

No. 321 of '84, sec. 5
No. 422 of '87, s. 3



ANNO TRICESIMO PRIMO

VICTORIÆ REGINÆ.

A.D. 1867.

No. 21.

An Act to amend the Laws relating to the Leasing, for pastoral purposes, of certain Waste Lands of the Crown in the Province of South Australia, and for other purposes.

[Assented to, 19th December, 1867.]

WHEREAS it is expedient to amend the laws relating to the Preamble.
leasing, for pastoral purposes, of certain waste lands of the Crown in the Province of South Australia, and it is also expedient to authorize the Governor to remit to certain of the pastoral lessees of the Crown the payment of certain rent as hereinafter mentioned—
Be it therefore Enacted, by the Governor-in-Chief of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled, as follows:

1. This Act may be cited for all purposes as "The Waste Lands Short title.
Amendment Act, 1867."

2. In the construction of this Act, unless inconsistent with the Construction.
context or subject matter, the following words shall have the meaning hereby assigned to them respectively, that is to say—

"Lessee" shall mean as well lessee as the assignee or personal representative of such lessee. *In. passed No. 17 of 1869-70, s. 3*

"Sheep" shall mean and include rams, wethers, and ewes, and lambs over six months old.

"Cattle" shall mean and include all horses, mares, geldings, bulls, bullocks, and cows, and also all calves and foals over six months old.

3. Such

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Certain pastoral lessees may surrender present and obtain new leases by giving notice.

3. Such of the lessees for pastoral purposes, or persons having preferential claims under the Waste Lands Regulations to leases of any portion of the waste lands of the Crown for pastoral purposes, included in the Districts A, B, or C, which districts are severally described in the First Schedule hereto, as may be desirous of availing themselves of the benefit of this Act, may do so by giving notice in writing to the Commissioner of Crown Lands and Immigration, within two calendar months from the passing hereof, of their desire to surrender their present leases or rights of renewal or claims to leases, and to obtain new leases, which notice, if by a lessee, may be in the form or to the effect following, that is to say—

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To the Commissioner of Crown Lands and Immigration.

Sir—I [*name at full length*], of [*place of abode and description*], being the lessee of that portion of the waste lands of the Crown included in lease [*or leases*] numbered , do hereby give you notice that it is my desire to surrender such lease [*or leases*], and to obtain a fresh lease [*or leases*] under "The Waste Lands Amendment Act, 1867."

Dated this day of , 18 .

Provided that if such notice shall be given by any person having a preferential claim to a lease as aforesaid, the form thereof may be altered, so as to meet the circumstances of the case.

On receipt of notice Governor may grant new lease.

4. On receipt of any such notice within the period aforesaid, it shall be lawful for the Governor to demise to the lessee or person giving such notice the lands included in the lease or leases, claim or claims so surrendered, at the rent and for the term of years or respective term of years to be ascertained as herein mentioned, upon such conditions and clauses of forfeiture and of resumption as are hereinafter mentioned, or as may be prescribed by any regulations to be made under the provisions of this Act, under the power in that behalf hereinafter contained: Provided that, if any such demise shall terminate, either by effluxion of time or otherwise, the land comprised therein shall not be re-let for pastoral purposes without the same having been first offered to be let to the person bidding the highest rent for the same at public auction not less than the expiration of six months before the expiration of such lease: Provided, also, that no lease under this Act shall contain lands included partly in one district and partly in another.

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New lease of lands surrendered not included in any district.

5. If any lease surrendered under the last preceding section shall comprise lands included in one or other of the said Districts A, B, or C, and also other lands not so included, the Governor shall grant a new lease of the lands not so included to the lessee so surrendering for the unexpired portion of the term comprised in such lease, at the same rent and assessment, and upon the same conditions in all respects as were contained in the lease so surrendered.

Term for which new leases to be granted.

6. New leases granted under section four shall be for the respective terms next mentioned; that is to say—If the land to be demised

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demised are included in District A, such term shall be for fourteen years from the thirty-first day of December, one thousand eight hundred and sixty-seven; and if in Districts B or C, such term shall be for twenty-one years from the said thirty-first day of December, one thousand eight hundred and sixty-seven: Provided that the Government shall have full power at any time during the currency of any lease granted under the provisions of this Act, should the land be required for sale or other public purposes, to resume possession of all lands so leased on giving six months' notice to the lessee: Provided, also, should the land so leased be resumed during the first half of the term of any lease the full value of all improvements shall be paid to the lessee; if resumed during the third quarter of any lease one-half of the value of all improvements shall be paid to the lessee; and if resumed during the last quarter of the term of any lease no payment shall be made on account of improvements, except on account of permanent wells, as provided for in clause 17 of this Act.

compensation

7. The rents to be reserved in leases of lands demised under the provisions of this Act shall be as follows, that is to say—

Rents to be payable under new leases.

- i. Where the lands demised are situate in District A, the yearly rent to be paid by the lessee shall be a sum equivalent to Sixpence per head on the average number of sheep, and Three Shillings per head on the average number of cattle actually depasturing on the lands included in the lease, such average number to be ascertained as hereinafter provided:
- ii. Where the lands demised are situate in District B, such rent shall be a sum equivalent to Fourpence per head on the average number of sheep, and Two Shilling per head on the average number of cattle so actually depasturing as aforesaid: and
- iii. Where the lands demised are situate in District C, such rent shall be a sum equivalent to Twopence per head on the average number of sheep, and One Shilling per head on the average number of cattle, so actually depasturing as aforesaid:

Provided, however, that in no case shall such yearly rent be less than the amounts next mentioned, that is to say—for all lands situate in District A, the sum of Twenty Shillings for each square mile; for all lands situate in District B, the sum of Eight Shillings and Fourpence for each square mile; and for all lands situate in District C, the sum of Two Shillings and Sixpence for each square mile; it being the intention hereof. that the respective sums last mentioned shall be paid by the lessees of all lands in the said Districts A, B, and C, although no stock shall be depasturing thereon.

8. The rents under the leases to be granted as before mentioned shall be payable on the thirtieth day of June and on the thirty-first day of

Rents to be paid half-yearly and return of stock depasturing to

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be forwarded to Com-
missioner of Crown
Lands,

of December in each year; and, for the purpose of ascertaining the average number of sheep and cattle actually depasturing on the lands included in any such lease, and of fixing the amounts to be paid on such respective days, every lessee of any of the lands included in any such lease, or in case of the absence of any such lessee, then the overseer or other person having the care and management of the lands or run included in any such lease shall, within three days from the first day of June in each year, fill up and forward to the Commissioner of Crown Lands, through the medium of the General Post Office—the letter or envelope enclosing such statement or return being registered—a statement or return, in the form of the Second Schedule hereto, of the number of all sheep and cattle, whether belonging to such lessee or not, which, on such first day of June, and also on the first day of February and the first day of April then last past, were actually upon or depasturing on the lands included in each lease (if more than one) under which the lands forming such run are held; and such lessee, overseer, or other person as aforesaid shall also, within three days from the first day of December in each year, fill up and forward a like statement and return in the form also contained in the said Second Schedule of the number of all sheep and cattle as aforesaid which, on such first day of December, and also on the first day of August and the first day of October then last past, were actually upon or depasturing on such lands as aforesaid; and such statement or return to be forwarded in December as aforesaid shall also contain a statement of the total number of sheep actually shorn at all the stations on such lands at the shearing then last past, and the rent to be paid on the said thirtieth day of June and thirty-first day of December respectively shall be calculated on the average number of sheep and cattle actually upon or depasturing on such lands at the dates mentioned in such statement or return, and next preceding such thirtieth day of June or thirty-first day of December, as the case may be.

Penalty for false
return.

9. Such statement or return shall be signed by the lessee, overseer, or other person making the same, and shall be certified by him to be correct in all particulars; and if any such lessee, overseer, or other person shall wilfully make, sign, or forward any false statement or return, as aforesaid, or shall make or practice any fraudulent contrivance or device whatever, with intent thereby to conceal or misrepresent the number of sheep or cattle actually upon or depasturing on any land demised under this Act at the respective dates mentioned in such statement or return, such lessee, overseer, or other person so offending shall for every such offence forfeit and pay a sum of not less than Fifty Pounds nor more than Two Hundred Pounds, and the lease of the lands in respect of which such false statement or return is made, may be declared to be forfeited, as hereinafter mentioned.

Penalty for driving
stock off run with a
view to evade correct
return.

10. If any lessee, or any overseer, or other person in the employ of such lessee shall drive or cause to be driven any sheep or cattle, off the lands leased to such lessee in one district on to lands leased

to

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to such lessee in another district, or on to any other lands, whether such lands may be leased to other persons or not, and thereby diminish the number of sheep or cattle actually upon or depasturing on any lands so leased at the respective times when, according to the statement and return before mentioned, the number of such sheep or cattle so actually upon or depasturing on such lands must be certified by such lessee, overseer, or other person as aforesaid, with intent to diminish the number of sheep or cattle which should have been included in such statement and return, such lessee, overseer, or other person shall for every such offence forfeit and pay a sum of not less than Fifty Pounds nor more than Two Hundred Pounds, and the lease of the lands off which such sheep or cattle shall be so driven as aforesaid may be declared to be forfeited as hereinafter mentioned.

11. If any overseer or other person as aforesaid shall be convicted under either of the two last preceding sections, he shall be personally liable to pay any fine imposed; and the lessee in whose employ such overseer or person may be shall also be liable to pay a fine of a like amount to that imposed upon the overseer or other person as aforesaid.

If overseer convicted
lessee also liable to
pay fine.

12. If any lessee, overseer, or other person as aforesaid shall omit to fill up and forward such statement or return at the times hereinbefore provided for forwarding the same, a sum of Ten Pounds for every week during which such omission continues shall be added to the rent payable under the lease in respect of which such omission has been made; and in case such lessee, overseer, or other person shall omit to forward such statement or return for the space of one calendar month, the lease in respect of which such statement or return has been omitted to be forwarded may be declared to be forfeited as hereinafter mentioned.

Penalty for omitting
to forward return.

13. If the rent payable under any lease granted under this Act (other than leases granted under section 5) is not paid on or before the days whereupon the same is hereby made payable, a penalty of Ten Pounds per centum shall be added to such rent; and if such rent continues unpaid for the space of one calendar month a penalty of Twenty Pounds per centum shall be added; and if the said rent and penalty be not paid within one month after such first month, the same shall be recoverable by the Commissioner of Crown Lands, by action in any Court of competent jurisdiction, and the lease on which such rent and penalty continues unpaid shall be absolutely forfeited: Provided nevertheless that it shall be lawful for the Governor, with the advice of the Executive Council, to waive such forfeiture upon payment of the rent and penalty, or upon such other terms as may be deemed reasonable.

Penalties on non-
payment of rent.

14. If the Attorney-General shall suspect that any lessee, overseer, or other person as hereinbefore mentioned, has forwarded any false statement or return, or has otherwise endeavored to evade the provisions of sections eight, nine, and ten of this Act, or if such
lessee,

Rule to show cause
why lease should not
be forfeited in certain
cases.

X. As to meaning of "compensation" consider L R 12
sp. cas 322. J. D. Watson

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lessee, overseer, or other person shall omit to forward such statement or return as hereinbefore provided for the space of one calendar month, then, and in any or either of such cases, the said Attorney-General may apply to the Supreme Court of the said Province for a rule, which shall be granted as of course, calling upon such lessee to show cause, on a day to be mentioned in such rule, why the lease held by such lessee should not be forfeited on any of the grounds aforesaid to be set forth in such rule; and the said rule may be served either upon the lessee, or, in case of his absence from the said Province, upon the overseer or other person having the care and management of the lands included in the said lease as aforesaid, and such service may be effected by serving such rule personally upon such lessee, overseer, or other person as aforesaid, or by sending the same to him through the medium of the General Post Office, addressed to such lessee, overseer, or other person at his last known or usual place of abode or business in the said Province.

Supreme Court may declare lease to be forfeited.

15. If on the day mentioned in such rule, or if the Court shall not sit on that day, on the first day thereafter that the Court shall be sitting, such lessee does not attend, either personally or by counsel, or being in attendance does not, by affidavit or otherwise, to the satisfaction of the Court, disprove the charges set forth in such rule as the grounds on which it is sought to have such lease declared forfeited, the said Court may and it is hereby authorized and empowered to order and declare such lease to be forfeited, and thereupon such lease shall become absolutely null and void; and such order of the Court shall be binding upon all parties, whether such parties were before the Court or not, and shall not be liable to be avoided or set aside for any irregularity in the service of the rule to show cause, or on any ground whatever; nor shall there be any appeal from any such order, which shall be absolutely final and conclusive.

Court may allow time to lessee to rebut charges, and may direct issues.

16. The said Court, on the hearing of any such rule to show cause as aforesaid, may give to any such lessee such time as to the Court may seem reasonable for the purpose of enabling him to file such affidavits as he may consider necessary for the purpose of disproving the charges set forth in the said rule, and may also allow further time to the Attorney-General to file any affidavits in reply as to the Court may seem expedient; and the said Court may also, if it shall see fit, direct the truth of the charges set forth in the said rule to be decided otherwise than by affidavit, and for that purpose may direct one or more issue or issues to be tried by a jury in the like manner as issues directed by the Court in its Equitable Jurisdiction are tried, but in all such proceedings the proof that the charges set forth in such rule are untrue shall lie on the defendant.

No right of renewal in leases under this Act.

17. No lessee holding any lease under this Act (except of lands not included in either of said Districts A, B, or C, granted under section five) shall be entitled to any right of renewal or to any compensation for improvements, anything in the Act No. 22 of 1864 to the contrary notwithstanding; but, at the expiration of any such lease, the lands therein included, together with all improvements

Handwritten note: "No right of renewal in leases under this Act." with a large 'X' over it and "not used in 22 of '64" written below.

Handwritten note: "This word seems to mean in improvements made" with a line under "improvements" and "made" written below it.

+ See definition of lessee in s. 2

Value defined: No. 422 of 1871, s. 3

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See also s. 6 of 1867

made thereon, shall vest absolutely in Her Majesty, Her heirs, and successors for the public uses of the said Province: Provided, nevertheless, that at the termination of any such lease the person beneficially interested in the lands then held under the same shall be paid, out of the General Revenue of the said Province, for all wells of a permanent character available for the use of stock which may increase the carrying capabilities of the lands comprised in such lease and which may have been made during the last seven years of the term granted by such lease, and the amount to be so paid shall be ascertained as follows, that is to say: For all such wells as have been completed and have been used only during the last year of the said term the amount to be paid shall be the full value thereof, such value to be decided in such manner as may be prescribed by the regulations to be made under this Act; for all such wells as have been completed and have been used during the last year but one of the said term the amount to be paid shall be six-sevenths of the full value thereof, to be decided as aforesaid, and so on for each of the last seven years of the said term, one-seventh part of the full value of all such wells being deducted for every year of the said term unexpired at the time of the completion of any such wells.

~~Completed~~
paid for wells
what is meaning of stock?
mode of ascertaining amount of payment
S. 23

18. Leases for pastoral purposes of any portion of the waste lands of the Crown included in the said Districts A, B, or C, which have not heretofore been held under lease may be granted by the Governor for a term not exceeding twenty-one years anything in "The Waste Lands Amendment Act, 1865-6" to the contrary notwithstanding: And at the expiration of the term the land and all improvements thereon shall revert absolutely to Her Majesty, Her heirs, and successors, as waste lands of the Crown of the said Province: Provided nevertheless that at the termination of any such lease the person beneficially interested in the lands then held under the same shall be paid out of the General Revenue of the said Province for all wells of a permanent character available for the use of stock which may increase the carrying capabilities of the lands comprised in such lease, and which may have been made during the last seven years of the term granted by such lease; the amounts to be so paid being ascertained in the same manner as is prescribed for the purpose of ascertaining the amounts to be paid under the last preceding section.

Lands in Districts A, B, and C, not previously leased to be under provisions of this Act.

19. In every lease to be made under the authority of this Act (except the lands not included in either of the said Districts A, B, or C, granted under section five) there shall be included a covenant on the part of the lessee to keep in good condition and repair all houses, fences, and improvements on the lands included in such lease, reasonable wear and tear, and damage by fire, storm, or tempest only excepted, and also a covenant to pay all local rates which may be charged or imposed upon the said lands for the improvement of any portions of the said Districts A, B, or C; but, save as last mentioned, the due payment of the rents by this Act authorized to be reserved in such leases shall be in full of all taxes,

Covenants for repair and for payment of local rates and taxes to be inserted in leases.

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taxes, rates, assessments, or impositions upon the land included in such lease, or on the stock depastured thereon, to be imposed by the Parliament of the said Province or otherwise, save and except any general taxes or impositions which may be imposed upon all lands or stock within the said Province.

Lessees in arrear for rent may pay up till 24th December, 1867.

20. Such of the lessees for pastoral purposes of any of the waste lands of the Crown included wholly or partially in either of the said Districts A, B, or C, as are in arrear in payment of rent and assessment due up to the thirty-first day of December, one thousand eight hundred and sixty-seven; and whose leases are consequently liable to forfeiture, may, at any time before the twenty-fourth day of December, one thousand eight hundred and sixty-seven, pay up such arrears without penalty (subject, however, in respect of lands included in Districts B or C, to such remission of rent as is hereinafter mentioned), and shall thereupon be entitled to the benefit of this Act; but all leases of land included wholly or partially in either of the said Districts A, B, or C, in respect of which any such arrears are unpaid on the said twenty-fourth day of December, shall be absolutely forfeited, and the Commissioner of Crown Lands shall cause a lease or leases of all lands comprised in any leases so forfeited to be offered for sale at public auction, in such blocks as to him may seem expedient; and the person who at any such auction shall be the highest bidder for any lease shall be the purchaser thereof, and shall be entitled to the like benefits and advantages, and to have a lease or leases of such lands, under the provisions of this Act, for the like term or terms, and under and subject to the like stipulations and agreements, as if such person had, previously to the passing hereof, actually been the lessee thereof; and had duly paid all rent and assessment due in respect thereof, and given notice of his desire to avail himself of the provisions of this Act, as provided by Section 3.

Remission of rent to lessees in Districts B and C availing themselves of this Act.

21. Such of the lessees for pastoral purposes of any of the waste lands of the Crown included in Districts B or C as shall elect to avail themselves of the provisions of this Act shall be entitled to have remitted to them, and the Governor in Executive Council shall remit to them accordingly, payment of twelve months' rent and assessment according to the rate of such rent and assessment under their present leases: Provided, that where any such lease includes lands in District A as well as in either of the Districts B or C, no remission shall be granted in respect of such portion of the said lands as are included in District A: Provided also, that no person who shall become the purchaser of any forfeited lease, under the last preceding section, shall be entitled to any such remission in respect of such lease.

Lessees, who previously claimed extension, to also have benefit of remission of Rent Act on coming in under this Act.

22. Any pastoral lessee of the Crown who, having availed himself of the benefit of "The Waste Lands Amendment Act, 1865-6," shall now avail himself of the provisions of this Act, shall be entitled to the like remission of rent and assessment as if such lessee had

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had duly requested remission of rent and assessment under the provisions of "The Remission of Rent Act, 1865-6," and the same shall be remitted by the Governor in Executive Council accordingly.

23. The Governor, with the advice of the Executive Council, may from time to time make, alter, and vary regulations respecting the terms and conditions upon which leases of lands included in the said Districts A, B, or C shall be granted for pastoral purposes under the provisions of this Act, and for regulating the form of claims for any such leases and the forms thereof, and generally for giving effect to the provisions of this Act; and all such regulations, when published in the *Government Gazette*, shall have the force of law: Provided that a copy of all regulations made under the authority of this Act, shall be laid before Parliament within fourteen days from the publication thereof, if Parliament shall be then sitting; and if Parliament shall not be then sitting, then within fourteen days from its next sitting for the dispatch of business.

Governor to make regulations.

S. 17

Decreted 22 Jan. '88
by

24. The regulations now in force, made under the authority of "The Waste Lands Act," No. 5 of 1857, shall, from the passing hereof cease to have any effect so far as concerns the leasing for pastoral purposes, of any of the waste lands of the Crown included in any of the said Districts A, B, or C.

Present regulations not to affect lands in Districts A, B, or C.

25. All proceedings, for the recovery of any pecuniary penalty by this Act imposed for any omissions, defaults, acts, or offences shall be had and taken, and may be heard and determined in a summary way, by any Special Magistrate or two Justices, under the provisions of an Ordinance of the Governor and Legislative Council, No. 6 of 1850, "To facilitate the performance of the duties of Justices of the Peace out of sessions with respect to summary convictions and orders," or of any Act hereafter to be in force relating to the duties of Justices with respect to summary convictions and orders, and all convictions and orders may be enforced as in the said Ordinance or in any other Act is or shall be provided; and the said Special Magistrate or Justices may also, in case any penalty is imposed, order the defendant, in default of payment thereof, to be imprisoned, with or without hard labor, for any period not exceeding six calendar months.

Summary procedure.

26. In any proceeding for the recovery of any penalty for making a false statement or return, as provided by section 9, or for driving sheep or cattle off any run, as provided by section 10, the averment that the defendant has committed the act complained of, shall be sufficient without proof of the fact, unless the defendant prove to the contrary.

In certain proceedings onus probandi to rest on defendant.

27. There shall be an appeal from any conviction by any Special Magistrate or Justice for any offence against this Act, or from any order dismissing any information or complaint, which appeal shall be to the Local Court of Adelaide of Full Jurisdiction only, and the proceedings

Appeal to Adelaide Local Court of Full Jurisdiction.

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proceedings on such appeal shall be conducted in manner appointed by the said Ordinance, No. 6 of 1850, for appeals to Local Courts, or any Act hereafter to be in force, regulating such appeals; but the Local Court of Adelaide, aforesaid may make such order as to the payment of the costs of appeal as it shall think fit, although such costs may exceed Ten Pounds.

Local Court, upon hearing of appeal may state special case.

28. The Local Court of Adelaide, upon the hearing of any appeal, may 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 order as to costs of any 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 to 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 or Local Court shall be enforced in manner provided for the enforcement of orders of Justices, under the said Ordinance, No. 6 of 1850, or other Act, as aforesaid; and save as herein provided, no order or proceeding of any Special Magistrate or Justices, or of any 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.

Disposal of penalties.

29. All moneys received for penalties imposed for offences against this Act, shall be paid to the Treasurer on behalf of Her Majesty, Her heirs, and successors, for the public use of the said Province, and in support of the Government thereof.

In the name and on behalf of the Queen, I hereby assent to this Act.

D. DALY, Governor.

Sched 25 to No. 17 of 1869-70 substituted by S. 31 of that Act for this Sched

THE FIRST SCHEDULE.

DISTRICT A.

District A includes all lands lying between the following lines, viz. :—Starting from Darke's Peak (a trigonometrical station on the Port Lincoln Peninsula, about forty-two miles west-north-west from Franklin Harbor); thence about thirty-one and a-quarter miles due south to a point four and a-half miles west of Mount Priscilla, a detached hill in the scrub lying about twelve and three-quarter miles, 28° west of south, from Mount Shannon; thence east about twenty-six and a-half miles to the coast, passing through Mount Priscilla; thence crossing Spencer's Gulf in a direction 6° south of east, to the north-western corner of the Hundred of Kulpara; thence six and a-half miles east along the northern boundary of same; thence to a point five and a-quarter miles, 38° north of east; thence to a point sixteen miles 7° 30' east of north, and fifteen miles 11° 30' east of north; thence to a point 3° east of north for seventeen and a-quarter miles; thence 13° west of north for ten miles sixteen chains; thence 8° 30' west of north for two miles fifty-six chains, 23° west of north for three miles twenty-eight chains, 17° west of north, for two and a-half miles, and north for one mile thirty-two chains; thence one mile and a-quarter east to the western boundary of the Hundred of Wongyarra, ten and a-half miles north along the western boundary of same, and three and a-half miles east to Mount Remarkable; thence ten miles sixty-eight chains, 24° west of north, and eight and three-quarter miles east along the western and northern boundaries of the Hundred of Gregory; thence ten miles south along the eastern boundary of the said Hundred, and a further distance of ten and three-quarter miles south, along a portion of the eastern boundary of the Hundred of Wongyarra; thence to a point 5° 45' south of east for eleven miles, and four and a-half miles 5° 45' east of north; thence five and a-half miles, 24° 30' east of north, to the foot of range, and about six miles along same to Pekina Hill; thence three-quarters of a mile east, and four miles twenty-four chains, 20° east of south, to Nepowie water; thence to a point eight miles, 8° east of south, two miles 5° 30' south of east, and one mile forty-eight chains 31° south of east; thence to a point five miles fifty-six chains, 17° 30' south of east, and one and a-quarter miles 14° west of south; then six and a-quarter miles, 13° 30' east of south; thence to a point 3° east of south for six and a-half miles, and 5° 30' west of south for three and a-half miles; thence to a point 5° 30' south of east for six miles; thence two and a-quarter miles 30° south of east, two miles 34° south of east, two miles eight chains 39° south of east, and two and a-quarter miles 43° south of east; thence 2° west of south to a point on the northern boundary of the Hundred of Hallett, and one and three-quarter miles east along portion of same to its north-eastern corner; thence south for thirty-eight miles twenty-four chains, being the eastern boundary of the Hundreds of Hallett, Kingston, Kooringa, and portion of Apoinga; thence 5° 45' south of east for three and a quarter miles, and 26° east of south for six miles sixteen chains; thence five miles 48 chains east along portion of the northern boundary of the Hundred of English to its north-eastern corner, and nine miles sixty-four chains south along the eastern boundary of the said Hundred; then four and a-half miles east to the north-eastern corner of the Hundred of Neales, and twelve and a-quarter miles south along the eastern boundary of same, and portion of the Hundred of Dutton; thence ten miles east along the northern boundary of the Hundred of Anna, and a further distance of three-quarters of a mile east along the southern boundary of the Hundred of Hay; thence eleven miles north, parallel to the western boundary of the Hundred of Hay, and three quarters of a mile west to its north-west corner; thence 46° west of north for fifteen and a-half miles, 28° west of north for twelve and three-quarter miles, and 23° west of north for twelve and a quarter miles, to a point near Baldina Creek; thence about 5° 30' east of north for six miles thirty-two chains; thence one mile thirty-two chains 5° 30' south of east, eight and three-quarter miles 5° 30' east of north, and about seventy-two chains west; thence four miles eight chains 5° 30' east of north, and four and a-half miles 33° 30' west of north; thence for sixteen miles, about 5° 30' east of north; thence to a point three-quarters of a mile 5° 30' south of east; thence

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thence three and a quarter miles $23^{\circ} 30'$ east of north, $1^{\circ} 30'$ west of north for six and a-half miles, one and three-quarter miles $5^{\circ} 30'$ north of west, and four miles twenty-eight chains $10^{\circ} 30'$ east of north; thence one mile $5^{\circ} 30'$ south of east, and ten miles $5^{\circ} 30'$ east of north to a point about one and three-quarter miles 24° north of east from Nackara Hill; thence four miles $26^{\circ} 30'$ west of north, and twelve and a-half miles $5^{\circ} 30'$ north of west, passing about one and a-half miles north of Buttamuc Hill; thence to a point 33° north of west for three miles, and ten and one-third miles $33^{\circ} 30'$ west of north; thence to a point nine miles twelve chains $20^{\circ} 30'$ west of north; thence 6° north of west for six and a-half miles to a point about four miles south of Price's Hill; thence 20° south of west for four miles twenty-four chains, 35° west of south for nine and three-quarter miles, and $28^{\circ} 30'$ south of west for six miles sixteen chains; thence north-west by west for two miles seventy-two chains, whence $18^{\circ} 30'$ north of west for nine and a-quarter miles, 13° south of west for nine miles sixty-four chains, and about one mile south to Mount Brown Trigonometrical Station; thence to a point $4^{\circ} 30'$ east of south for eight and a-half miles, and 20° west of south for six miles forty-eight chains to Mount Gullet, from which point 20° north of west for two miles seventy-two chains, and west by south for three and a-half miles to the coast of Spencer's Gulf, near Port Ferguson, and about three-quarters of a mile north-westerly from Mount Grainger; thence crossing the Gulf to its western shore, and following the coast to Point Lowly and Mount Young to a point about eleven miles south of the Murninnie Mine, and finally returning west to Darke's Peak.

DISTRICT B.

District B includes all lands lying between the following lines, viz.:—Starting from Wodinna Trigonometrical Station; thence 2° north of east, for ten miles seventy-two chains, to Corrabinnie Hill; thence 21° north of east, for forty-four miles, to Wilcherry Hill; thence east by north, for seventeen and three-quarter miles, to Harris's Bluff; thence to a point fourteen miles thirty chains 28° north of east; thence 31° north for twenty and a-half miles, and 15° north of east for twenty-one and a-quarter miles; thence eleven miles sixty-four chains $15^{\circ} 50'$ north of east; thence east for seven miles, and 7° north of east for ten miles (the latter line passing about half a mile to the north of Dutchman's Stern Hill); thence nine miles seventy chains east, eleven miles $12^{\circ} 30'$ north of east, nine miles forty-eight chains $26^{\circ} 30'$ north of east, six miles fifty-four chains $42^{\circ} 30'$ south of east, and eighteen miles fifty-six chains 20° south of east (the latter line passing about seventy-two chains south of Marchant's Hill; thence to a point 18° south of east for twenty-seven miles twenty-four chains, and $38^{\circ} 30'$ south of east, for seven miles, to a point about two and a-quarter miles north-easterly of Yunta Hill; thence $6^{\circ} 45'$ east of south for twenty-one miles, and 6° west of south for eleven miles seventy-two chains; thence to a point 4° west of south for fifty-eight and three-quarter miles, and 6° east of south for six miles twenty-four chains; thence south-south-east for four miles, and south for ten miles forty-eight chains, to a point on the northern boundary of the Hundred of Hay; thence two miles thirty-two chains west to the north-western corner of the said Hundred; thence 46° west of north for fifteen and a half miles, 28° west of north for twelve and three-quarter miles, and 23° west of north for twelve and a quarter miles, to a point near the Baldina Creek; thence to a point about $5^{\circ} 30'$ east of north for six miles thirty-two chains; thence one mile thirty-two chains $5^{\circ} 30'$ south of east, eight and three-quarter miles $5^{\circ} 30'$ east of north, and about seventy-two chains west; thence four miles eight chains $5^{\circ} 30'$ east of north, and four and a half miles $33^{\circ} 30'$ west of north; thence, for sixteen miles, about $5^{\circ} 30'$ east of north; thence to a point three-quarters of a mile $5^{\circ} 30'$ south of east; thence three and a quarter miles $23^{\circ} 30'$ east of north, $1^{\circ} 30'$ west of north for six and a half miles, one and three-quarter miles $5^{\circ} 30'$ north of west, and four miles twenty-eight chains $10^{\circ} 30'$ east of north; thence one mile $5^{\circ} 30'$ south of east, and ten miles $5^{\circ} 30'$ east of north, to a point about one and three-quarter miles 24° north of east from Nackara Hill; thence four miles $26^{\circ} 30'$ west of north, and twelve and a half miles $5^{\circ} 30'$ north of west, passing about one and a half miles north of Buttamuc Hill; thence to a point 33° north of west for three miles, and ten and one-third miles $33^{\circ} 30'$ west of north; thence to a point nine miles twelve chains $20^{\circ} 30'$ west of north; thence 6° north of west, to a point about four miles south of Price's Hill; thence 20° south of west for four miles twenty-four chains, 35° west of south for nine and three-quarter miles, and $28^{\circ} 30'$ south of west for six miles sixteen chains; thence north-west by west for two miles seventy-two chains; whence $18^{\circ} 30'$ north of west for

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for nine and a-quarter miles, 13° south of west for nine miles sixty-four chains, and about one mile south to Mount Brown Trigonometrical Station; thence to a point 4° 30' east of south for eight and a-half miles, and 20° west of south for six miles forty-eight chains, to Mount Gullet; from which point 20° north of west for two miles seventy-two chains, and west by south for three and a half miles, to the coast of Spencer's Gulf, near Port Ferguson, and about three-quarters of a mile north-westerly from Mount Grainger; thence, crossing the Gulf to its western shore, and following the coast by Point Lowly and Mount Young, to a point about eleven miles south of the Murninnie Mine; thence west to Darke's Peak Trigonometrical Station; thence about thirty-one and a-quarter miles due south to a point four miles and a-half west of Mount Priscilla; thence 14° north of west to Tooligie Hill; thence to a point seventy-two chains, 5° south of west; thence 40° west of north for twenty-eight and a quarter miles; thence four miles west, two miles thirty-two chains 28° west of south, and three and a-half miles 9° south of west; thence to a point 5° east of north for two and a-half miles, 25° south of west for three miles, 1° north of west for three and a-quarter miles, and 16° north of west for one and a-half miles; thence twelve chains north, three-quarters of a mile 37° north of west, one mile twenty-eight chains 20° south of west, one mile 19° north of west, and one mile 5° 30' east of north; thence to a point 4° north of west for three and a-half miles, passing a few chains south of the Wedge Hill Trigonometrical Station; thence seven miles 36° north of west, and one mile twenty-four chains 42° west of north; thence to a point one mile twenty-four chains 10° east of north; thence for six miles 30° 30' west of north, and for two miles fifty-six chains 4° north of west to a point lying two and three-quarter miles north-easterly from Talia Hill; thence 2° 30' east of north for seven and three-quarter miles; thence to a point 15° 30' west of north for ten miles; thence 4° north of west for four miles and 29° north of west for eight miles thirty-six chains, to a point two miles north-north-easterly from Mount Cooper; thence 31° north of west for six miles forty-eight chains; thence to a point two and a-half miles 2° north of west, and eight and a-quarter miles 2° east of north; thence 2° north of west for seven miles seventy-six chains, to a point lying three miles nearly north by west from Medlingie Hill; thence three miles 2° west of south to a point half-a mile west of the said Medlingie Hill; thence three and three-quarters miles 2° north of west, and one mile twenty-four chains 2° east of north; thence 3° 30' north of west for five miles, and a quarter of a mile 2° west of south; thence 2° north of west for five and a-half miles, passing through Onetree Hill, and striking the shore of Streaky Bay, about half a-mile north-easterly from the Township of Flinders; thence along the sea-coast to the 129th meridian of east longitude, being the western boundary of the Province; thence about forty-eight miles north to the 31st parallel of south latitude, and east along the said parallel to its intersection with the 132nd meridian of east longitude; thence east-south-easterly to Yarbrinda Hill; thence 22° 45' east of south for sixty-seven and three-quarter miles to Tcharkuldu Hill; and finally twenty-two miles thirty-two chains 24° 30' south of east to Wudicna Hill.

DISTRICT C.

District C includes all lands in the Province lying to the north of and within the following lines, viz. :—Starting from a point on the eastern boundary of the Province, about sixty-two and a-half miles south of the River Murray; thence about sixty and three-quarters miles west to the south-eastern corner of the Hundred of Morphett; thence north for forty-seven miles forty-eight chains along the eastern boundary of the Hundreds of Morphett, Giles, Cooper, Paisley, and Randell; thence one and one-quarter mile east to the south-eastern corner of the Hundred of Cadell; thence twenty-three miles north to the north-eastern corner of the Hundred of Stuart; thence nine miles eight chains west along its northern boundary, and ten and three-quarters miles south to the North-West Bend of the River Murray; thence ten miles west along the northern boundary of the Hundred of Eba to its north-western corner; thence north-north-west for four miles, and six miles twenty-four chains 6° west of north; thence to a point 4° east of north for fifty-eight and three-quarters miles; thence 6° east of north for eleven miles seventy-two chains, and 6° 45' west of north; thence to a point 4° east of north for fifty-eight and three-quarters miles; thence 6° east of north for eleven miles seventy-two chains, and 6° 45' west of north for twenty-one miles to a point about two and one-quarter miles north-easterly of Yunta Hill; thence 38° 30' north of west for seven miles, and 18° north of west for twenty-seven miles twenty-four chains; thence to a point eighteen miles fifty-six chains

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chains 20° north of west, passing about seventy-two chains south of Marchant's Hill; thence six miles fifty-four chains 42° 30' north of west—nine miles forty-eight chains 26° 30' south of west, eleven miles 12° 30' south of west, and nine miles seventy chains west; thence to a point 7° south of west for ten miles, passing about half a mile to the north of Dutchman's Stern Hill; thence to a point west for seven miles; thence to a point 15° south of west for twenty-one and one-quarter miles, and 31° south of west for twenty and a-half miles; thence fourteen miles thirty chains 28° south of west, to Harris's Bluff; thence west by south for seventeen and three-quarters miles to Wilcherry Hill; thence 21° south of west for forty-four miles to Corrabinnie Hill; thence 2° south of west for ten miles seventy-two chains to Wudinna Trigonometrical Station; thence 24° 30' north of west for twenty-two miles thirty-two chains to Tcharkuldu Hill, and 25° 45' west of north for sixty-seven and three-quarters miles to Yarlbrinda Hill; thence west-north-westerly to the intersection of the 31st parallel of south latitude, with the 132nd meridian of east longitude; thence west along the 41st parallel of south latitude to the 129th meridian of east longitude, being the western boundary of the Province; thence north to the 26th parallel of latitude; thence east along the said parallel to the eastern boundary of the Province, and south, along its eastern boundary to the said point of starting, about sixty-two and a-half miles south of the River Murray.

All lands within the limits of any Hundred are excepted from this Schedule.

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THE SECOND SCHEDULE.

A Return of all Sheep and Cattle Depasturing on the Waste Lands of the Crown situate in District , and included in Lease No. , between the 1st day of June, 18 , and 1st day of December, 18 .

Number of Sheep and Cattle actually depasturing on 1st August, 18 .	Sheep.	Cattle.	Number of Sheep and Cattle actually depasturing on 1st December, 18 .	Sheep.	Cattle.	Average number of Sheep and Cattle depasturing between 1st June, 18 , and 1st December, 18 .	Sheep.	Cattle.	Amount of Rent due for the six months ending 31st December, 18 .	£ s. d.
	Sheep.	Cattle.		Sheep.	Cattle.		Sheep.	Cattle.		

A Return of all Sheep and Cattle Depasturing on the Waste Lands of the Crown situate in District , and included in Lease No. , between 1st day of December, 18 , and the 1st day of June, 18 .

Number of Sheep and Cattle actually depasturing on 1st February, 18 .	Sheep.	Cattle.	Number of Sheep and Cattle actually depasturing on 1st June, 18 .	Sheep.	Cattle.	Average number of Sheep and Cattle depasturing between 1st December, 18 , and 1st June, 18 .	Sheep.	Cattle.	Amount of Rent due for the six months ending 30th June, 18 .	£ s. d.
	Sheep.	Cattle.		Sheep.	Cattle.		Sheep.	Cattle.		

I, A. B., of District , in the Province of South Australia, the lessee [or overseer or manager for the lessee, as the case may be] of the waste lands of the Crown, situate in the lands belonging to me [if return made by overseer say whether belonging to the said] or to any other person or persons actually upon or depasturing on the lands comprised in such lease, on the days above specified [if the declaration is made in reference to the December return, add here—and also of the number of sheep actually shorn at the shearing last past at all the stations on the lands comprised in such lease]; and I further declare that I have not, nor has any other person or persons, to the best of my knowledge and belief, driven off, or caused to be removed from the lands comprised in such lease, any sheep or cattle, with intent thereby to diminish the number of sheep or cattle which should have been included in this statement and return.

A. B.

18 by me

day of

Witness—