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VICTORIÆ REGINÆ.

A.D. 1882.

No. 252.

The Woods and Forests Act, 1882.

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The Woods and Forests Act.—1882.

An Act to repeal “The Forest Trees Act, 1878,” and to make other provisions in lieu thereof.

[Assented to, November 17th, 1882.]

Preamble.

WHEREAS it is expedient to repeal “The Forest Trees Act, 1878,” and to make other provisions in lieu thereof—Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and the House of Assembly of the said province, in this present Parliament assembled, as follows:

PRELIMINARY.

PRELIMINARY.

Short Title.

1. This Act may be cited for all purposes as “The Woods and Forests Act, 1882.”

Division of Act.

2. This Act shall be divided into six parts, relating to the following subject matters—

PART I.—Repeal, sections 3 and 4:

PART II.—Powers of Commissioner of Forest Lands, sections 5 to 8:

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PART I.

PART I.

REPEAL.

Repeal

3. “The Forest Trees Act, 1878,” is hereby repealed.

Saving clause.

4. Such repeal shall not (except as hereinafter provided) affect any estate, right, interest, or liability created or existing under or by virtue of such repealed Act, and shall not prejudice or affect anything already lawfully done, or commenced or contracted to be done, under such Act, or under any existing regulations. And all proceedings, matters, and things lawfully had or done, and all declarations of forest districts, and all appointments and regulations made before the passing of this Act by, under, or in pursuance of the said repealed Act, shall (except as hereinafter provided) be of the same force and effect to all intents and purposes as if the said Act were still in force; and no proceeding which may at the time of the

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the passing of this Act be pending, or which may hereafter be instituted in respect of anything done or omitted to be done under the said repealed Act or any regulation thereunder, shall be prejudiced or affected, but shall be determined as if the said Act were still in force.

PART II.PART II.

POWERS OF COMMISSIONER OF FOREST LANDS.

5. The Forest Board of South Australia shall cease to exist, and all powers, authorities, and privileges vested in or given to the said Board shall cease and determine immediately after the passing hereof.

Forest Board to cease to exist.

6. All estates vested in the Forest Board immediately prior to the passing hereof, shall vest in the Commissioner of Crown Lands for the province, and all deeds and covenants made and executed, and all contracts entered into by or with the said Board, and all choses in action which may arise thereout, shall vest in and may be enforced by and against the Commissioner of Crown Lands and Immigration, who, and his successors in office, shall be a body corporate, under the name or style of "The Commissioner of Forest Lands," and by that name and style shall have perpetual succession, and be able and capable to sue and be sued, plead and be impleaded, prosecute and inform in all Courts of law, whether civil or criminal, and in all Courts of equity, and to grant and receive and hold all lands, buildings, and other property, of whatsoever nature, dedicated to, or given up for the purposes of, or in anywise belonging to the forest reserves named in the Schedule hereto marked A, or hereafter to be reserved by Proclamation, unless any part thereof be diverted from such purpose by revocation in manner provided by this Act; and shall have and use as occasion may require a common seal, bearing the impression of the Royal Arms of England, and having inscribed in the margin thereof the words "The Commissioner of Forest Lands"; and may from time to time lease all lands, buildings, and other property, of whatsoever nature, held by such Commissioner of Forest Lands, or any part or parts of such buildings and property, from year to year, or for any term not exceeding twenty-one years, in possession for such purposes and (where not otherwise provided for by this Act) on such terms and conditions as the said Commissioner may think fit. And the said Commissioner shall also have full power and authority to receive, pay, apply, and dispose of all such moneys as shall be annually granted for the purposes of this Act out of the public revenue of the said province, and to enter into all such contracts, and to do all such other acts, deeds, matters, or things as may be requisite or proper to be done for purchasing, exchanging, or otherwise collecting plants, seeds, implements, materials, botanical books, and works on forestry, or for erecting or completing fences, residences for any officers employed by the said Commissioner, and other

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other buildings appertaining to the said forest reserves, and for all such other purposes as the said Commissioner may deem necessary for carrying into effect the planting and preserving of forest trees in the said reserves. And the said Commissioner shall also have full power, with the consent of the Governor, to direct and order at what times, in what manner, and under what restrictions the public may visit the said reserves; and shall decide the conditions upon which spare plants and seeds may be exchanged, or sold, or given away.

Commissioner may grant licences for quarrying, &c.

7. The said Commissioner may from time to time grant licences and make regulations for cutting and removing timber or bark, or for quarrying and removing stone, sand, or gravel, or for searching for and removing minerals and metals, or for any other purpose, from the whole or any part of any lands held by the said Commissioner under this Act, and may make such charges in respect of any such licences as may be fixed by regulation, and, when not so fixed, as he may think fit.

Fees on stock depasturing on reserves.

8. The said Commissioner may levy such fees upon stock depasturing on forest reserves as he by regulation shall from time to time provide.

PART III.

PART III.

FOREST RESERVES.

Forest reserves heretofore proclaimed to continue forest reserves under this Act.

9. The several forest reserves heretofore declared and set forth in the Schedule hereto marked A shall continue to be and are hereby declared to continue forest reserves under this Act, notwithstanding that portions or the whole of any such forest reserves are situated within the boundaries of any hundred in the said province.

Governor may proclaim forest reserves.

10. The Governor may from time to time, by Proclamation in the *Government Gazette*, reserve any portion or portions of the waste lands of the Crown as forest reserves of the said province.

Governor may determine forest reserves.

11. The Governor may from time to time, by Proclamation in the *Government Gazette*, declare that any forest reserve or part of any forest reserve shall cease to be a forest reserve: Provided always that no Proclamation determining any forest reserve or part of a forest reserve shall be issued until thirty days after a statement shall have been laid before Parliament setting forth the particulars intended to be inserted in such Proclamation.

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PROVISIONS FOR ENCOURAGING THE PLANTING OF FOREST TREES.

12. The Governor may from time to time, by Proclamation in the *Government Gazette*, declare any part of the province defined in such Proclamation to be a forest district, and may, in such Proclamation, fix a day on which this part of this Act shall come into operation in such district.

Governor may proclaim forest districts.

13. Until any such Proclamation as aforesaid, the provisions of this part of this Act shall apply only to the districts heretofore declared, and which are set forth in the Schedule hereto marked B.

Districts heretofore proclaimed to continue.

14. Any person who shall, in accordance with the regulations contained in Schedule C to this Act, or any other regulations for the time being in force under this Act, plant, transplant, or grow upon any land, not less than five acres in extent and not being waste lands of the Crown, forest trees of the description mentioned in any such regulation, shall be entitled to receive an order in the form of the Schedule hereto marked D, which order shall entitle such person to the amount of Two Pounds for every acre so planted, such amount to be credited to him on the purchase of any waste lands of the Crown in the province open for sale at auction or otherwise, or to be received in payment of the interest of the purchase-money, if selected on credit, or in payment of any rent due to the Government, but subject in every other respect to the laws and regulations for the time being in force regulating the sale and disposal of the waste lands of the Crown: Provided that the said Commissioner may refuse to grant any such order unless it shall be shown to his satisfaction that the land in respect of which such order is sought has been devoted to no other purpose (except to the purpose of gardening) than that of producing forest trees for at least two years, and that the trees on such lands are in a vigorous and healthy condition, and that the land is securely fenced in against sheep and cattle.

Persons planting trees entitled to order for £2 for every acre planted.

Conditions required.

15. Every such order shall be transferable, and shall be exercised within five years from the date thereof, and if not exercised within such period shall be absolutely null and void.

Order to be exercised within five years.

16. It shall be lawful for the holder of any order, if the sum of money named therein exceed Fifty Pounds, but not otherwise, to exercise such right wholly at one time, or from time to time (before the expiration of the period aforesaid), and to purchase under such order land, in one parcel or in more parcels than one; and whenever such order, whatever the amount thereof may be, shall be exercised by the purchase or selection of any such land as aforesaid, the holder of such order shall at any time, when under the law in force regulating the sale of such lands he would be bound to pay any deposit, interest, rent, or purchase-money, if such purchase had been

Order may be offered for payments at different times.

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been made under such law alone, and not under this Act, produce such order to the person to whom such deposit, interest, rent, or purchase-money may be payable; and such person shall thereupon note, by indorsement on such order, the sum of money which would be payable by such holder as such deposit, interest, rent, or purchase-money as aforesaid, and shall also give to the holder of the order a receipt or certificate in the like form and to the like effect as such holder would be entitled to receive if he had paid in cash the sum so indorsed; and such receipt or certificate shall have the same force and effect as if the holder of such certificate had paid such sum so indorsed as aforesaid: Provided, however, that when the order has been fully exercised it shall be given up to the Treasurer.

One order only to issue for same land.

17. No person shall be entitled to an order in respect of any land for which an order has, at the time of application, already been given.

Planting of forest trees by pastoral lessees to be held an improvement.

18. Any person holding a lease from the Crown for pastoral purposes may give written notice to the Commissioner of Crown Lands that he wishes to sow, plant, or transplant forest trees on any tract of land not being less than twenty acres, on the land held by him on lease, and shall, in such notice, define the number of trees on each acre, and the description of trees which he intends to sow, plant, or transplant, and state the amount of compensation which he expects in case of resumption; and if no objection is raised by the Commissioner within six months after the giving of such notice, all trees sown, planted, or transplanted in pursuance of any such notice which shall at the time of resumption be in a vigorous and healthy state, at least ten feet high, and securely fenced against sheep and cattle, shall be an improvement for which compensation shall be given if such land is resumed: Provided that in no case more than Two Pounds shall be paid for every acre sown, planted, transplanted, and resumed.

PART V.**LEASES OF FOREST LANDS.****PART V.**

Leases for other than mineral purposes to be offered at auction.

19. The right to any lease of land under this Act for other than mineral purposes shall be offered for sale by public auction, at such upset price per acre per annum as the Commissioner shall in each case direct; and the person to whom such lease shall be granted shall be the person who at such auction shall offer the highest sum above the upset price for the annual rent of the land intended to be comprised in such lease. Notice of the time and place at which such auction will be held, and of what lands are to be offered thereat, and the purposes for which such lands are to be let, shall be given by advertisement in the *Government Gazette*, published not less than one nor more than three calendar months before the day of holding such auction, but the Commissioner may at any time postpone or adjourn any such advertised sale.

20. Every

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Terms and conditions
of such leases.

20. Every such lease shall be for such term, not exceeding twenty-one years in possession, as the Commissioner may determine, and shall be granted for the purposes stated in the notice of sale, and shall contain covenants by the lessee to pay the rent thereby reserved half-yearly in advance; to destroy Bathurst bur and all other noxious weeds, and also to destroy all animals required to be destroyed by law; to pay all rates and taxes levied, imposed, or assessed upon the land demised, or upon the landlord or tenant in respect thereof; to repair and keep in repair all buildings, erections, and fences built, erected, or being upon the said land during the term of the lease, and the same so repaired and kept in repair to yield and deliver up at the end or other sooner determination of the lease, and not to assign, sublet, or part with the possession of all or any part of the demised premises without the previous consent in writing of the Commissioner; and shall also contain a proviso for forfeiture on breach or non-observance of any of the covenants therein contained, and such other covenants, terms, and conditions as the Governor may think advisable; and the Governor is hereby empowered from time to time to provide, by regulations to be published in the *Government Gazette*, what other covenants, terms, and conditions, shall be inserted in any such leases.

21. It shall be lawful for the Governor at any time during the currency of any lease granted under the authority of this part of this Act, to resume the possession of the whole or any part of the land comprised in any such lease: Provided that at least six months' previous notice shall have been given in the *Government Gazette* of the intention to resume such land: Provided also that where any such land is required to be resumed for roads or railways, or purposes connected therewith, it shall only be necessary to give one month's previous notice in manner aforesaid.

Governor may
resume leased
lands.

22. The lessee of any land resumed under the last preceding section, or the executors, administrators, or assigns of such lessee, shall be entitled to receive, and shall, within three calendar months after such resumption be paid compensation for his interest in any wells, reservoirs, tanks, or dams of a permanent character, situate upon the land so resumed, and constructed by such lessee, or any person under whom he claims, and also for his interest in all substantial buildings and fences situate upon the said land and erected during the currency of the lease, and also (except where the said land shall be resumed for roads or railways, or purposes connected therewith) compensation for any loss occasioned by such resumption; but no lessee of any land resumed, nor his executors, administrators, or assigns shall be paid any compensation in respect of the increased value of his lease, occasioned by reason of any natural waters, or any expenditure upon roads or railways, or upon adjoining or other lands. The amount of compensation and also the value of the improvements for which any such lessee is entitled to be paid under this section shall be determined in case of dispute by two arbitrators, of whom one shall

Compensation
payable on
resumption.

be

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be nominated by the Commissioner and the other by the person or persons entitled to compensation or payment; or in case of the arbitrators not being able to agree, by an umpire to be appointed by them before entering upon the consideration of the amount of compensation or payment: Provided that in case either of the parties entitled to nominate an arbitrator as aforesaid shall neglect to name an arbitrator for the space of seven days next after a notice in writing so to do shall have been given him by the other party, or shall name an arbitrator who shall refuse to act, then the arbitrator named by the other party may make a final decision alone.

Mineral leases.

23. Every lease under this Act for the purposes of mining for any minerals or metals, except gold, shall be for such term, not exceeding twenty-one years in possession, as the Commissioner may determine, and shall reserve a rent of One Shilling per acre, and a further sum, equal to Sixpence in the Pound sterling, on the net profits obtained from the occupation and working of all mines and the sale of all metals and valuable minerals which shall be obtained from the land comprised in such lease, which rent shall be payable half-yearly under the penalties hereinafter provided.

Returns to be delivered.

24. For the purpose of ascertaining the amount of rent so to be paid, the lessee of such land, or the person having the management thereof, shall, thirty days before each day appointed for the half-yearly payment of rent, deliver at the office of the Commissioner a full and true return in the form of Schedule E hereto, certifying the amount divided as profit, or (in the case of other than public companies) the amount of realised profit which shall have resulted from the working of the said land during the six months immediately preceding the date of such return: Provided that in case no profit has been divided or realised, a certificate to that effect shall be sent in thirty days before each day appointed for the half-yearly payment of rent; and any such lessee or other person wilfully forwarding any false return shall be liable for each offence to a penalty of not less than Fifty Pounds, nor more than Five Hundred Pounds. And for the purpose of verifying such return it shall be lawful for any person appointed by the Commissioner, at all reasonable times, to inspect and take extracts from all books of account, vouchers, and documents in any way relating to the said land, or the metals or valuable minerals obtained therefrom; and any lessee or other person refusing to allow any person so appointed to make such inspection as aforesaid, or preventing such extracts being taken, shall, for each offence, forfeit and pay a penalty of not less than Twenty Pounds, nor more than Forty Pounds.

Covenants and conditions of mineral lease.

25. Every such mineral lease shall contain covenants by the lessee to pay the rent reserved in such lease as and when such rent shall become due; not to use the demised land for any other purpose than that for mining and smelting without the previous consent in writing of the Commissioner; not to remove or appropriate any gold or gold-bearing stone on the demised land; to expend in every two years during

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during the term a sum equal to at least Six Pounds for every acre of the land comprised in such lease in working the mines on such land; or, at the option of the lessee, during nine months in each year of the term created by such lease to employ and keep employed not less than three men, for every eighty acres of the land demised, in mining upon such land, and in searching for and raising metals or other valuable minerals, and to furnish the Commissioner, whenever required by him, with satisfactory evidence that such sum of money has been laid out, or such number of men have been employed, in mining as aforesaid; to forward true and accurate returns at the time required by the last-preceding section, and to observe all regulations for the time being in force relating to mineral leases under this Act; and shall also contain a proviso that the same shall be liable to forfeiture on breach of any covenant therein contained to be performed or observed by the lessee.

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26. Every lease under this Act for gold mining purposes shall be for such term, not exceeding twenty-one years in possession, as the Commissioner may determine, and shall reserve such rent, royalties, and contain such covenants, terms, and conditions as may be provided by regulation made in the manner hereinafter provided.

Gold mining leases.

27. In every case where the whole or any part of the rent of any land shall not be paid on the day when such rent became or shall become payable, the lessee or person liable for the payment of such rent, shall, in addition to the amount of the rent in arrear, pay to the Commissioner a penalty, if such rent shall be paid within one month after the day on which the same became due, of Five Pounds per centum; or if such rent shall not be paid within one month from the day on which the same became due, of Ten Pounds per centum upon the amount of such rent. And the Commissioner is hereby authorised to recover the amount of rent in arrear, together with the penalty hereinbefore imposed for the non-payment thereof, by action in any Court of competent jurisdiction, or by distress upon the goods and chattels of the lessee or person liable for the payment of such rent and penalty, wheresoever such goods and chattels may be found.

Penalties for non-payment of rent on due dates.

28. The Commissioner may at any time accept the surrender of any lease under this Act upon such terms and conditions as he may think fit.

Commissioner may accept surrenders of leases.

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PART VI.

GENERAL PROVISIONS, PENALTIES, AND LEGAL PROCEDURE.

29. The Governor may from time to time remove any conservator

Governor may appoint and remove officers.

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servator of forests, secretary, or other person holding office under this Act or the Act hereby repealed, and may appoint and employ any other person or persons to fill any vacancy that may arise in any office, and also any other officers necessary for giving effect to this Act.

Governor may make regulations.

30. The Governor may from time to time make regulations (to be published in the *Government Gazette*) for prescribing the management and administration of the Forests Reserves; for prescribing the mode and regulating the sale and disposal of timber in the Forest Reserves; for preventing the danger and spread of fires in the Forest Reserves; for fixing the fees to be charged for licences; for defining the covenants, terms, and conditions to be inserted in leases under this Act; and generally for carrying into effect the provisions of this Act; and may by such regulations prescribe penalties, not exceeding Five Pounds, for any one offence for any breach of such regulations; and may in like manner vary, alter, or revoke any such regulations and substitute others in lieu thereof; and such regulations may be made to apply generally throughout the said province, or may be limited to apply to any one or more Forest Reserves or districts, and different regulations may be made from time to time for the several reserves and districts.

Penalties for cutting timber or removing sand, &c.

31. Any person who shall cut timber or bark upon, or remove the same, or quarry or remove any stone, sand, or gravel, from any forest reserve, without a licence or permission under regulation, shall incur a penalty of not more than Five Pounds in addition to the value of the material removed.

Owners of animals trespassing liable for damages.

32. Any person who shall suffer any cattle, sheep, goats, pigs, or horses belonging to him or under his charge to stray, or be at large, or be tethered or depastured in any enclosed forest reserve without special permission from the Commissioner of Forest Lands, shall incur a penalty not exceeding Five Pounds; and in case of any injury to, or the destruction of any plant or plants, tree or trees, within any enclosed forest reserve, fence, or gate connected therewith, such person shall, in addition, pay the value of the plant or tree or fence so injured or destroyed, and in default of payment may be imprisoned for a term not exceeding three months.

Penalty for destroying or damaging trees, &c.

33. Any person who shall steal or wantonly destroy or damage the whole or any part of any tree, fence, or gate, or shall wilfully cut, break, or root up any tree, sapling, or seedling upon any forest reserve, or shall steal or wilfully destroy or damage any tree, sapling, or seedling sown or planted or transplanted by any person within any forest district, may be ordered to forfeit or pay a sum not less than Five Shillings and not exceeding Ten Pounds, or may be imprisoned, with or without hard labor, for any term not exceeding three months.

Penalty may be recovered in a summary manner.

34. Every proceeding for the recovery of any penalty or sum of money

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money by this Act imposed or made payable may be had before any Special Magistrate, or two or more Justices of the Peace for the said province, in a summary way, by or in the name of the Commissioner of Forest Lands, or of any officer or other person acting under his authority.

35. The proceedings before Justices shall be conducted as appointed by and shall be regulated under the Ordinance, No. 6 of 1850, intituled "An Ordinance to facilitate the performance of the Duties of Justices of the Peace out of Sessions with respect to summary convictions and orders," or any Act hereafter to be in force relating to the duties of Justices of the Peace with respect to summary convictions and orders.

Application of No. 6 of 1850.

36. In every case of the adjudication of a fine or pecuniary penalty or amends under this Act, and of the non-payment of such fine or pecuniary penalty or amends, the Justices before whom the proceedings have been taken may commit the offender or person making default in payment to any gaol in the said province, for any time not exceeding three calendar months, the imprisonment to cease on payment of the sum and costs due; but this section shall not affect any remedy for the recovery of any fine or pecuniary penalty or amounts under the said Ordinance, No. 6 of 1850, or any other Ordinance or Act.

Non-payment of penalty.

37. There shall be an appeal from any order of Justices of the Peace made under the provisions hereinbefore contained, or from any order of Justices of the Peace dismissing any information laid under this Act, or from any conviction by Justices for any offence against this Act, which appeal shall be to the Local Court of Adelaide of Full Jurisdiction only, and the proceedings in such appeal shall be conducted in manner appointed by the said Ordinance No. 6 of 1850, for appeals to Local Courts, but the Local Court of Adelaide aforesaid may make such order as to payment of costs of appeal as such Court shall think fit, although such costs may exceed Ten Pounds.

Appeal.

38. It shall be lawful for the Local Court of Adelaide, upon the hearing of any appeal under the last preceding section, to state one or more special case or cases for the opinion of the Supreme Court, and the Supreme Court shall hear and decide such special case or cases according to the practice of the Supreme Court on special cases; and the Supreme Court shall make such order as to the costs of any such special case as to the said Court shall appear just; and any two or more Justices, or the Local Court of Adelaide, shall make an order in respect of the matters referred to the Supreme Court in conformity with the certificate of the said Supreme Court or of any Judge thereof, which order of the Justices of the Peace or Local Court shall be enforced in manner provided by this Act for the enforcement of orders of Justices of the Peace; and, save as herein provided, no order or proceeding of Justices or of any

Local Court of Adelaide may state a case for opinion of Supreme Court.

Local

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Local Court, made under the authority of this Act, shall be appealed against or removed by *certiorari* or otherwise into the Supreme Court of the said province.

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

WM. F. DRUMMOND JERVOIS, Governor.

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SCHEDULES REFERRED TO.

SCHEDULE A.

FOREST RESERVES.—DEFINITION OF BOUNDARIES.

Northern District.

Bundaleer Forest.—Comprising all that portion of the Hundred of Belalie south-west of section 61; west of sections 289, 288, 287, 53, 31w, 30, 29, 18, 17, 16, 1n, 1s, 3, 274, and 4; all that portion of the Hundred of Yangya south of section 250, east of sections 273, 269, 270, 271, and 272; all that portion of the Hundred of Bundaleer east of a line from the north-east corner of section 484, to the south-east corner of section 494, south of section 494, east of sections 495, 496, and 502; and north of sections 37, 36, 35, and 33; and that portion of the Hundred of Reynolds north of sections 214, 201; and west of sections 178, 213, 212, and 211.

Wirrabara Forest.—Comprising all that portion of the County Victoria west of the Hundred of Booyoolie; north of portion of the Hundred of Crystal Brook, and east of the Hundred of Napperby; and that portion of the County of Frome west and south-west of the Hundred of Appila, south of portion of the Hundred of Wongyarra, and east and north-east of a line commencing at the Bluff Trigonometrical Station, and running in a north-westerly direction along the summit of the Bluff Range to its northern extremity; and thence to the south-west corner of the Hundred of Wongyarra; and also all that portion of the Hundred of Booyoolie bounded on the east by the western boundaries of sections 64, 84, and 134; on the south by the northern side of road north of section 352N; on the west by the western boundary of the hundred, and on the north-west by the south-eastern side of road south-east of section 367.

Mount Remarkable Forest.—Comprising the whole of sections 3A, 197, and 198, Hundred of Wongyarra.

Penwortham Forest.—Comprising the Government reserve west of section 603, and portion of section 33; south of portion of section 9; east of section 36, and north of road north of sections 359 and 29, all in the Hundred of Clare.

Mount Brown Forest.—Comprising that portion of the Hundred of Woolundunga east of a straight line from the Devil's Peak Trigonometrical Station to Mount Brown Trigonometrical Station; and north of a line running easterly at right angles to true meridian from the latter Trigonometrical Station to the western boundary of the Hundred of Willochra.

Southern District.

Mount Gambier Forest.—Commencing at the east corner of section 430, Hundred of Blanche; thence south-westerly along its south-eastern boundary to a point 100 links north-east of the south corner of said section; thence in a south-easterly direction by lines 200 links north-east of, and parallel to, the north-eastern boundaries of sections 1000, 468, and 36, and easterly, by a line 200 links north of, and parallel to, the north boundary of section 548, to the north-western side of the main road to Gambier Town; thence in a north-easterly and northerly direction, following the north-western and western sides of said road to a point east-south-easterly of the south-east corner of the botanic garden; thence west-north-westerly to said corner, and along the southern boundary of said garden to its south-western corner; thence in a south-south-westerly direction along the summit of the ridge between the lakes, south of the botanic garden and section 85, to the summit of the Mount Gambier ridge; thence in a south-westerly, north-westerly, and northerly direction along the summit of the Mount Gambier ridge, to a point south-east of the east corner of section 430, and thence north-westerly to the point of commencement.

Mount

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Mount Burr Forest.—Comprising all that portion of the County of Grey west of a line commencing at the summit of Mount Graham; thence in a south-south-easterly direction along the summit of the Mount Graham and Mount Burr ranges to the southern extremity of the latter; and then southerly to the north-eastern corner of section 25, Hundred of Hindmarsh; north of portion of section 25; east of road east of section 346; east of sections 26, 27, and 30; north of sections 30, 31, and 29 in said hundred; east of a line running true north from the south-east corner of the Hundred of Mount Muirhead, to a point true west of the summit of Mount Graham, and south of a line connecting the last-mentioned point with the summit of said Mount. Also comprising the whole of sections 108 and 109, Hundred of Mount Muirhead, and bounded on the north-west by the south-eastern side of road south-east of sections 121 and 406; on the west by the eastern side of road east of section 110; on the south-west by the north-eastern boundary of section 107; on the south-east by portion of the north-western boundary of section 102; and on the east by the eastern boundary of the hundred.

Mount Muirhead Forest.—Commencing at the north-western corner of section 198, Hundred of Mount Muirhead; thence west-south-westerly to the north corner of section 135; thence south-easterly to the east corner of section 154; thence east-north-easterly to the south-western corner of section 198; and thence north-north-westerly to the point of commencement.

Glen Roy Forest.—Comprising all that portion of the Hundred of Glen Roy south of sections 81, 83, 52, and 84; west of road west of sections 64x, 64s, and 71; north and west of section 34; west of road west of sections 26, 21, and 14; north of and including section 9, and east of and including sections 10, 220, 18, 29, 30, 54, and 49.

Mundalla Forest.—Comprising all that portion of the Hundred of Wirrega south of the suburban lands; south-east of road south-east of section 99; east of portion of section 94; north of sections 103 and 107; east and south of section 107; east of road east of section 92; north of road north of sections 110 and 111; south-west of road south-west of section 114; west of road west of section 115; north of section 115; and south-west of road south-west of sections 117 and 120.

Bordertown Forest.—Comprising all that portion of the Hundred of Tatiara north of road north of sections 94 and 131; east and north of section 128; east of road east of section 126; south of portion of the north boundary of the hundred; west and south-west of road west and south-west of sections 2 and 16, and north and west of the park lands adjacent to Bordertown.

Cave Range Forest.—Comprising all that portion of the Hundred of Jessie south-west of road south-west of sections 92 and 101; and all that portion of the Hundred of Joanna west of road west of section 217; west of sections 212 and 211; north-west of the Mosquito Creek and north of sections 64, 63, and 79A; also that portion of the Hundred of Joanna, south and east of Mosquito Creek; north of a line being the production easterly of the north boundary of section 64, Hundred of Joanna, to the western boundary of section 209, and west of portions of the western boundaries of the latter section and section 211.

Penola Forest.—Comprising all that portion of land in the Hundreds of Nangwarry and Penola south of road from the south-east corner of section 179, Hundred of Penola, to the south-west corner of section 343; south-west of road from the latter corner, to the north-east corner of section 1, Hundred of Nangwarry; west of the western boundaries of sections 1, 6, 7, 12, and 13, north of a line running westerly at right angles to the western boundary of section 13, from its south-west corner to the Mount Gambier and Penola main road, and east of the said main road.

Mount McIntyre Forest.—Commencing at the south corner of section 9, situate in County Grey, north of the Hundred of Hindmarsh; thence south-easterly by the production of the south-western boundary of said section, for one mile; thence north-easterly at right angles for two miles; thence north-westerly at right angles for three miles 2,738 links; thence south-westerly at right angles to intersect the production north-westerly of the south-western boundary of section 8; thence south-easterly by the said production to the west corner of said section; thence north-easterly, south-easterly, and south-westerly, following the north-western and north-eastern boundaries of section 8, and north-eastern and south-eastern boundaries of section 9, to the point of commencement.

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Port Road Forest Plantation—from the park lands at Hindmarsh to Alberton.—
All the vacant lands alongside the Port Road.

Western District.

Wallaroo Forest, Hundred of Wallaroo.

Block No. 1. Bounded as follows:—Commencing at the south-east corner of section 1119, Hundred of Wallaroo; thence west-south-westerly by the southern boundaries of sections 1119 and 1118, to the south-eastern corner of section 1113; thence north to its north-eastern corner; thence west to the north-west corner of section 1112; thence true north to the south-corner of section 1114; thence north-easterly to its south-eastern corner; thence true north to a point true west of the south-west corner of mineral claim 5574; thence east to said corner, and along south boundary of said claim and its production to the hundred boundary; thence south to the north-western boundary of mineral section 599; thence south-south-westerly along the north-western boundaries of sections 599 and 670, and east-south-easterly along the south-western boundary of the latter section to the hundred boundary; thence south along said boundary to a point opposite the south-eastern corner of section 1119; thence to said corner, the point of commencement.

Block No. 2. Commencing at the south-eastern corner of section 1101, Hundred of Wallaroo; thence west-south-westerly by a straight line to the intersection of the north-eastern boundary of mineral section 2398 with the northern side of main road; thence north-westerly to north corner of said section; thence south-westerly to the east corner of mineral section 2322; thence north-westerly to its north corner; thence south-westerly to the east corner of mineral section 2323; thence north-westerly to the south-corner of mineral section 2799; thence north-easterly along the south-eastern boundary of said section and its production to a point true west of the north-western corner of section 1107; thence east to said corner; thence true south to the south-west corner of section 1110; thence true east to the north-east corner of section 1101; and thence south to the point of commencement.

Tickera Forest, Tickera.—Comprising that portion of the Hundred of Tickera, bounded on the north by the southern side of road south of sections 43 and 38, and its production westerly to the north-east corner of section 3; on the east by the western side of road west of sections 24 and 23; on the south-east by the production north-easterly of the south-eastern boundary of section 100, Hundred of Wallaroo, to the western side of road west of section 23, Hundred of Tickera; on the south by the northern side of road on the southern boundary of said hundred; and on the west by the eastern side of road east of sections 2 and 3, exclusive of all necessary roads.

SCHEDULE B.

Forest Districts.—Definition of Boundaries.

District No. 1.—Comprising all that portion of the Hundred of Willunga north of the road north of sections 665 and 668; north-west of sections 538, 537, 539, 542, 544, 545, 744, 304, and 303; west of section 275; north of road north of sections 275 and 700; west of sections 1241 and 761, and west of road west of sections 507 and 306; north-west of road north-west of sections 307 and 1060; west of road west of sections 709 and 501; south of sections 509, 508, and 579; and west of road west of sections 579 and 858. All that portion of the Hundred of Noarlunga west of road west of sections 858 and 830; north of sections 830 and 831; west of road west of sections 818 and 515; north of road north of sections 515 and 516; and west of road west of sections 504 and 29. All that portion of the Hundred of Adelaide west of section 30; north of sections 30 and 19; west of road west of sections 1042 and 1073; north of section 1073; west of portion of section 1147, and west of sections 1146 and 1075; north of section 1075; north-west of sections 1141 and 247B; west of section 884; north of the road north of sections 884 and 1094; north-west of sections 1091, 1078, 1079, and 1062; south and west of roads south and west of section 295; north of road north of sections 295, 909, and 911; west of road west of sections 1005 and 903; north of road north of sections 903 and 904; west of sections 905 and 1083; west of road west of sections 1059 and 847; north of section 847; west

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west of road west of sections 850 and 857; north of sections 857 and 810; and west of sections 809, 39, 812, 813, 803, and 807. All that portion of the Hundred of Yatala west of sections 811, 818, 822, 832, 5627, and 5629; west of road west of sections 50, 57, and 5460; south of sections 5465 and 2158; and west of road west of sections 2158 and 1560. All that portion of the Hundred of Munno Para west of road west of sections 1560 and 4219; north-west of road north-west of sections 4219 and 4221; west of road west of sections 1690, 3266, and 3318; north-west of sections 3315 and 3314; and north-west of road north-west of sections 3253 and 1032. The whole of the Hundred of Port Adelaide. All that portion of the Hundred of Barossa north-west of road north-west of sections 1031 and 3027; north-east of section 3027; north-west of sections 571, 91, and 90; north of sections 70, 71, 74, 76, 487, and 3159; east of sections 3159, 1735, and 1734; north of sections 530 and 505; north-west of sections 759, 3146, and 3145; north of sections 3145, 567, 3129, 2726, 1028, and 1964; and west of road west of sections 3122 and 3126. The whole of the Hundreds of Nuriootpa, Mudla Wirra, Light, Gilbert, and Saddleworth. All that portion of the Hundred of Moorooroo west of road west of sections 767, 644, 738, 1936, 82, and 76; north of section 76; west of road west of sections 768 and 55; north of sections 55, 337, 338, 330, 427, and 426; south-west of road south-west of sections 346, 342, 362, and 602; west of sections 301, 300, 139, and 157; north of section 157; and west of road west of sections 213 and 233. All that portion of the Hundred of Belvidere south-west of the road south-west of sections 228, 142, and 281; south and west of section 123; south of sections 127, 125, 124, and 95; west of the road west of sections 95, 241, and 253; and south of sections 262 and 260. All that portion of the Hundred of Kapunda south-west of section 9; north-west of sections 9, 286, and 287; south-west of sections 289, 294, 316, 317, and 319; south of sections 284, 282, 278, 276, 15, 20, and 19; and north-west of the road north-west of sections 19 and 1224. All that portion of the Hundred of Waterloo west of road west of sections 1215, 116, 115, and 74; and north of road north of sections 74 and 79. All that portion of the Hundred of Alma north-east of section 283; east of road east of sections 283 and 287; north-east of road north-east of sections 310, 182, 354, 756, and 248; and east of road east of sections 247, 2501, and 2507. And all those portions of the Hundreds of Grace and Port Gawler south-east of the River Light.

District No. 2.—Comprising the whole of the Hundreds of Wallaroo, Kadina, Tiparra, Clinton, Kulpara, Cameron, Everard, Hall, Upper Wakefield, Stanley, Apoinga, Koorunga, Hanson, Clare, Blyth, Barunga, Boucaut, Hart, Milne, Kingston, Ayers, Andrews, Yackamoorundie, Koolunga, Redhill, Crystal Brook, Narridy, Bundaleer, Reynolds, Anne. All that portion of Yarcowie Agricultural Area, in the Hundred of Terowie, described in the *Government Gazette* of February 22nd, 1872. The whole of the Hundreds of Whyte, Belalie, Yangya, Caltowie, Booyoolie, Napperby, Appila, Tarcowie, Mannanarie, Yongala, Black Rock Plain, Pekina, and Davenport.

District No. 3.—Comprising the whole of the Corporate Town of Strathalbyn, all that portion of the District of Strathalbyn north of sections 2745, 1843, 2702, 2722, 2718, and 2112; north of road north of sections 2021 and 616; and north of section 521. All those portions of the Districts of Onaunga and Bremer included in the Hundred of Strathalbyn. All that portion of the Hundred of Bremer north of sections 519, 518, 517, 2773, 2777, and 2776; east of section 2776; and north of sections 2771, 2784, and 3577. The whole of the Hundreds of Freeling and Monarto. All that portion of the Hundred of Brinkley south of the northern boundaries of sections 200, 201, 202, and 203; south of road south of sections 309 and 331; south of the northern boundaries of sections 339, 340, and 341; south of road south of sections 286, 593, and 598; east of road east of sections 654 and 455; south of sections 622, 623, and 624; and east of road east of sections 624, 675, and 1084. All that portion of the Hundred of Seymour west of road west of sections 420 and 378; west of section 376; west of the production north of the western boundary of said section to the northern boundary of the hundred; west of a line running south from the south-western corner of section 420 to the north-western corner of section 275, and west of sections 275, 280, 281, 289, 290, and 291. All that portion of the Hundred of Coolinong north of a line running east from the south-western corner of section 60 to the south-eastern corner of section 39. All that portion of the Hundred of Malcolm north and west of and including sections 424, 423, 429, 433, 436, 438, 439, 440, 334, 599, and 207; west of a line running southerly from the south corner of section 207 to the north-western corner

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of section 182, and west of road west of sections 182 and 155. All that portion of the Hundred of Bonney west of sections 243, 244, 251, 252, 258, 259, and 265; west of and including sections 279, 280, 283, and 285; north-west of a line running south-westerly from the east corner of section 285 to the north-east corner of section 137, and west of and including sections 137, 138, 139, and 141. The whole of the Hundred of Baker. All that portion of the Hundred of Bremer west of sections 2835 and 2055; south of sections 2059, 2061, 557, and 556; and east of sections 559, 560, and 2072. All that portion of the Hundred of Alexandrina east of road east of sections 77 and 160; east of and including sections 70, 67, 205, 201, 124, 61, and 66; and south of a line running westerly from the south-west corner of section 66 to the south-eastern corner of section 176; along the southern boundary of section 176, and westerly to the north corner of section 2390, and south of and including sections 2390, 2385, and 2383. All that portion of the Hundred of Nangkita south and south-east of the northern boundaries of sections 2352 and 2414; south and south-east of road north of sections 2405, 2060, and 2265, and south of section 2053. All that portion of the Hundred of Goolwa east of road east of sections 2182 and 2388; south of road south of sections 2388 and 200; south-east of sections 201, 2115, and 203; south of road south of sections 2118 and 2164; east of sections 166, 2229, 2238, and 2323; south-east of sections 2323, 2315, 2316, 2439, 2440, 103, 104, and 2307; east of sections 120, 2450, and 2324; and south of road south of sections 2324, 41, and 114. And that portion of the Hundred of Encounter Bay south of section 115; south-east of a line running south-westerly from the south-west corner of section 115 to the north corner of section 212; south-east of and including sections 212, 213, 214, 176, 180, 162, and 163; and east of the western boundaries of sections 20A, 185, and portion of 166.

District No. 4.—Comprising the whole of the Hundreds of Robertson, Killanoola, Comaum, Penola, and Monbulla.

District No. 5.—Comprising the whole of the Hundreds of Gambier, Caroline, MacDonnell, Blanche, Kongorong, Benara, Mayurra, Mount Muirhead, and Rivoli Bay.

District No. 6.—Comprising the whole of the Hundreds of Gregory, Willowie, and Booleroo, in the County of Frome.

District No. 7.—Comprising the whole of the Hundreds of Woolyana, Wonoka, Arkaba, Kanyaka, Cudlamudla, Wirreanda, Yednalua, Yarrah, Boolcunda, Uroonda, Eurilpa, Crozier, Pichi Richi, Palmer, Moeckra, Yanyarrie, Bendleby, Woolundunga, Willochra, Coonatto, Eurelia, Oladdie, Yalpara, Pinda, Coomooroo, Walloway, Erskine, and Morgan.

SCHEDULE C.

Regulations under which Bonus of £2 per acre for Planting will be granted.

1. Persons planting trees and wishing to avail themselves of the provisions of clause 14 of this Act, may claim the orders referred to in such clause, not earlier than two years nor later than five years after the date of planting, such claim to be made in writing and addressed to the Commissioner of Forest Lands.

2. Persons planting trees as above and maintaining them in good order will be entitled to the orders specified in the Act, at the end of five years from the date of planting, on the certificate of the Conservator of Forests, that all the conditions of the Act and of these regulations have been complied with.

3. Conditions to be complied with by persons claiming orders:—

I. *Distances at which Trees to be planted.*—Trees must be planted not more than sixteen (16) feet apart.

II. *Size of Blocks.*—Blocks planted to be not less than five acres in area, and if strips of land are planted in form of shrubbery they must be not less than 100ft. wide.

III. *Description of Trees.*—Trees to be planted must consist of any of the following:

Eucalypti, except dwarf varieties	Sycamore	Cork Oak
Oak	Chesnut	Pinus Halepensis
Ash	Walnut	Pinus Maritima
Elm	Poplar	Pinis Insignis
Blackwood	Willow	Cedar
Norfolk Island Pine	Native Pine	Long-leaved Pine
American Catalpa	Stone Pine	Maple-leaved Plane
	Radiated Cone Pine	False Acacia

and

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and any other trees that it shall be shown to the satisfaction of the Government are likely to produce good, useful, and valuable timber.

iv. *Land to be Fenced.*—The proprietor of lands planted as above will be required to erect either a sheep and cattle proof fence of post and wire, or a stone wall around the planted land—the same to be kept in thorough repair during the entire term for which trees are to be preserved, as hereinafter mentioned. Lands planted with the trees described in districts certified by the Conservator of Forests to be infested with wallaby, may be enclosed with strong upright logs or posts, sheep and cattle proof, close together, to exclude rabbits; the same to be kept in thorough repair, to the satisfaction of the Conservator of Forests.

v. *No Stock to be Depastured.*—The proprietor of any land planted with trees under these regulations will not be allowed to depasture stock thereon to the injury of the young trees.

vi. *Period for which Trees must be Preserved.*—Trees must not be cut down or injured in any way whatever for a period of five years from the date of planting.

4. *Planting on Pastoral Leases.*—Pastoral lessees of the Crown wishing to avail themselves of the provisions of clause 18 of this Act, will be required to comply with the above conditions in addition to those contained in that clause.

SCHEDULE D.

£	:	:	<i>South</i>	[Royal Arms.]	<i>Australia.</i>	£	:	:
				<i>Order</i>				
			No.					

It having been duly certified that _____ acre have been planted with forest trees in accordance with "The Woods and Forests Act, 1882," it is hereby directed that this order shall be available as cash at any Government sale of lands at auction or otherwise, or in payment of the interest of purchase-money for Crown land selected on credit, or of any rent due by the holder hereof for the time being, upon condition that this order be exercised within five years from the date hereof

Given under my hand, at Adelaide, this _____ day of _____ 18 ____ .
By His Excellency's command,

Commissioner of Forest Lands.

SCHEDULE E.

To the Commissioner of Forest Lands,]

Sir—

I,

of

being

for mineral purposes of those portions of the Forest Lands comprised in leases numbered respectively _____ do hereby certify that [£ _____] is the true and correct amount of divided [or realised] profit from such lands for the six months ending _____ 188 ____

Dated the _____

day of _____

188 ____

Witness—