by the purchaser at the same price as the rest, at the discretion of the Commissioner of Crown Lands. If the whole extent of land in the selected locality falls short of the quantity paid for by the purchaser, so much of the purchase money as exceeds the price of the land to be conveyed shall be returned to him by the Receiver of Revenue, upon a voucher certified to by the Commissioner of Crown Lands.

If the survey varies from the application, how to be dealt with.

53. IN all Districts of the Colony access to waterholes and springs on a section of rural land, with roads leading thereto, may be provided for by the survey and in the deed of grant.

Access to water in all Districts.

54. ALL holders of tillage leases under any regulations previously existing may, upon application, obtain the fee simple of the land upon the following terms. A cash payment is to be made of the balance between the total amount of rents paid and the whole price of land, estimated at twelve shillings and sixpence for each acre; or, if rent is paid at the rate of one shilling and threepence for each acre, until such rent with that already paid amounts in the aggregate to twelve shillings and sixpence per acre. Provided that no rent paid at a period prior to 1864 be computed in payment for such tillage land. The form of application will be found in Schedule No. 5. Every application must be accompanied by a fee of two shillings and sixpence.

Tillage leases.

55. RURAL lands may be taken up for special occupation in sections of not less than one hundred acres upon conditions of deferred payment and improvements; and at the price of ten shillings per acre.

Special occupation lands.

56. ANY person desiring *bonâ fide* to occupy such lands may apply to the Commissioner of Crown Lands for a license to occupy any quantity not less than one hundred acres. The form of application will be found in Schedule No. 6. Every application must be accompanied by a fee of two shillings and sixpence. Upon receipt of any such application a license for ten years in the form in Schedule No. 7 may be issued on the following conditions:—

Licenses of occupation.

1. An annual fee at the rate of one shilling an acre, or fractional part of an acre, shall be paid in advance on or before the first of March in each year; the first payment to be made at the time of granting the application.
2. The licensee shall not, during the currency of the license, sub-let, or transfer his interest therein, except by permission of the Commissioner of Crown Lands, and on payment of a fee of ten shillings. The license shall become absolutely void upon any sub-letting or transfer of the licensee's interest in the license without such permission or on failure of payment of rent, unless within sixty days after such is due it is paid together with an additional sum equal to twenty-five per cent. added as fine.
3. The licensee shall, within the term of his license, or before he can claim the Crown grant, either by payment or otherwise, enclose the land described in his license with a good and substantial fence, and shall have cleared and cropped at least one-fourth of the whole area.
4. Upon payment of the last sum due on account of the rent, or at any time during the term, upon payment of the difference between the amount of rent actually paid—such being calculated at the rate of one shilling a year per acre—and the entire sum of ten shillings for each acre, the licensee or his representatives, if he or they have fulfilled all the foregoing provisions in regard to improvements, shall be entitled to a Crown grant of the lands licensed; and every such grant shall be subject to such covenants, conditions, exceptions, or reservations as the Governor may direct.

5. If the aforesaid improvements have not been made before the end of the license, the licensee or his representatives may continue to hold the land at the same annual rental, but no Crown grant will be issued until the improvements have been duly made.

Vineyards,
orchards, and
gardens.

57. For the encouragement of planting vineyards, orchards, and gardens, the Governor may dispose of rural land by private contract, in blocks of not less than ten acres, at not less than ten shillings per acre.

Bonus on pro-
ducts in the
Kimberley
District.

58. If at any time within five years after these Regulations come into force any person shall apply for the purchase in fee simple of land in the Kimberley 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 if such person shall, within five years from the date of such application being approved, prove to the satisfaction of the Governor in Council, or of any officer appointed by the Governor in that behalf, that such products or any of them have in any one year been grown on such land and exported from the district, and have been sold for not less than five hundred pounds, he or they shall be entitled to a Crown grant 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 available, then to be selected from any rural land in the district. Such selections shall be made within three calendar months after the Governor shall have notified in the *Government Gazette* that such person is entitled to a Crown grant in pursuance of this Regulation.

Preferential
bonus to first
two persons en-
titled.

59. EACH of the first two persons who shall prove that he has effected such sale as aforesaid shall be entitled to a grant of one thousand acres.

Resumption
of land for
townships in
the Kimber-
ley District.

60. If at any time after these Regulations come into force, the Governor in Council shall deem it necessary to resume any portion of land in the Kimberley District for the purpose of being included within the limits of a township, he may resume such lands 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 by 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 from the Crown, to be assessed in the manner prescribed in No. 79 of these Regulations.

Pastoral Lands, Leases, Licenses.

Classification
of pastoral
lands.

61. PASTORAL lands are rural lands for pastoral purposes, and are divided into first class and second class. The first class comprehends all pastoral lands in the Central District, except so much as lie to the east of the Fitzgerald River. The second class comprehends all other pastoral lands in the Colony.

Applications
for pastoral
lands.

62. ANY person desiring to occupy pastoral lands may apply to the Commissioner of Crown Lands for a lease; or if the lands are in the first class for a license to occupy for one year. Every application must be accompanied with a fee of two shillings and sixpence, and with the first year's rent of the land applied for. The form of application will be found in Schedule No. 8.

Surveys.

63. APPLICANTS for land, either by lease or license, or by purchase in the exercise of a pre-emptive right, will be liable to a charge for survey, should such be required; and if an applicant be unwilling to await the convenience of the Government to make the necessary survey, such charge shall be fixed at the time of approving the application, and shall be deposited before the required survey will be made.

Licenses of
first class
lands.

64. ANNUAL licenses in the form in Schedule No. 9 will be granted to occupy blocks of land in the first class of not less than three thousand acres on payment of one pound for each thousand acres or part of a thousand

acres. If a block of land is so shut in by other holdings as not to contain three thousand acres, a license may be granted for such lesser quantity; but in no case will a license be issued for a less sum than one pound.

65. APPLICATIONS for renewal of licenses must be deposited at the Land Office, on or before the last day of January in each year, accompanied with a fee of two shillings and sixpence. A form of application will be found in Schedule No. 10. Renewal of licenses.

66. PASTORAL leases in the form in Schedule No. 11 will be granted of land in the first class in blocks of not less than ten thousand acres, at the rent of one pound per annum for each thousand acres, or part of a thousand acres. The duration of such leases shall in no case extend beyond the 31st December, 1887. If a block of land is so shut in by other holdings as not to contain ten thousand acres, a lease may be granted for such lesser quantity, but in no case will a lease be issued for a less sum than three pounds per annum. Leases of first class lands.

67. PASTORAL leases in the form in Schedule No. 11 will be granted of land in the second class, situate in the South Eastern, Central Eastern, or Northern District, in blocks of not less than twenty thousand acres, at the rent for each thousand acres or part of a thousand acres of five shillings for each year of the first half of the lease and ten shillings for each year of the remainder of the lease, but the duration of such leases shall in no case extend beyond the 31st December, 1893. Leases of second class lands.

68. A LESSEE of lands mentioned in the last preceding Regulation may at any time, during the first seven years of his lease, select from his run any land which he desires to hold under an unconditional pre-emptive right to purchase on the following terms:— Pre-emptive rights.

1. All unconditional pre-emptive rights to be for the term of the lease or until purchased sooner.
2. The land to be so selected to be in blocks of not less than one thousand acres.
3. The rent to be five pounds for each thousand acres, paid in advance annually.
4. All such unconditional pre-emptive rights may be redeemed in fee, on the following terms:—

In the Northern District, if within the first seven years of the lease, by payment of five shillings, and during the remainder of the term, of ten shillings, for each acre redeemed.

In the Central Eastern, and South Eastern Districts, if within the first seven years of the lease, by payment of two shillings and sixpence, and during the remainder of the term, of five shillings, for each acre redeemed.

69. ALL surveys of pre-emptive rights shall be made at the expense of the holder. Surveys of pre-emption.

Leases in the Kimberley District.

70. PASTORAL leases in the form in Schedule No. 11 will be granted of land in the Kimberley District in blocks of not less than fifty thousand acres when on a frontage, nor less than twenty thousand acres when no part of the boundary is on a frontage, at the rent of ten shillings per annum for each thousand acres or part of a thousand acres. Leases in the Kimberley District.

The Governor may, for special reasons, if he so think fit, authorise the issue of a lease for a frontage block of less extent than fifty thousand acres.

The lessee of a frontage block may, with the approval of the Governor, obtain a lease of any contiguous pastoral land in a block of not less than ten thousand acres, on the same conditions and for the same term as his original block.

71. A FRONTAGE block is such as has its lesser boundary on a lake, river, or main stream, or other water channel, or on an estuary or the seashore. Its boundaries shall be rectangular, so far as the area and shape of the land will allow, and its mean depth shall not be less than three times its mean breadth.

72. THE duration of pastoral leases in the Kimberley District shall in no case extend beyond the 31st of December, 1893.

73. ALL leases of lands in the Kimberley District issued prior to 31st December, 1881, shall, notwithstanding any regulation to the contrary, not be liable to forfeiture for non-fulfilment of stocking conditions till 31st December, 1884.

All leases issued between 31st December, 1881, and 31st December, 1882, shall not be liable to forfeiture for non-fulfilment of stocking conditions till 31st December, 1885.

All leases issued between 31st December, 1882, and 31st December, 1883, shall not be liable to forfeiture for non-fulfilment of stocking conditions till 31st December, 1886.

All leases issued between 31st December, 1883, and 31st December, 1884, shall not be liable to forfeiture as aforesaid till 31st December, 1887.

All leases issued between 31st December, 1884, and 31st December, 1885, shall not be liable to forfeiture as aforesaid till 31st December, 1887.

Provided always that every pastoral lease in the Kimberley District shall be subject to the condition, whether expressed in the instrument of lease or not, that after the period allowed for stocking, 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, without the consent of the Governor, be diminished during the said term, and that in default the said lease shall be thereby absolutely and indefeasibly forfeited to the Crown, and such forfeiture shall be forthwith notified in the *Government Gazette*.

74. EVERY tenant in the Kimberley District 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 knowingly making a false return shall forfeit all his pastoral lands in the district, and be debarred from having any further application approved for such lands.

General Conditions of Pastoral Leases.

75. No pastoral lessee shall assign or sub-let the whole or any portion of his land to any person without the consent in writing thereto, endorsed on the lease by the Commissioner of Crown Lands, or his Deputy for the district, for which consent a fee of ten shillings shall in each case be payable. The form of transfer will be found in Schedule No. 18.

76. 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.

77. ALL pastoral rents are calculated as from the 1st of January to the 31st of December, and are to be paid in advance on or before the 1st of March in each year.

Licenses or leases granted during the year may be dated as from the 1st of January or 1st of July preceding, and if granted during the first half of the year, a proportion of the year's rent will be payable as from the date of granting; if granted on or after the 1st of July, a half-year's rent will be required.

78. ANY pastoral lessee who fails to pay his rent will forfeit all right to the land and the improvements thereon, unless within 60 days after such rent is due it is paid, together with an additional sum equal to 25 per cent. added as fine.

Forfeiture for non-payment.

79. A PASTORAL lessee in the occupation of his lease shall be entitled to claim from the purchaser of any portion of the demised lands, or from the licensee of special occupation land who may occupy any portion of such demised land, the fair value of any lawful improvements effected on such portion, provided these improvements have been properly and concisely described with their cost, and registered in the records of the Land Office; for which purpose a report may be made by the lessee at the commencement of any work, and again within three months after completion. The value of such improvements shall, in no case, be estimated at more than the actual outlay made by the lessee, and shall be ascertained by one competent person appointed by the purchaser, and one by the lessee. Any difference of opinion between such valuers to be determined by an umpire, to be appointed by themselves, or, in case they shall not agree in such appointment, by the Governor.

Lessees entitled to value of improvements on land taken from them.

80. IN the event of any lessee not obtaining, on application, a renewal of his lease, he shall be entitled to compensation from the purchaser or succeeding lessee for all improvements made by him; the amount of such compensation to be determined by arbitration, as above mentioned.

Outgoing lessee entitled to value of improvements.

81. IMPROVEMENTS may be considered to be either buildings, wells, tanks, dams, cultivation, grass paddocks, fencing, the eradication of poison plants, or any beneficial work done on the run to increase its productiveness and powers of carrying stock.

What constitute improvements.

82. A PASTORAL license or lease shall give no right to the soil, or to the timber, and shall immediately determine over any land which may be reserved, sold, or otherwise disposed of under these Regulations.

Pastoral tenants have no right to soil or timber.

83. THE Commissioner of Crown Lands is authorised to insert in any lease such conditions and clauses as may seem to him to be required for the public interest; as also a clause permitting the lessee or licensee to cut such timber as may be required for domestic uses, for the construction of buildings, fences, stockyards, or other improvements on the lands so occupied, but not for any other purpose, and the Commissioner of Crown Lands may, after any survey has been made which shows the boundaries of any lease to require adjustment, recall such lease for the purpose of amendment accordingly.

Commissioner of Crown Lands may insert clauses of forfeiture and of limited right to timber.

84. THE position of runs and the arrangement of boundary lines shall be subject to the approval of the Commissioner of Crown Lands; and any description furnished by an applicant for pastoral land shall be full and particular, and shall refer to some fixed point or object which can be recognised by the Survey Office. The Government will not be responsible for any errors in descriptions so furnished; but any erroneous description, if found to interfere with other parties, may be rectified if practicable, on approved application, in such a manner as not to disturb the boundaries of any lease previously granted.

Position of runs, &c., to be approved by Commissioner of Crown Lands.

85. THE right is reserved to the Governor to lay out, declare open, and make, either permanently or for temporary use, public roads through any lands leased or licensed. Also to take away any indigenous produce, rock, or soil required for public purposes; to cut and remove timber, sandalwood, and other woods from lands under pastoral lease or license, or to issue licenses for cutting and removing the same therefrom; to sell any mineral land comprised within the limits of any pastoral lease whatever; and to sell any other portion of such lease, subject to the rights of the lessee, at any time, and with a right of immediate entry; to depasture on any unenclosed, or enclosed but otherwise unimproved land, any horses or cattle in the employ of the Government while working on or passing over the said land, together with a right for any person to pass over such unenclosed or enclosed but otherwise unimproved land, with or without horses, stock or vehicles, on all necessary occasions.

Power to sell portions of runs, to make roads, cut timber, &c., thereon.

Poisoned Lands.

Definition of
poisoned
land.

86. LAND shall be considered as "Poisoned land" when it is infested with poisonous indigenous plants, so that sheep or cattle cannot be depastured on it without producing fatal effects. Poisonous plants shall not be considered as entirely eradicated until it has been proved to the satisfaction of the Commissioner of Crown Lands that such plants have not existed on any part of the land for at least three years previous to the claim for a Crown grant.

Lease of
poisoned
land.

87. THE Governor in Council, on the recommendation of the Commissioner of Crown Lands, supported by sufficient proof that the land applied for is "Poisoned land," and after a proper survey has been made, may grant a lease of such land in the form in Schedule No. 12 for the term of twenty-one years, with right of pre-emption, on the following conditions:—

Pre-emptive
right.

1. That not less than one thousand acres be taken up.
2. That one pound be paid every year on or before the first of March, in advance, for each thousand acres, or part of a thousand acres.
3. That all expenses incurred in survey and in production of necessary evidence have been previously deposited with the Receiver of Revenue, or paid to the parties concerned and employed.
4. That if the land so leased shall be completely fenced in to the satisfaction of the Commissioner of Crown Lands with a good and substantial fence, of the ordinary height and of the construction generally in accord with the provisions of the statute law of the Colony dealing with fencing, and the poisonous indigenous plants entirely eradicated therefrom, the occupier shall, at the expiration of the aforesaid term of years, be entitled to receive, on payment of such fees as are required by these Regulations, a Crown grant of the land.
5. That if all the foregoing conditions are complied with, and the full balance of rent be paid at any time during the lease, the Crown grant may thereupon be issued.

Pastoral lands
not to be in-
cluded.

88. No lands held under lease or license for pastoral purposes are to be included in the provisions of the preceding clause.

License to
occupy
poisoned
land.

89. ANY person who proves to the satisfaction of the Commissioner of Crown Lands that any lands are poisoned, may obtain a license to occupy the same for a period of twenty-one years, at the rent of two shillings and sixpence per annum for every thousand acres or part of a thousand acres; but in no case will a license be issued for a less sum than one pound per annum, but any such license shall determine on application being made to lease the land for pastoral purposes under the foregoing Regulations. The form of license will be found in Schedule No. 13.

Mineral Lands.

Auriferous
lands.

90. NOTHING in these Regulations contained shall apply to auriferous lands.

Mineral lands.

91. MINERAL lands are all rural lands open to general selection for purchase, lease, or license, and all lands under pastoral lease or license, except homesteads lawfully selected under these or any other Regulations, and except gardens, stockyards, and buildings on runs.

How to ob-
tain mineral
permit.

92. ANY adult male person, on application to the Commissioner of Crown Lands, or to the Collector of Revenue of the district, may, on approval, and on payment of one pound, obtain a permit in the form in Schedule No. 14, to search, for a period of one year, for minerals in any mineral lands. During the currency of a permit to search the holder shall be entitled to remove not more than five tons of ore for purpose of testing, but no person shall hold more than one permit at the same time.

93. LEASES, in the form in Schedule No. 15, of portions of mineral land not exceeding two hundred acres, nor less than twenty acres, will, on application to the Commissioner of Crown Lands, be granted for purposes of mining for any metal or mineral, excepting precious metals, for a term of seven years, at a rental of five shillings per annum for each acre. Every lease issued during the year shall be dated as from the first of January preceding.

Mining leases
for seven
years.

94. EVERY application for a mining lease shall contain a full description and boundaries of the land asked for. Such land must be in the form of a parallelogram, and in no case shall the length be more than three times the breadth.

Applications
for mining
leases.

The form of application will be found in Schedule No. 16.

An application for a mining lease must also be accompanied by a receipt showing that the first year's rent has been paid to the Treasury on account.

95. A MINING lease of land within the limits of a special occupation license, or of an occupied tillage lease; may only be granted to the holder of such license or lease, or to other persons with his written consent.

Mining
leases of lands
in special occu-
pation.

96. ALL deposits and instalments which may have been paid on account of mineral lands shall be forfeited, together with all claims to the land, if by any default of an applicant for the same a lease shall not be duly completed.

Forfeiture of
deposits and in-
stalments on
non-completion
of lease.

97. IF the holder of any mining lease allow the minerals to remain unworked for a period of twelve months, such lease shall be liable to forfeiture.

Forfeiture of
lease.

98. THE rent on a mining lease shall be paid to the Collector, or to a Sub-Collector of Revenue, on or before the first of January in each year, in advance; and not less than one year's rent shall be received.

Rents, when
and to whom
payable.

If the rent is not paid within fifteen days after the first of January the lease shall be absolutely and indefeasibly forfeited unless on or before the thirty-first of January the lessee shall duly pay the full amount of the annual rent, together with an additional sum equal to one-half of the same. But the Governor in Council, on the recommendation of the Commissioner of Crown Lands, may cancel any such forfeiture, on sufficient grounds shown, and on the lessee duly paying, on or before the first of March, a sum equal to twice the established rent for the current year.

A lessee may determine his lease by giving three months' notice in writing, but no rent shall in any case be refunded.

99. THE holder of a mining lease may transfer or sub-let the same on approval of the Commissioner of Crown Lands, and on payment of a fee of ten shillings. The form of transfer will be found in Schedule 18.

Transfer of
mining
leases.

100. EVERY lessee of a mining lease shall furnish to the Commissioner of Crown Lands an annual return of ores raised.

Annual
returns.

101. ANY holder of a mining lease, who shall show to the satisfaction of the Commissioner of Crown Lands that he has erected on the land held under such lease all the plant, buildings, and machinery necessary for the due and proper working of the mine, or who shall enter into a bond with sureties to put up such permanent buildings and machinery within a certain time, shall be entitled to a Crown grant of the land on payment of three pounds for each acre. Payment may be made, if desired, in three annual instalments of one pound an acre; but the Crown grant will in no case be issued until the whole payment be completed and the fees for grant and recording paid. The quantity of land to be so sold and granted shall not be less than twenty acres, but in case such a quantity does not exist the price at which the plot may be sold shall be fixed by the Commissioner of Crown Lands and approved by the Governor in Council, provided the same be not less than three pounds an acre.

Purchase of
mineral lands.

102. THE lessee of a mining lease shall pay to the lessee of any pastoral lease full compensation, to be ascertained by agreement or by arbitration, as prescribed in No. 79 of these Regulations, for all lawful improvements made by such pastoral lessee on any portion of his run comprised in such mining lease.

Mining lessee
to compensate
pastoral
lessee.

103. THERE shall be no right of way or thoroughfare through or over any enclosed portion of land held under mining lease except by recognised roads, or for Government purposes, but in all other respects the rules for the sale, letting, and disposal of Crown lands shall apply to mineral lands.

104. IF a mining lease be forfeited or not renewed the lessee may remove or otherwise dispose of all machinery, improvements, and minerals brought to the surface. If he fails to remove the same within three months the same will be liable to forfeiture to the Crown.

105. IN no case shall the holder of a mining lease upon the abandonment or forfeiture of his holding be entitled to any compensation for improvements, or for outlay of any description.

106. THE Governor may grant to any applicant the unexpired term of any forfeited or abandoned mining lease, upon such terms as to payment of any sum in addition to the established rent as the Governor may direct.

107. BEFORE the occupant of any mineral lands abandons the same, or withdraws from them if forfeited, he shall enclose, by a substantial fence, all shafts and dangerous cuttings made by him during his occupancy.

Alluvial Deposits, Gems and Jewels.

108. IN addition to any powers of resumption and to any rights of entry, and of cutting and taking timber, and of searching and digging for building and other materials, and to any reservation of mines of gold, silver and other precious metals ordinarily contained in Crown grants, 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.

109. THE Governor in Council may also, from time to time, grant licenses on such terms and conditions as he thinks sufficient, as well for the purposes of such license as for the protection of the owner or occupier of the land, to enter, remain on and examine any lands, freehold or leasehold, and to search, dig for, and carry away any metals, gems, or jewels reserved to the Crown. The Governor in Council may also in like manner sell by auction or private contract, in whole or in part, the subject of any such reservation, not being gold or silver.

Timber Regulations.

110. ANY person or a pair of sawyers, splitters, or cutters, requiring a license to fell, cut, split, and remove, either by himself or by an agent or servant authorised in writing by him, any timber, sandal, jam, fire, and other wood growing or being on Crown lands, may apply to the Commissioner of Crown Lands, to the Collector or to any Sub-Collector of Revenue, or to any Resident Magistrate, who shall thereupon issue the required license, after payment in advance of the fees in that behalf herein mentioned.

	Per month.		
	£	s.	d.
Fees chargeable for licenses to cut timber.	To fell and hew timber to be used or exported as piles or balks, for each man		
	3	0	0
	Or in the case of a pair being employed		
	5	0	0
Such license includes all men employed in removing timber in balk or for piles during the currency of the license.			
	To fell, cut and remove timber, or split and remove fencing, firewood, or shingles, for each man		
	0	5	0
	To cut sandalwood outside proclaimed areas, and wattle or other bark, for each man		
	0	2	6

No such license shall be issued for a period less than one nor more than twelve months. The names of the parties applying for a license shall be inserted therein, and no such license shall be transferable; but all timber marked, branded, or otherwise described by its licensed owner may remain on Crown land for a period not exceeding six months after the expiration of a license.

111. PERSONS engaged in cutting down trees in any shape, so long as the same are cut and removed simply and *bonâ fide* for the purpose of being split or sawn up, and not for use or shipment as piles or barks, will have to take out a license for such cutting down, for which they will have to pay five shillings per month for each person engaged; and every person engaged in the removal of such timber will have to take out a similar license before he can assist in its removal.

Persons holding a five shilling license may cut down a tree and remove it as a log or bark to their saw pit; and persons having saw mills at a distance from the place where the trees are to be found, may, on taking out a five shilling license for every person engaged in cutting down or removing such trees, lawfully cut down and remove them in bark or as logs to their saw mills, so long as they do this solely for the purpose of splitting or sawing them up, and not for the purpose of using or exporting them as piles or barks.

112. It shall be obligatory on all persons cutting jam or other small timbers for fencing or for firewood, to stack up in heaps, and at distances of not less than one chain apart, all branches and other debris left by them. Any breach of this Regulation shall render the offender liable on summary conviction to a penalty not exceeding ten pounds, and to forfeiture of his license.

Stacking of debris.

Penalty on default.

113. APPLICATIONS for special licenses for one year to fell, remove, and sell the timber growing or being on any particular Crown lands may be addressed to the Commissioner of Crown Lands by letter, fully describing the quantity, position and boundaries of the land required, and the date from which a license is to commence. Any such application shall be accompanied by a deposit of five pounds, or by the receipt of any Collector of Revenue for that amount. The land applied for shall be selected and described according to the rules laid down in Nos. 47-50 of these Regulations.

Special license for the year.

114. SPECIAL licenses shall be prepared in the Office of the Commissioner of Crown Lands, in the form in Schedule No. 17, and shall be deliverable by any Collector of Revenue, or by the Resident Magistrate of the District in which the land may be situate, on payment of any balance due thereon, according to the following scale:—

Preparation of special licenses.

		Per annum.		
		£	s.	d.
For any quantity not exceeding 640 acres of land	...	20	0	0
For any quantity exceeding 640 but not exceeding 1,280 acres of land	40	0	0

But such license shall not permit the cutting, hewing, and removing of logs and piles.

115. EVERY such license shall be for one year; and if not taken up at Albany within two calendar months, or at Perth and other districts within one calendar month from the date of deposit, the license shall be forfeited, together with the deposit, and the land shall be open to fresh applicants. The license shall not be transferable.

Duration.

116. No rights or privileges shall be conveyed by any such license beyond those of felling, cutting up, and removing by the licensee, his servants or agents, any indigenous timber growing or being on the land specified in the license; and at the expiration of the license all timber left on the ground shall be the property of the Government, unless otherwise arranged by special application in writing, addressed to the Colonial Secretary, or by a renewal of the license for a further term, to which an existing licensee shall be considered to have a preferable claim.

Rights conveyed.

Special
licenses for
promoting
public under-
takings.

117. IN order to promote the introduction and establishment of new industries and commercial undertakings of public utility, the Governor in Council may grant special licenses to cut and remove timber from Crown lands for such period as may be deemed necessary, and such licenses shall be subject to such rents, fees, conditions and reservations as the Governor in Council may prescribe, but shall not entitle the licensees to any right of renewal at the expiration of the term.

Validating
timber li-
censes issued
not in accord-
ance with
existing
Regulations.

118. ANY timber license already granted or agreed to be granted, for a longer period than twelve months with a right of renewal or otherwise, not in conformity with these Regulations, shall not on that account be deemed to be invalid, but may be held and renewed according and subject to the terms and stipulations on which the license was granted or agreed to be granted.

Timber,
shrubs, &c.,

119. THE Governor in Council may from time to time, by order published in the *Government Gazette*, regulate the cutting and disposal of timber and other trees, shrubs and plants, whether for use in the Colony or for exportation, living or dead, being or growing on lands held otherwise than in fee simple.

Commonages. Pensioners. Immigrants.

Commonages.

120. THE Governor may at any time proclaim any Crown lands as a common; and at any time alter, add to, diminish, revoke or abolish such common; and may place any common under the management of any person or persons, and direct the manner in which any fees shall be imposed, paid, collected and disposed of for depasturing thereon; or may delegate the power of regulating such fees to any local board, trust, municipality or officer.

Grants to
pensioners.

121. A LOT of rural land not exceeding twenty acres may be granted to each pensioner introduced with the sanction of Her Majesty's Government into the Colony, who has faithfully and soberly served upon the Duty Force continuously for a period of three years. Such lots may be assigned to the pensioners by occupation certificates, which shall be exchanged for Crown grants, on proof being made to the satisfaction of the Commissioner of Crown Lands that the pensioners have fulfilled all such conditions as to improvements on the land as the Governor may from time to time make and publish in the *Government Gazette*.

Immigrants.

122. IN any case where the occupancy of a town lot has been allowed in lieu of rural land, to any immigrant entitled to a free grant under any previous regulations, the occupation certificate shall be exchanged for a Crown grant on proof being made to the satisfaction of the Commissioner of Crown Lands that the occupant has fulfilled all such conditions as to improvements on the land as are provided in the said certificate.

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First Schedule.

Form of Crown Grant for Town and Suburban Lands.

GRANT UNDER "LAND REGULATIONS" OF

.....Commissioner of Crown Lands.}

VICTORIA, by the Grace of God, of the United Kingdom of Great Britian and Ireland Queen, Defender of the Faith, Empress of India, &c., &c., &c. To all to whom these Presents shall come, Greeting: Know Ye that We, of Our especial Grace, certain knowledge, and mere motion, have given and granted, and We do by these Presents, for Us, Our heirs and successors, in consideration of paid to the satisfaction of Our Governor of Our Colony of Western Australia, Give and Grant unto ALL THAT Piece or Parcel of Land situate and being in the Town of in Our said Colony, containing acres, roads, perches, more or less, and marked and distinguished in the Maps and Books of the Survey Office of Our said Colony as and as the same is delineated in the plan drawn in the margin hereof; TOGETHER with all Profits, Commodities, Hereditaments, and Appurtenances whatsoever thereunto belonging, or in anywise appertaining. To HAVE AND TO HOLD the said Piece or Parcel of Land, and all and singular the Premises hereby granted, with their appurtenances, unto the said heirs and assigns for ever; and they yielding and paying for the same to Us, Our heirs and successors, one pepper-corn of yearly rent on the twenty-fifth day of March in each year, or so soon there-

after as the same shall be lawfully demanded. PROVIDED, NEVERTHELESS, that it shall (at any time within Twenty-one Years from the date of these Presents) be lawful for Us, Our heirs and successors, or for any person or persons acting in that behalf by Our or their authority, to resume and enter upon possession of any part of the said Piece or Parcel of Ground which it may at any time by Us, Our heirs or successors, be deemed necessary to resume for making roads, canals, bridges, towing-paths, or other works of public utility or convenience, and such Lands so resumed to hold to Us, Our heirs and successors, as of Our or their former estate; so, nevertheless, that no such resumption be made without compensation of any part of the same Piece or Parcel of Ground upon which any expenditure or improvement shall have been made by the said heirs and assigns. And we do hereby save and reserve to Us, Our heirs and successors, all mines of Gold, Silver, and other precious metals, in or under the said Piece or Parcel of Ground hereby granted, with full liberty at all times to search and dig for, and carry away the same; and, for that purpose, to enter upon the said Piece or Parcel of Ground, or any part thereof.

In Witness whereof We have caused our trusty and well-beloved Governor and Commander-in-Chief of Our said Colony, to affix to these Presents the Public Seal of the said Colony.

Sealed this day of one thousand eight hundred and

Second Schedule.

Form of Crown Grant for Rural Lands.

GRANT UNDER "LAND REGULATIONS" OF

.....Commissioner of Crown Lands.}

VICTORIA, by the Grace of God, of the United Kingdom of Great Britian and Ireland Queen, Defender of the Faith, Empress of India, &c., &c., &c. To all to whom these Presents shall come, Greeting: Know Ye that We, of Our especial Grace, certain knowledge, and mere motion, have given and granted, and We do by these Presents, for Us, Our heirs and successors, in consideration of paid to the satisfaction of Our Governor of Our Colony of Western Australia, Give and Grant unto ALL THAT Tract or Parcel of Land situate and being in the District of in our said Colony containing more or less, and marked and distinguished in the Maps and Books of the Survey Office of Our said Colony as and BOUNDED as the same is delineated in the plan drawn in the margin hereof; TOGETHER with all Profits, Commodities, Hereditaments, and Appurtenances whatsoever thereunto belonging, or in anywise appertaining. To HAVE AND TO HOLD the said Tract or Parcel of Land, and all and singular the Premises hereby granted, with their appurtenances, unto the said heirs and assigns, for ever; and they yielding and paying for the same to Us, Our heirs and successors, one pepper-corn of yearly rent on the twenty-fifth day of March in each year, or so soon thereafter as the same shall be lawfully demanded. PROVIDED, NEVERTHELESS, that it shall at all times be lawful for Us, Our heirs and successors, or for any person or persons acting in that behalf by Our authority, to resume and enter upon posses-

sion of any part of the said Lands which it may at any time by Us, Our heirs and successors, be deemed necessary to resume for making roads, tramways, railways, railway stations, canals, bridges, towing paths, or other works of public utility or convenience, and such lands so resumed to hold to Us, Our heirs and successors, as of Our or their former estate, without making to the said heirs and assigns, any compensation in respect thereof; so, nevertheless, that the Lands so to be resumed shall not exceed one-twentieth part, in the whole, of the Lands aforesaid, and that no such resumption be made of any Lands upon which any buildings may have been erected, or which may be in use as gardens, or otherwise, for the more convenient occupation of any such buildings; and provided, also, that it shall be lawful, at all times, for Us, Our heirs and successors, or for any person or persons acting in that behalf by Our or their authority, to cut and take away any such indigenous timber, and to carry away, search, and dig for any stones or other materials, which may be required for making or keeping in repair any roads, bridges, canals, towing paths, or other works of public convenience and utility. And we do hereby save and reserve to Us, Our heirs and successors, all mines of Gold, Silver, and other precious metals, in and under the said Land, with full liberty at all times to search and dig for, and carry away the same; and, for that purpose, to enter upon the said Lands or any part thereof.

In Witness whereof We have caused our trusty and well-beloved Governor and Commander-in-Chief of Our said Colony, to affix to these Presents the Public Seal of the said Colony.

Sealed this day of one thousand eight hundred and

Third Schedule.

A.

WESTERN AUSTRALIA.

Form of Permit to occupy Town or Suburban Land.

I hereby certify that of has been duly declared the purchaser of the land described in the annexed Permit, and that £— being the purchase money thereof has been duly paid.
Colonial Treasurer.
Date.....

WHEREAS of is entitled to receive a grant from the Crown of an estate in fee simple in all that section of land situate in in the town of in the Colony of Western Australia, marked No. in the authenticated map of the said town in the Land Office at Perth in the said Colony, and containing or thereabouts, but the said grant has not yet been prepared; Now know all men and these presents witness that I in pursuance of the powers in me vested as Commissioner of Crown Lands for the said Colony, do hereby authorise, empower, and permit the said his heirs or assigns, at any time after the date hereof, to enter upon the said section of land, and to hold and enjoy the same for his and their absolute use and benefit.

Given under my hand at on the day of 18 .
.....Commissioner of Crown Lands.

This Permit is to be given up on the receipt of the Crown Grant.

B.

WESTERN AUSTRALIA.

Form of Permit to occupy Rural Land.

I hereby certify that of has been duly declared the purchaser of the land described in the annexed Permit, and that £—, being the purchase money thereof, has been duly paid.
Colonial Treasurer.
Date.....

WHEREAS of is entitled to receive a grant from the Crown of an estate in fee simple in all that piece or parcel of land hereinafter described, that is to say Location The boundaries of which are as shown on the authenticated maps of the Land Office at Perth, in the Colony of Western Australia, and containing or thereabouts, but the said grant has not yet been prepared; Now know all men and these presents witness that I in pursuance of the powers in me vested as Commissioner of Crown Lands for the said Colony, do hereby authorise, empower, and permit the said his heirs or assigns, at any time after the date hereof, to enter upon the said section of land and to hold and enjoy the same for his and their absolute use and benefit; subject nevertheless to the laws and Regulations now in force, for the letting, disposal, and occupation of the Crown Lands of Western Australia.

Given under my hand at on the day of 18 .
.....Commissioner of Crown Lands.

This Permit is to be given up on the receipt of the Crown Grant.

Fourth Schedule.

Form of Application to Purchase a { Town or Suburban } Section of (or, Rural) Crown Lands.

Name at full length, address, and calling of person to whom purchaser (or applicant) wishes Grant to issue.	No.	Acres.	Town (or, District).	Amount of Purchase Money.			Remarks or Description or Diagram.
				£	s.	d.	

I hereby apply to purchase the land described above, according to existing Regulations.
Signature of Applicant.....
Date.....

To the Commissioner of Crown Lands, Perth, Western Australia.

Received this Application at o'clock on the day of 18 , with fee of two shillings and sixpence.
.....Commissioner of Crown Lands.

Application approved, for sale { by Auction at on the day of 18 . Upset price £ or, at fixed price of shillings an acre.
.....Commissioner of Crown Lands.
Date.....18 .

Received £ , the full amount of fees and purchase money.
.....Collector of Revenue.
Date.....18 .

Fifth Schedule.

Form of Application for Crown Grant of Land comprised in Tillage Lease No.

Name at full length, address, and calling of person to whom applicant wishes Grant to issue.	No.	Acres.	District.	Remarks.

I hereby apply for a Crown Grant as above.

Signature of Applicant.....
Date.....

To the Commissioner of Crown Lands, Perth, Western Australia.

Received this application at o'clock on the day of 18 , with fee of two shillings and sixpence.

.....Commissioner of Crown Lands.

Application approved, provided that twelve shillings and sixpence an acre has been paid.

.....Commissioner of Crown Lands.
Date.....18 .

I hereby certify that £ , being the full amount of fees and purchase money, has been paid.

.....Collector of Revenue.
Date.....18 .

Sixth Schedule.

Form of Application for License of Lands for Special Occupation.

Place.....Date.....

I hereby apply for a License of acres of Special Occupation Land in District, from the day of 18 , to the day of 18 , in accordance with the Regulations for the occupation of the same.

The position and boundaries are as shown below.

Signature.....

To the Commissioner of Crown Lands, Perth, Western Australia.

Name at full length, address, and calling of person to whom applicant wishes License to issue.	No. of License.	No. of Acres.	District.	Annual Rent.		
				£	s.	d.

Received this Application at o'clock on the day of with fee of two shillings and sixpence.

.....Commissioner of Crown Lands.

Application approved, as shown above, this day of 18 .

.....Commissioner of Crown Lands.

Received £ Rent due.

.....Collector of Revenue.
Date.....18 .

Seventh Schedule.

WESTERN AUSTRALIA.

Form of License for Special Occupation of Crown Lands.

KNOW all men that I the Commissioner of Crown Lands, do hereby, in pursuance of the Land Regulations now in force, give to full license and authority to enter upon and occupy all that allotment of Crown Land delineated on the plan hereon, and containing for a period of ten years from the date hereof, subject to the conditions hereunder specified, and to be determined, annulled, forfeited, revoked, made void, or rescinded in accordance with the provisions of the said Regulations.

CONDITIONS.

1. An annual fee at the rate of one shilling an acre, or fractional part of an acre shall be paid in advance on or before the first of March in each year; the first payment to be made at the time of granting the application.
2. The licensee shall not, during the currency of the license, sub-let or transfer his interest therein, except by permission of the Commissioner of Crown Lands, and on payment of a fee of ten shillings; and the license shall become absolutely void upon any sub-letting or transfer of the licensee's interest in the license without such permission.

3. The licensee shall, within the term of his license, or before he can claim the Crown grant either by payment or otherwise, enclose the land described in his license with a good and substantial fence, and shall have cleared and cropped at least one-fourth of the whole area.

4. Upon payment of the last sum due on account of the rent, or at any time during the term, upon payment of the difference between the amount of rent actually paid—such being calculated at the rate of one shilling a year per acre—and the entire sum of ten shillings for each acre, the lessee or his representatives, if he or they have fulfilled all the foregoing provisions in regard to improvements, shall be entitled to a Crown grant of the lands licensed; and every such grant shall be subject to such covenants, conditions, exceptions or reservations as the Governor in Council may direct.

5. If the aforesaid improvements have not been made before the end of the license, the licensee or his representatives may continue to hold the land at the same annual rental, but no Crown grant will be issued until the improvements have been duly made.

Given under my hand, at Perth, on the day of 18 .
.....Commissioner of Crown Lands.

Eighth Schedule.

CLASS.....

Form of Application for Lease or License of Pastoral Lands.

I HEREBY apply for a of acres of Crown Land in the District,
from the day of 18 , to the day of 18 , in accordance with the
Regulations for the occupation of the same.
The position and boundaries are as shown below :—
To the Commissioner of Crown Lands,
Perth, Western Australia.
Signature.....

Name in full, address and calling of person to whom applicant wishes Lease or License to issue.	No. of Lease or License.	No. of Acres.	District.	Annual Rent.		
				£	s.	d.

Received this application, at o'clock on the day of 18 , with fee of
two shillings and sixpence. Commissioner of Crown Lands.
Application approved, as shown above, this day of 18 .
Received £ Rent due. Commissioner of Crown Lands.
.....Collector of Revenue.
Date.....

Ninth Schedule.

WESTERN AUSTRALIA.

Form of License to occupy Pastoral Lands.—Class I.

WHEREAS of hath been declared to be entitled to depasture stock upon the
Crown Lands within the Colony of Western Australia, hereinafter specified, upon the terms and conditions
hereinafter mentioned; Now therefore I, Commissioner of Crown Lands for the said Colony, do
hereby grant to the said the exclusive license, from and after the date hereof until the
day of next, to depasture stock upon the land situate and bounded as shown in the diagram
below: but excepting all reserves, purchased lands, unexpired tillage leases, and lands set apart for special
occupation or otherwise, under the existing or any previous regulations, and within such boundaries:

and containing acres or thereabouts; subject, nevertheless, to all the provisions and conditions
contained in the laws and regulations now in force for the letting, disposal and occupation of the Crown lands of
Western Australia.

Applications for renewal of licenses must be deposited at the Land Office, on or before the last day of January
in each year, accompanied with a fee of two shillings and sixpence.

Given under my hand, at Perth, on the day of 18 .
.....Commissioner of Crown Lands.

Form of Application for Renewal of Pastoral License.

I hereby apply for a renewal of the following Pastoral Licenses, for the year 18 , under the existing Land Regulations, viz. :—

Nos.	Acres.	District.	Rent.	Remarks.
		TOTAL.....6		

Signature.....

Received this application, at _____ o'clock on the _____ day of 18____, with fee of two shillings and sixpence.

Received £ , being Rents due.

Commissioner of Crown Lands.

Collector of Revenue.

Date.....18

Approved as shown above.

Commissioner of Crown Lands.

Form of Pastoral Lease.

DISTRICT OF.....WESTERN AUSTRALIA.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, Empress of India, &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, hereinafter called the Lessee, and also in consideration of the rents hereinafter reserved on the part of the said Lessee, his 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 Australasia 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 the 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, sandal-wood, 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 examinations, 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, his Executors, Administrators, and allowed Assigns, for the term of

to be computed from the first day of

18, YIELDING AND PAYING 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, the sum of [In the form of Lease of 2nd Class Lands the following words to be added: "for each of the first seven years, and the sum of for each of the last years of this demise"] without deduction, except such de-

duction as the said Lessee, his 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 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, re-possess, and enjoy, as if this deed-poll had never been executed, without making any compensation to the said Lessee, his Executors, Administrators, or allowed Assigns. Provided that the said Lessee, his Executors, Administrators, or allowed Assigns, may at all times, during this demise, on any part of the [said Premises, or, Waste Lands of the Crown] fell, cut, and use any timber for his domestic and farm purposes, or for the construction of any building, fences, stockyards, or other improvements, and use any other materials for the like purposes, but so, nevertheless, that the said Lessee, his 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 transferable without the written ap-

proval 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 of the land hereby demised, which may be shown by any survey hereafter to be made of the said lands, nor for any deficiency in the quantity and acreage of the lands hereby demised caused by any such error as aforesaid, nor 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 Crown Lands to affix hereto his Seal and set his hand this day of 18 .

.....Commissioner of Crown Lands.

* See Schedule No. 18.

Twelfth Schedule.

Form of Lease of Poisoned Lands.

DISTRICT OF.....WESTERN AUSTRALIA.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, Empress of India, &c., &c., &c. To all to whom these presents shall come, Greeting: Whereas it has been represented to Us that the piece or parcel of land described in the Schedule hereunder written is "Poisoned land" within the meaning of the Regulations hereinafter mentioned; Now Know Ye that We, of Our especial Grace, certain knowledge, and mere motion, and in consideration of to our Collector of Revenue for the Colony of Western Australia, already paid by

in the said Colony, hereinafter called the lessee, and also in consideration of the rents hereinafter reserved on the part of the said lessee, his 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 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; also to except from sale, and reserve to Us, Our Heirs and Successors, and to enter upon and 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, 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; 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, while working on or passing over the said demised premises; also for any person or persons to 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; also 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; 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 that purpose; 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), unto the said Lessee, his Executors, Administrators, and allowed Assigns, for the term of Twenty-one years, to be computed from the first day of January, 18 ; YIELDING AND PAYING 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, the rent or sum of without deduction, except such deduction as

the said Lessee, his 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 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, re-possess, and enjoy as if this deed-poll had never been executed, without making any compensation to the said Lessee, his Executors, Administrators, or allowed Assigns. Provided also, and it is hereby declared, that the said Lessee, his Executors, Administrators, or allowed Assigns, may at all times, during this demise, on any part of the said Premises, fell, cut, and use any timber for his domestic and farm purposes, or for the construction of any buildings, fences, stockyards, or other improvements, and use any other material for the like purposes, but shall not sell nor remove the same off the said demised Premises. Provided also, and it is hereby declared, that the said Lessee, his Executors, Administrators, and allowed Assigns shall be entitled at any time during the continuance, or on the expiration of the term hereby granted, to have a grant made in fee simple to him or them, subject to these Regulations, of and in the said Premises (not being mineral land). Provided that the whole thereof shall be then completely fenced in with a good and substantial fence and the poisonous indigenous plants entirely eradicated therefrom according to the true intent and meaning of the said Regulations. Provided, also, and it is hereby further declared, that the term hereby demised shall not be transferable without the written ap-

proval of Our Commissioner of Crown Lands, nor 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 Crown Lands to affix hereto his Seal and set his hand this day of 18

.....Commissioner of Crown Lands.

* See Schedule No. 18.

Thirteenth Schedule.

WESTERN AUSTRALIA.

License to occupy Poisoned Lands for Pastoral Purposes.

WHEREAS , of , hath been declared to be entitled to depasture stock upon the Crown lands within the Colony of Western Australia hereinafter specified, upon the terms and conditions hereinafter mentioned; Now therefore I, Commissioner of Crown Lands for the said Colony, do hereby grant the said the exclusive license from and after the date hereof until the day of next, to depasture stock upon the land situate and bounded as shown in the diagram below; but excepting all reserves, purchased lands, unexpired tillage leases, and any or other reservations lawfully made under existing or any previous regulations, and within such boundaries: and subject to the conditions more particularly set forth in No. 89 of the Land Regulations of 1882: and containing acres or thereabouts; and subject, nevertheless, to all and any of the provisions and conditions contained in the laws and regulations in force for the letting, disposal, and occupation of the Crown lands of Western Australia.

Given under my hand, at Perth, on the

of

18

.....Commissioner of Crown Lands.

Fourteenth Schedule.

WESTERN AUSTRALIA.

No.

£1 0s. 0d.

Form of Permit to search for Minerals.

KNOW all men that I Commissioner of Crown Lands, do hereby, in pursuance of the Land Regulations now in force, give to of in consideration of the sum of One pound by him duly paid, full license and authority to enter upon the Crown lands of Western Australia for the following purpose, that is to say: For searching for Minerals. And this Permit shall be in force for twelve calendar months from the date hereof, unless the same is forfeited or rendered void, and shall be subject to the restrictions, limitations, and conditions expressed in the aforesaid Regulations.

Witness my hand this

day of

18

.....Commissioner of Crown Lands.

Fifteenth Schedule.

Form of Mining Lease.

DISTRICT OF.....WESTERN AUSTRALIA.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, Empress of India, &c., &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 (hereinafter called the Lessee), and also in consideration of the rents and stipulations hereinafter reserved and contained on the part of the said Lessee, his executors, administrators, and allowed assigns, to be paid and done, 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 now in force respecting the disposal of 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, and made in pursuance of the provisions of the said Act, and of all other powers enabling us in this behalf, do by these Presents grant and demise unto the said Lessee, his executors, administrators, and allowed assigns, ALL copper and lead mines, and veins, beds, nets, and bunches of copper and lead ore, and all other mines and minerals whatsoever (except the precious metals and coal, and gems and jewels) lying within or under ALL THAT PIECE OR PARCEL OF LAND specified in the Schedule hereunder written, together with the said land, with full liberty, power, and authority, by themselves and their agents and servants, to enter upon the said lands hereby demised, or any part thereof, and there to break the surface and search for, work, win, and obtain the said ores and minerals, and for that purpose to dig, sink, drive, and make pits, shafts, drifts, headways, levels, adits, soughs, trenches, and sluices, and to build and make engines, furnaces, smelting houses, stamping mills, ore and store houses, hovels and stables, and other erections, and to sell, convert, and carry away, and otherwise appropriate such copper, lead, and other minerals to his and their own use and benefit, as well as all ores and minerals raised by him or them during any license held at the commencement of the term hereby granted; and to do all other things necessary or convenient as well for working the said mines as for refining the metals or minerals, and carrying off and removing all the water, slag, rubbish, and other annoyances from the works, and for the accommodation of the persons employed thereon; and to turn, change, or alter the course of water and rivulets within and on the said demised land and premises. And also liberty of access, ingress, egress, and passage at all times to the said Lessee, his executors, administrators, and allowed assigns, and their servants, agents, and workmen, with or without horses or other animals and carriages and materials of all kinds. Except and reserved to Us, Our Heirs and Successors, full power from time to time during the term hereby created, and 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 to reserve to Us, Our Heirs and Successors, and to enter upon, and 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 as 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 rivers or streams, or for the construction of railways or railway stations, or for purposes of Public defence, safety, utility, convenience, or enjoyment, or for digging for the precious metals, 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 over any part of the said demised premises; with liberty to Ourselves, Our agents, and workmen, to enter upon the said demised premises to dig for, quarry, and take away any indigenous produce, rock, gravel, stone, 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 liberty to such licensed persons at all reasonable times of ingress, egress, and regress, for such purposes; and with the written consent of the said Lessee, his executors, administrators, and allowed assigns, and notwithstanding the existence of any pre-emptive right, to sell as mineral land any portion of the said demised land from time to time; also to depasture on the unenclosed portions of such lands any horses or cattle in the use of the Local Government, whilst working on or passing over the said lands; also liberty for any person or persons to enter, pass over, through, or out of any unenclosed part of the said lands on which there is a recognised road, whilst passing from one part of the Country to another, with or without horses, stock, teams, or other conveyances, on all necessary occasions; also full power and right to the Aboriginal natives at all times to enter upon any unenclosed or enclosed but otherwise unimproved part of the said land for the purpose of seeking their subsistence therefrom in their accustomed manner. To hold, use, and enjoy the said lands, minerals, ores, metals, powers, and premises, subject in all respects to the said Regulations, unto the said Lessee, his executors, administrators, and allowed assigns, for the full term of seven years from the First day of January, 18 .., YIELDING AND PAYING for the same, always in advance, during the said term, the sum of five shillings per acre, on the First day of January in each year, without deduction, except such as may be made under the said Regulations; the said annual payments in advance to be made to Our Collector of Revenue, or to Our Sub-Collector of Revenue residing nearest to the said demised lands. Providing always, and it is hereby declared, that if the said rent be not paid in advance as aforesaid on the first day of January in each and every year, or within fifteen days next after such day, unless in that case within thirty days after the said first day of January in each year the said Lessee, his executors, administrators, and allowed assigns, shall without demand duly pay to the said Collector of Revenue the full amount of such annual rent, with an additional sum equal in amount to one-half of the said annual rent; or if the said Lessee, his executors, administrators, or allowed assigns, shall at any time during the term hereby created in any manner cultivate, break, or dig up any part of the said land, or use the same for any other purpose than strictly and exclusively for mining purposes according to the true intent and meaning of these Presents, except for the purpose of growing fruit, vegetables, or garden produce, or if at any time during the continuance of this demise the said Lessee, his executors, administrators, or assigns shall for the space of twelve calendar months fail or neglect to work and develop the mineral resources of the said demised lands, or if any clause, proviso, or condition of this Lease, or of the said Regulations, shall be infringed or broken by the said Lessee, his executors, administrators, or allowed assigns; then, and in either or any of such cases, it shall be lawful for Our Governor aforesaid, by a notice published in the *Government Gazette* of Our said Colony, to declare that this demise and the term hereby created is forfeited, and thereupon these Presents shall become void and the term hereby created shall be absolutely and indefeasibly forfeited; and it shall be lawful for Us, Our Heirs and Successors, into and upon the said demised land, or any part thereof in the name of the whole, to re-enter and have again in Our and their former estate, without making to the said Lessee, his executors, administrators, or allowed assigns, any compensation for any improvement or outlay thereon, except the same shall be adjudged by Our Governor aforesaid. Provided that the said Lessee, his executors, administrators, and allowed assigns, may at all times during this present demise depasture any horses and cattle working on the said demised land for such purposes, and shall and may use any indigenous timber, firewood, rock, and soil, growing and being on such land, for the construction of fences, buildings, implements, machinery, shafts, dams, sluices, stockyards, and other works and improvements thereon connected with mineral purposes (but shall not sell, or remove the same respectively from off such land). And it is declared that these Presents, and the term hereby granted, shall not be transferable without the written consent of Our Commissioner of Crown Lands in the form endorsed hereon,* nor unless he shall be satisfied that mining operations on the said land have been carried on by the said Lessee, his executors, administrators, or al-

lowed assigns, and that all fees on any such transfer have been paid; and it is further declared that We, Our Heirs and Successors, are not nor shall be liable or responsible for any error in the descriptive boundaries, quantity, or qualities of the 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 land; and shall not be liable to compensate the said Lessee, his executors, administrators, or allowed assigns, for any loss or damage which may arise from the exercise of all or any of the powers hereby reserved, save and except in so far as may be provided for by the said Regulations; And provided, lastly, that these Presents, and the term hereby created, shall be subject to all the powers, provisos, and clauses set forth and contained in such Regulations above referred to, which relate to the leasing and disposal of mineral lands, as if the same had been particularly expressed and set forth herein.

SCHEDULE HEREIN REFERRED TO.

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

.....Commissioner of Crown Lands.

Sixteenth Schedule.

Application for a Mining Lease.

Place.....Date.....

I hereby apply for a Mining Lease of the portion of Crown land hereunder described, for the term of years under the Regulations applicable thereto.

Description of Boundaries are as shown below :—

Signature of Applicant.....

(If the land applied for is included within any existing pastoral lease or mining license, the particulars of such must here be stated, and a Certificate added that the land is known or supposed to contain minerals.)

To the Commissioner of Crown Lands,
Perth, Western Australia.

Name at full length, address and calling of person to whom applicant wishes lease to issue.	No. of Lease.	No. of acres.	District.	Annual Rent.		
				£	s.	d.

Received this application at two shillings and sixpence. o'clock, on the day of , 18 , with fee of

Approved, as shown above, this day of , 18 .

Received £ , Rent due.

.....Commissioner of Crown Lands.

.....Commissioner of Crown Lands.

.....Collector of Revenue.

Date.....18 .

Seventeenth Schedule.

WESTERN AUSTRALIA.
Form of Special Timber License.

WHEREAS of , has made application for a license to cut, saw, split and remove Timber from all that piece or parcel of Crown Lands situate at in the District, in the Colony of Western Australia, containing acres, and has paid into the hands of Collector of Revenue for the said Colony the sum of pounds, shillings and pence; Now therefore I do hereby license the said himself, his servants, and agents, to cut, saw, split, and remove Timber on and from the said land for the term of subject to the provisions of the laws and regulations now in force for the sale, letting, and disposal of the Crown lands of Western Australia; but this license shall not authorise the said to remove timber in balk or for piles from the said piece or parcel of land.

Given under my hand, at , on the day of 18 .

.....

Commissioner of Crown Lands.

GOVERNMENT GAZETTE.

Eighteenth Schedule.

Form of Transfer.

I HEREBY transfer all my right, title, and interest in _____ 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.
Date.....18..

I approve the said Transfer,

.....Commissioner of Crown Lands.
Date.....18...

N.B.—The above form is to be used in all cases of Transfer, and is to be endorsed on all Leases and Licenses.