

EXPENDITURE, 1883-4 AND 1884-5, AND ESTIMATED EXPENDITURE, 1885-6—continued.

Heads of Expenditure.	Net Expenditure.		
	1883-4.	1884-5 (Approximate).	1885-6 (Estimated).
Interest :—			
On Loans ... ..	£ 1,134,252	£ 1,262,912	£ 1,281,800
On Melbourne and Hobson's Bay Railway Debentures ... ..	11,630	11,700	11,700
On Treasury Bonds ... ..	253	...	...
On Post Office Savings Banks Deposits ...	37,876	38,630	44,500
	1,184,011	1,313,242	1,338,000
The Royal Mint ... ..	20,000	20,000	20,000
Railway Loan Liquidation and Construction Account ... ..	...	...	100,000
Miscellaneous Services :—			
Transport ... ..	1,372	3,500	4,000
Advertising ... ..	4,276	5,488	5,338
Exhibitions ... ..	11,631	6,315	13,400
Commissions of Inquiry ... ..	3,079	2,500	7,300
Reward for Apprehension of Offenders ...	186	100	300
Friendly Societies ... ..	415	320	420
Powder Magazines ... ..	949	1,073	1,375
Unforeseen Expenditure ... ..	2,973	5,000	5,000
All other ... ..	11,716	13,162	15,449
	36,597	37,458	52,582
Grand Total ... ..	5,715,393	6,194,523*	6,694,445

\* The actual amount expended 1884-5 was £6,140,357.

APPENDIX D.

LAND SYSTEMS OF THE AUSTRALASIAN COLONIES.

LAND SYSTEM IN OPERATION IN VICTORIA.

(By A. J. SKENE, Esq., M.A., Surveyor-General of that Colony.)

The use and occupation of the public estate of the colony of Victoria is regulated by two legislative enactments, viz. :—"The Mallee Pastoral Leases Act 1883" and "The Land Act 1884."

MALLEE PASTORAL LEASES ACT 1883.

The Mallee Pastoral Leases Act came into operation on the 1st December, 1883, and deals exclusively with an area of eighteen thousand square miles, situated in the North-Western District of Victoria.

The occupation of this portion of territory is acquired under leases, all of which will simultaneously expire twenty years after the commencement of the Act, and, on the

expiration of this term, the land so leased, and all improvements thereon, revert absolutely to Her Majesty, her heirs, and successors.

The leases to be issued are classed under two divisions—the one having reference to Mallee allotments the other to Mallee blocks.

Mallee allotments range in area from one to thirty-two square miles each; they abut directly on or are adjacent to lands held either under lease or in fee-simple under the provisions of previous Land Acts.

The annual rent reserved on such allotments ranges from ten shillings to forty shillings per square mile, according to the natural grazing capability of the country included in such allotments.

Mallee blocks range in area from  $10\frac{3}{4}$  square miles to 583 square miles, and are situated immediately to the north of the Mallee allotments, extending northward up to the banks of the River Murray.

The annual rent payable in respect of these blocks is calculated on the basis of 2d. for each sheep or 1s. for every head of cattle actually depastured on the block during the first five years, 4d. for each sheep or 2s. for each head of cattle during the succeeding five years, and 6d. for each sheep or 3s. for every head of cattle during the remainder of the term of the lease; but in no case is the annual rent of a block to be rated at less than 2s. 6d. per square mile.

Every Mallee block is subdivided into two moieties, the one of which, after being occupied by the lessee for a term of five years, reverts to the Crown, the other remaining in the occupation of the lessee for the full term of twenty years from the commencement of the Act.

The moieties so reverting to the Crown at the termination of the five years shall be dealt with as Parliament directs, and in default of such direction may be again leased as Mallee blocks or Mallee allotments, provided the term for which such land is so demised shall expire not later than twenty years after the commencement of this Act.

The right to a lease of any Mallee block is offered for by auction, and is acquired by the person who bids the highest sum by way of premium. If there be no bidder at auction, the right to a lease is granted to the first person who may thereafter lodge an application for the same and pay the annual rent assessed on the same.

The conditions under which Mallee land shall be held under lease are as follow:—

1. The rent shall be paid in half-yearly moieties.
2. The lessee shall not cultivate, assign, or sublet or subdivide his leasehold without the consent of the Board of Land and Works.
3. The lessee shall at once commence to destroy, and shall within three years from granting of the lease have destroyed, to the satisfaction of the Board of Land and Works, all vermin thereon; and thereafter keep the leasehold free of vermin to the satisfaction of the Board.
4. All houses, fences, wells, reservoirs, tanks, dams, and all improvements of a permanent character shall be kept in good condition and repair during the continuance of the lease.
5. Any portion of land comprised in a Mallee lease, not being the site of the homestead (which is restricted to 640 acres), may be resumed by Her Majesty for public purposes, and, on paying compensation for improvements effected by lessee, may resume for mining purposes and re-enter upon any land forming part of land leased.
6. Her Majesty may resume, after three years' notice in *Government Gazette*, possession of any land demised by the lease, upon payment to lessee for his interest in such lease, together with the value of all permanent improvements thereon.

If houses, fences, wells, reservoirs, tanks, dams, or other permanent improvements are, with the sanction of the Board, erected on the moiety of a leasehold held for the term of five years only, the lessee shall, on the termination of the occupation of such moiety, be entitled to compensation therefor not to exceed the amount actually expended.

No land forming part of the Mallee country demised under the provision of this Act shall be alienated in fee-simple.

Upon the resumption of any portion of the leasehold, or upon the termination of the period of the lease, the lessee shall be paid the value of all wells, reservoirs, tanks, or dams of a permanent character constructed by him during currency of lease, and calculated to increase the carrying capability of the leasehold.

The interest of a lessee in the value of any buildings or fencing erected by him is gradually extinguished as the termination of the lease is approached, except in the case of improvements being effected with the previous consent of the Board during the last five years of the lease, in which case full valuation for the same will be allowed.

Every transfer of a lease shall be registered at the office of the Board of Land and Works.

To ensure the destruction of vermin within the Mallee country, the Governor in Council may declare all or any portion thereof to be a Vermin District, whereupon the owners, lessees, and occupiers of land within such district shall elect local committees. Such local committees shall take measures to carry out the destruction of vermin within their several districts, and with that object may recommend for the approval of the Governor an annual rate or assessment to be paid by the owners, lessees, or occupiers in respect of each square mile of land, and also in respect of the sheep and cattle depasturing thereon, within such districts; but the payment of such rate or assessment does not relieve the lessees or occupiers from any obligation imposed on them by this Act to destroy vermin upon the land leased or occupied by them, and to keep the same free from vermin.

LAND ACT 1884.

This Act came into operation on the 29th December, 1884, and applies to all the public estate of the colony outside of the operation of "The Mallee Pastoral Leases Act 1883."

Under this Act the public estate is divided into 8 classes:—

1. Pastoral lands.
2. Agricultural and grazing lands.
3. Auriferous lands.
4. Lands which may be sold by auction.
5. Swamp lands.
6. State forest reserves.
7. Timber reserves.
8. Water reserves.

These classes, and the scheme of subdivision in the two first, are shown on separate county maps by distinctive colours and symbols.

These maps may be obtained at Lands Office, Melbourne, or any of the District Survey Offices throughout the colony, at the price of 2s. 6d. per copy.

*Pastoral Lands.*

These lands are divided into allotments varying in area from 5,000 acres to 40,000, with a capability of from 1,000 to 4,000 sheep or 150 to 500 head of cattle, the annual rent thereon being calculated on the basis of one shilling per head of sheep or five shillings per head of cattle.

The term of any lease under which such land may be occupied shall expire not later than fourteen years after the commencement of the Act.

When the rents of a pastoral allotment have been fixed, notice is given in the *Government Gazette* of a date on and after which applications to lease will be received and dealt with. If on that day or any subsequent day only one application be lodged in respect of a particular allotment, the applicant becomes entitled to a lease at the gazetted rental. If two or more applications be lodged, the right to obtain a lease is, after thirty days' *Gazette* notice, offered to public competition at auction, at which the person who bids the highest sum by way of premium becomes entitled to the lease.

The conditions of lease are as follow:—

1. The annual rent is payable in advance in half-yearly moieties.
2. The lessee shall not assign, sublet, or subdivide without the consent of the Board of Land and Works.
3. The lessee will at once, and to the satisfaction of the Board, commence and continue to destroy, and shall, within three years after granting of lease, destroy the vermin on the leasehold.
4. The lessee shall keep in good condition and repair all substantial and permanent improvements whether constructed by such lessee or not.
5. The lessee shall not, during currency of lease, ring or destroy or (except for the purpose of fencing or building on the land demised) cut down any timber upon such land unless with the sanction of the Board.
6. Her Majesty, &c., may resume possession at any time of any of the land demised required for public purposes or for purposes of public convenience.
7. Governor in Council has power to grant licences to enter on the land demised in lease, and cut, dig, take away any live or dead timber, coal, or other mineral.
8. Her Majesty may resume as sites for townships or villages, or for mining purposes, and re-enter any lands forming part of leasehold, on paying full value of substantial and permanent improvements effected by lessee on the resumed land.
9. Her Majesty may resume, after three years' notice in writing, any portion of leasehold upon payment to lessee for his interest in the lease, together with value of substantial and permanent improvements effected on the portion resumed.

10. The lands demised under any pastoral allotment lease are held subject to a condition that the holder of a miner's right or of a mining lease shall have the right and be allowed to enter upon such pastoral allotment, and to search for gold and mine thereon, and erect and occupy mining plant or machinery, without making compensation to the lessee for surface or other damage.

Upon expiry of the term of the lease, the lessee, his executors, &c., shall be paid by an incoming tenant the value of all fences, wells, reservoirs, tanks, and dams erected or constructed by the lessee and calculated to increase the grazing capability of the land; but the sum to be paid in respect of such improvements shall not exceed that actually expended by the lessee thereon, and in no case exceed the sum of 2s. 6d. per acre of such land.

The lessee of a pastoral allotment at any time during the currency of the lease may select a portion of such allotment, not exceeding 320 acres in extent, as a homestead, in one block, and on payment of 20s. per acre may obtain a grant of the same.

With this exception, no pastoral land shall be alienated in fee-simple under the provisions of this Act.

#### *Agricultural and Grazing Lands.*

Grazing areas may vary in size, but shall not in any case exceed 1,000 acres, and not more than one grazing area shall be granted to or held by any one and the same person.

The term of all leases of grazing areas shall expire not later than fourteen years after the commencement of the Act.

The annual rent to be reserved in every lease of a grazing area shall be not less than 2d. and not more than 4d. per acre, and shall be payable in advance by half-yearly moieties.

Applications are to be lodged at the Land Office of the district in which the land is situated. A Local Land Board, in cases where more than one application is made for the same land, investigates the applications and reports to the Minister.

Any person of the age of 18 years, not being a selector under any previous Land Act or Acts, is entitled to take up as a grazing area, and may, after issue of the lease, select thereout an agricultural allotment to an extent not exceeding 320 acres, which shall thereupon be excised from the lease. This privilege of so selecting an agricultural allotment out of a grazing area, however, is not permitted to a married woman who has not obtained a judicial separation.

Any selector under previous Land Act or Acts may take up a grazing area the acreage of which added to that previously selected by him shall not exceed 1,000 acres, and if he have not already selected the maximum of 320 acres allowed under previous Land Acts may, out of the grazing area leased by him, make up the deficiency in the selection hitherto obtained by him at any time, and hold the same under conditions of selection so long as the entire area so selected shall not exceed 320 acres.

In the covenants of a lease of a grazing area it is provided—

1. That the lessee shall not assign, sublet, or subdivide without express consent.
2. That the lessee shall destroy vermin.
3. That all improvements shall be maintained in good condition and repair.
4. That lessee shall not ring or destroy, or, except for purposes of fencing or building on the leasehold, cut down any timber thereon without express consent of Board.
5. That the lessee shall, at least within three years after date of lease, enclose the land demised with a fence and keep same in repair.
6. Her Majesty, her heirs, &c., may resume possession of any portion on payment to lessee for his interest in lease, together with value of substantial and permanent improvements effected by him on the land resumed.
7. Lessees shall have no better tenure in regard to the right of miners to enter such leased land in search of gold than was possessed by pastoral tenants under "The Land Act 1869."
8. Her Majesty, &c., shall have a right to resume, after giving three years' notice in writing, possession of any land demised upon payment to lessee of his interest in the lease, together with the value of all substantial and permanent improvements erected by the lessee on lands so resumed.
9. The lands demised under any grazing area lease are held, subject to a condition that the holder of a miner's right or of a mining lease shall have the right and be allowed to enter upon such grazing area, and to search for gold and mine thereon and erect and occupy mining plant or machinery, without making compensation to the lessee for surface or other damage.

Upon the expiry of the term of a lease the lessee, his executors, &c., shall be paid by an incoming tenant the value of fences, wells, reservoirs, tanks, and dams erected or constructed on the leasehold, provided the amount so paid does not exceed the sum actually expended thereon, but in no case shall exceed the sum of 10s. per acre over the land comprised in such leasehold.

A licence to occupy an *agricultural allotment* is subject to the following limitations and conditions :—

The area to be held under licence may in no case exceed 320 acres. No licence shall be issued to any person who has selected under any previous Land Act or Acts the maximum of 320 acres, or who has taken up a pre-emptive right to that extent, or is under 18 years of age, or who is a married woman, not having obtained a decree of judicial separation.

The conditions of such licence are as follow :—

1. That the annual rent of 1s. per acre shall be paid in advance in half-yearly moieties.
2. That the licensee shall not assign, transfer, or sub-let the agricultural allotment or any part thereof.
3. That the licensee shall at once commence to destroy, and shall, within two years, have destroyed to the satisfaction of the Board, the vermin upon the licensed land, and that he shall keep the land free of vermin during the currency of the licence.
4. That the licensee shall, if not sooner called upon, under the provisions of "The Fences Statute 1874," within six years enclose the land with a fence and keep the same in repair.
5. That the licensee shall, within twelve months after issue of licence, and thenceforward during continuance of licence, occupy the allotment; that within six years the licensee shall erect on his holding substantial and permanent improvements to the value of 20s. per acre included in the allotment.

If the above conditions are fulfilled by the licensee, he shall be entitled to obtain a grant of the land so licensed to him on payment of 14s. per acre, or may obtain a lease for a term of 14 years at a yearly rental of 1s., payable in half-yearly moieties, and on the complete payment of 14s., reserved under lease, shall be entitled to a grant.

The Governor may also issue a "non-residence licence," to improve an agricultural allotment, for a period of six years, at a fee of 2s. per acre per annum, to any person entitled to become a licensee of an agricultural allotment under this Act who has applied for such licence and paid a half-year's fee in advance.

Under such a licence the land shall be enclosed within six years, and permanent and substantial improvements effected to the extent of 20s. per acre before the end of the third year of the currency of the licence, and before the end of the sixth year of the value of 20s. additional, on which the licensee may obtain a lease, the condition of which shall be the payment of 2s. per acre per annum for a term of 14 years—the entire sum payable in respect of the purchase-money of an allotment held under a "non-residential licence" being 40s. per acre.

Except as provided above, no lands included in the agricultural and grazing class shall be alienated in fee simple.

#### *Auriferous Lands.*

Such land may be held under licences issued for a period not exceeding one year, under which the licensees may reside on or cultivate any land coloured as auriferous on the county maps, and not situated within any city, town, or borough. Any such licence shall not cover more than 20 acres; and not more than one licence shall be granted to or held by any one and the same person.

No land coloured as auriferous on the county maps shall be alienated in fee-simple.

Annual licences for purely grazing purposes may be issued for the occupation of auriferous land that may not be required for mining purposes. Such licences are renewable annually for a period not exceeding five years. Such licence shall not be for a greater area than 1,000 acres, and no person shall so hold more than 1,000 acres of such auriferous land.

The annual rent per acre to be reserved in every such licence shall be fixed by valuers appointed by the Board of Land and Works.

#### *Lands which may be Sold by Auction.*

The country lands that may be sold by auction are shown by a distinguishing colour on the county maps, but before any such lands are offered for sale a schedule of the lands proposed to be sold shall be laid before both Houses of Parliament.

The Crown lands within any city, town, or borough proclaimed before the passing of this Act, and any land proclaimed by the Governor in Council as a township, shall be sold by auction.

Notice of every such sale by auction shall be given in the *Government Gazette* at least 30 days before the date at which such sale shall take place.

The conditions of any sale by auction are that the purchaser shall pay the survey charge at the time of sale and a deposit in cash of 25 per cent. of the whole price, and that the residue of the price shall be payable by twelve equal quarterly instalments, bearing interest at the rate of 6 per cent. per annum, computed with respect to each instalment for the period elapsed between the time of sale and the time of the payment of such instalment.

From and after 1st July, 1885, all moneys arising from the sale of Crown lands by auction shall be credited to a trust account, for the purpose of making provision for the construction of any railways that may hereafter be authorized by Act of Parliament.

There shall be inserted in every Crown grant of lands alienated in fee simple, and in every licence or lease of land demised with the right of acquiring the fee-simple thereof, a condition that such lands are granted or demised subject to the right of the holder of a miner's right or of a mining lease to erect and occupy mining plant or machinery in the same manner as if such land were Crown land, provided that compensation be paid for surface damage, and the payment thereof shall be a condition precedent to such right of entry.

#### *Swamp Lands.*

These lands, as shown on the county lithograph plans, shall not be alienated in fee simple; but may be drained and reclaimed by prison or other labour, and when so reclaimed the Governor in Council may grant leases of such swamp lands so drained and reclaimed, in allotments not exceeding 160 acres, for a term of 21 years; particulars of every such lease to be laid before Parliament within one month of the execution thereof.

#### *State Forests.*

The lands comprised within State forests are shown on the county lithograph maps by a distinguishing symbol, and shall not be alienated for any freehold estate, but licences may be issued for grazing or residence thereon or to cut timber in any State forest, or any part thereof, subject to the payment of such licence fee and on such other conditions as may be approved by the Governor in Council.

#### *Timber Reserves.*

These reserves, shown on the county lithographed plans by a distinguishing symbol, shall not be alienated in fee simple; but from time to time, as they may become denuded of timber and the same is notified in the *Government Gazette*, such lands so denuded may be added to the pastoral lands or agricultural and grazing lands, and dealt with under the provisions of this Act applicable to such lands.

Grazing licences or licences to cut timber on any timber reserve may be issued subject to the payment of such licence fee and under such conditions as the Governor in Council may approve.

#### *Water Reserves.*

No lands shown on the county lithograph maps as water reserves shall be alienated in fee simple.

### LEASES AND LICENCES FOR OTHER THAN PASTORAL, GRAZING, OR AGRICULTURAL PURPOSES.

Leases of any Crown lands not exceeding (except in the cases of leases for obtaining guano or other manure) three acres for a term not exceeding 21 years from the date thereof, at a yearly rental not less than £5, may be granted for any of the following purposes, provided that, in cases where it is proposed to issue a lease for a longer term than seven years, the application for the same shall be notified in four consecutive numbers of the *Government Gazette*, at least one month before the issue of such lease:—

1. Obtaining and removing guano.
2. Obtaining and removing stone or earth.
3. Sites for inns, stores, &c., in thinly populated districts.
4. Bathing houses, bridges, ferries, and punt houses.
5. Tanneries, factories, saw or paper mills, stores, warehouses, or dwellings.
6. Sites for quays, landing places, or for deposit of materials.
7. Working mineral springs.
8. Sites for ship or boat building or repairing, and marine and general engineering works.
9. For manufacture of salt.
10. Sites for construction of canals or docks, provided the conditions of such a lease have been laid on the table of both Houses of Parliament for at least four consecutive weeks prior to the issue of the same.

Before any lease can be obtained for any of the purposes aforesaid within the boundaries of any city, town, or borough, the right to such lease shall be offered for sale by auction.

The person who offers the highest rent shall be entitled to the lease.

Licences may be issued to enter upon any Crown lands not under licence or lease as an *agricultural allotment* for the following purposes :—

1. To cut, dig, and take away any live or dead timber, gravel, stone, &c.
2. To occupy sites for fishermen's residences and drying grounds.
3. To occupy sites for fellmongering works, slaughter-houses, brick or lime kilns.
4. To erect pumps.
5. To collect ballast.
6. To occupy areas not exceeding three acres for gardening purposes.
7. For any of the purposes for which leases may be granted for other than pastoral, grazing, or agricultural purposes.

Every such licence to bear date of the day on which it is issued, and may continue in force for a period not exceeding 12 months; and payments shall be made of such amount of fee as may be fixed by regulation.

#### COMMONAGE.

All commons heretofore or hereafter to be proclaimed are, subject to the provisions of this Act, to be dealt with in the same manner as other portions of the areas in which they are included on the coloured lithographed county maps.

The managers of commons are appointed by the Governor in Council. They have power to distrain any cattle trespassing on the common under their management, and are to be taken to be occupiers of the common within the meaning of any Impounding Act, and shall be deemed to be the owners within the meaning of "The Rabbit Suppression Act 1880," or any Act amending the same; but nothing shall prevent the exercise of the powers conferred by this Act with respect to the leasing or licensing of any land comprised in any common.

#### GRAZING LICENCES.

A grazing licence may be issued to any applicant to enter with cattle, sheep, or other animals upon any park lands, reserves, or other Crown lands not forming part of any common or held under lease or licence, and therewith to depasture the same; but such licence shall not prevent any person from obtaining a lease of portion of the same as a grazing area. Such licences can be obtained only after tenders have been duly invited for the occupation of the land.

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## LAND SYSTEM OF NEW SOUTH WALES.

(By C. N. J. OLIVER, Esq., Under-Secretary for Lands in that Colony.)

The recent enactment known as "The Crown Lands Act of 1884" (48 Vic. No. 18), which came into operation on 1st January, 1885, is a repeal of previous land legislation, and inaugurates a change in the method of dealing with the public estate.

Among the prominent features introduced are—(a) The territorial division of the colony into the Eastern, Central, and Western divisions, for the dealing with lands differently influenced by climate, settlement, and other causes; (b) the division of the several pastoral runs each into two fairly equal portions, of which the one is resumed by the Crown for subsequent alienation, leasehold, or reserve, the other remaining in the leasehold occupation of the pastoralist, under fixity of tenure for a term of years; (c) the creation of new classes of leasehold (explained in detail *post*); (d) the conservation of the landed security of the colony by a limitation of the aggregate area of Crown lands permitted to be annually sold by auction; (e) the abolition of the lessees' right to purchase by virtue of improvements; (f) the decentralization of the machinery for the working of the Act; together with (g) regulations of a stringent character intended to ensure the *bona fides* of those seeking the advantages of the law.

From the short period which has elapsed since the date of the commencement of the Act, it would be futile to endeavour to show any important statistical result of its actual working.

The condition of the public estate as on the 1st January, 1885, may be stated approximately as follows:—

The total area of the colony being 195,882,000 acres, is divided thus—

Eastern division	...	...	60,452,000 acres.
Central	„	...	55,460,000 „
Western	„	...	79,970,000 „
Total, as above			... 195,882,000 acres.

The area alienated at that date may be estimated, in round numbers, as 37,000,000 acres; the relative proportion of alienated to gross area being—in the Eastern division, about one-third; in the Central, between one-third and one-fourth; and in the Western division, only a little more than one-fortieth.

In connection with these figures, it should be observed that the Eastern division has a greater and more regular rainfall, a denser population, and greater accessibility to market than either the Central or Western divisions, and land is consequently more in demand in the former, although railway construction is causing the Central division to become an important field for agriculture; while, except in special areas, the Western division remains the chief grazing tract of the colony.

Proceeding to view the Act in detail, we may first refer to its general administrative provisions.

#### ADMINISTRATION.

For this purpose the colony is divided into a number of land districts, to which are allotted land agents, the duties of each of whom may extend over one district, or several adjoining districts, as may be directed. There are at present ninety-five such districts, with eighty-nine land offices, at each of which latter a land agent presides. Many important stages in the land system are conducted through these officers.

The policy of decentralization has brought into existence, by the new law, local courts, known as Local Land Boards, each comprised of not more than three nor less than two members; the chairman being a salaried officer, and the members, who are locally selected, being entitled to fees.

Each Board is ministerial or judicial according to the nature of the proceeding to be dealt with. Several matters which have been commenced, but not concluded, under the repealed law, and some things which will require investigation under the existing law, may be referred to a Board for appraisalment, inquiry, or report. In these cases the Board acts ministerially merely, and makes a report or recommendation to the Minister. In nearly all cases arising under the present law a Board acts judicially. Its proceedings are conducted analogously to those of a court of petty sessions; parties to causes before it may be heard by counsel, attorney, or agent; and, failing appeal to the Minister (in whom the appellate jurisdiction is vested, but who may in certain cases refer back to the court of first instance, and who may, if he desire, state a case for the Supreme Court), its decisions are final and binding upon the parties, with power vested in its hands to compel execution of its judgments. It may hear complaints, examine into caveats, direct reports, and demand evidence; and while its powers are for the most part set in motion by promovents, it retains an inquisitorial authority for the detection of illicit acts.

The Local Land Boards have their several districts, but, for convenience, the chairman is not necessarily the presiding member of one Board alone; and the head-office, which forms his head-quarters, is that of the various Boards over which he presides; thus in scattered parts of the colony avoiding unnecessary distribution of the machinery of the system.

There are now ninety-five Local Land Boards, with sixteen head-offices. For the impartial conduct of business, it is enacted that any member of such Board, sitting or acting in any case in which he is directly or indirectly interested, shall be liable to a penalty not exceeding £500. District surveyors and other officers are provided, whose advice and assistance are essential to the Boards.

#### THE DIVISION OF RUNS.

It is computed that, at the 31st December, 1884, there were within the colony 4,313 leased runs, yielding an annual rental in round figures of £268,500, forming about 1,600 “stations,” and estimated to contain the bulk of the unalienated public estate, after allowing for reserves, about 100 lapsed leases, leases current for minor areas, and the water-covered acreage.

The land policy of former years had allowed the intending selector to establish a statutory claim to a limited area by entry and residence (certain forms of application, &c., being complied with) upon any unimproved part of the run occupied by the Crown lessee, which was under lease to him, and not specially reserved from sale.

The existing law requires the various run-holders (who have, as a body, conformed with the Act) to furnish plans of their holdings within 120 days from its commencement, showing a fairly even division of each, the Minister finally deciding, after amendment, if necessary, which half shall be resumed to the Crown, and for which remaining half a new lease should be granted to the present occupant on a firmer basis, as explained under "Occupation," *post*. In order to facilitate the division, where freeholds exist in situations rendering division a matter of difficulty, provision has been made for exchange or surrender to the Crown with compensation. Upon the determination of the division, the resumed portion may be occupied by the original lessee under occupation license (see *post*), until withdrawn by the granting of any lease or the sale of any land, the various methods of which latter may be dealt with under—

## ALIENATION

Land may be acquired—

1. By conditional purchase ;
2. By additional conditional purchase ;
3. By improvement purchases in gold-fields ;
4. By conditional purchase without residence ;
5. By the preferent right of purchase attached to conditional leases ;
6. By auction sales ; and
7. By special sales without competition.

*Conditional Purchase.*

In the Eastern division (which may be generally described as extending westerly from the coast line, with a maximum breadth of about 170 and a minimum of about 120 miles therefrom, running from the Victorian border in a north-easterly direction so far as geographical centres will allow), the conditional purchase is incepted by the intending selector lodging his application with the land agent on any "land office day"—a day notified for the purpose—for the area he desires to acquire, which in this division may not be less than 40 nor more than 640 acres. If the land be unmeasured, he must mark it and properly identify it. Should improvements exist thereon, the fact must be stated. Land structurally improved, other than by fencing to the extent of £1 per acre and upwards, in special cases, is exempt from conditional sale, but the selector can amend his application to exclude the improvements if he desire. If the land selected contain improvements of a less value than £1 per acre, the Local Land Board appraises their value, and payment, if the Crown be owner thereof, is made by the purchaser to the Government by annual instalments of a quarter of the appraised value ; if the improvements are private property, the owner and purchaser arrange the terms of payment, the Board intervening in cases where the parties do not agree. But if the removal of the improvements be not likely to permanently injure the land, there is nothing to prevent the owner removing them within three months from the confirmation of the selection. Where improvements have been effected since the 1st July, 1876, on land reserved from sale, upon the revocation of the reserve or withdrawal of the land from lease, the improvements become the property of the Crown, and if alienated will be dealt with as herein described.

Upon tender of application, the applicant deposits a sum of 2s. per acre for every acre applied for, together with a declaration of good faith and intention, with questions to be answered somewhat similar to the forms employed in the United States and in Victoria, but of rather less inquisitorial character. There is besides a stringent confiscatory clause to secure the integrity of these declarations, supported by provisions voiding any collusive agreements between persons inducing others to contract for the procuring of land for the benefit of others than themselves, and rendering persons so inducing liable to prosecution for misdemeanor.

The application for the conditional purchase being considered in open court by the Board, the surveyor's report being satisfactory, and no caveat or objection lodged, the applicant receives a certificate of confirmation, which is official recognition of his status as a conditional purchaser.

But this certificate cannot be issued until all caveats, objections, or appeals be disposed of. The purchaser then enters upon a five years' term of residence, within the first two years of which he must fence the area with a fence of the prescribed character at least four feet in height. (There is a latitude which may be exercised by the Board in this particular, both as to time and the natural features, upon application.) At the end of the third year from the confirmation referred to, or three months thereafter, the selector is required to declare that he has so far complied with the conditions essential, and to pay an instalment of 1s. per acre, to be annually continued until the balance of 17s. per acre, with 4 per cent. interest added, be liquidated. A further declaration is required at the end of five years (or three months after) that he has fulfilled the whole of the conditions, expect payment of balance ; and the Board, after

due enquiry, and no obstacles intervening, issues to him a certificate of fulfilment of conditions, known as the certificate of conformity. Every provision is made to ensure the proper attention to caveats or objections, and for appeal by aggrieved persons to the Minister; but having obtained this certificate, which is a transferable document if lodged with the transfer, the holder is competent to transfer his estate, with the contingent liability as to payment of balance, &c. (see "Transfer," *post*). Additional conditional purchases may be transferred with the original purchase, but cannot be separated until all the conditions have been fulfilled. The purchaser may, if he desire it, at this period pay off the remainder of his indebtedness to the Crown, and secure a deed of grant upon tender of the stipulated small fees; and he may equally, if he prefer, extend the time of purchase to a term of 30 years from the payment of the first instalment of 1s. per acre (inclusive), the period being so lengthened by the collection at each annual payment of the interest chargeable. In default of the fulfilment of the residence and fencing conditions (which may at any time be the subject of an investigation by the Board), the purchase may be declared forfeited, and the land revert to the Crown, together with any additional conditional purchase or conditional lease acquired in virtue thereof. After the issue of the certificate of conformity, the payment of instalments in each purchase must be maintained, or each holding is equally liable to forfeiture.

These, then, are briefly the leading details attending alienation by conditional purchase in the Eastern division.

In the Central division the system is so far identical, with this exception that the area which may be taken in the original conditional purchase has a larger maximum, viz., 2,560 acres.

The Central division may be shortly referred to as having for its eastern boundary the western boundary of the Eastern division, and for its western boundary a line bearing about north-north-easterly from about the Lachlan-Murray junction to the Queensland border, with a mean width of about 117 miles, and watered by the Murray, Murrumbidgee, Lachlan, Macquarie, Namoi, and other rivers and tributaries.

The Western Division—which is bounded on the east by the Central Division, on the south by the Victorian border, on the west by the South Australian, and on the north by the Queensland border, and is chiefly watered by the Darling, Warrego, Barwon, and Lachlan rivers and tributaries—is unalienable by conditional purchase except within special areas.

Special areas may be proclaimed as set apart in any of the three divisions. In such areas not more than 160 acres may be conditionally purchased, the price (not less than 30s. per acre), deposits, and instalments, being notified in the proclamation.

The holder of a conditional purchase of less than 160 acres in a special area in any division may similarly, by additional purchase, bring it to that equivalent.

The combined purchase may be dealt with as one holding, and the selector may reside on the first selection to qualify both, and may fence the area as if there were no dividing line between the purchases. If he adopt the latter course, he may make the declaration of fulfilment of conditions required for the additional purchase at any time; but if he desire to extend a holding which is already 640 acres, and acquired under former acts, by addition under the present Statute, he must reside on either the original or the additional purchase for a further term of five years in order to qualify the latter. In all other respects conditional purchases under the repealed Acts may, equally with those under the existing law, form the qualification for the application for the additional area. The declarations and the payments to be made, as also the method and times of payment, are similar to those for the original purchases under the present Act, except in the matter of interest, which is reduced from 5 per cent. to 4 per cent.; but in cases where the prescribed declarations have been made for the additional purchase at earlier dates than the three and five year periods, the conditions of payment of instalments apply as if the declarations had been made in the regular course, and the deed of grant will ultimately issue, if no objections exist, in the same manner as for the original purchase; similar provisions for forfeiture applying in the event of similar laches, with the additional circumstance that the forfeiture of the additional purchase is involved in the forfeiture of the original, if they continue one holding.

#### *Conditional Purchase without Residence.*

This is a concession by which an area of not less than 40 nor more than 320 acres may be acquired, with certain restrictions, without residence. The applicant must be of the age of 21 years or upwards, and not at any time previously have been a conditional purchaser. The purchase-money is payable in like manner as for the ordinary conditional purchase, but is double the amount. The purchaser must properly fence the land within twelve months after survey—a certain latitude being allowed in exceptional circumstances—and must produce to the Local Land Board, after an interval of five years from survey, evidence that he expended not less than £1 per acre in

improvements besides fencing. Upon producing such evidence he receives a certificate of conformity, and may then, and not till then, transfer, alienate, or mortgage his interest. The estate may, however, devolve "by operation of law" at any time, upon payment of the instalments due. If the purchaser, in his original application, had not taken the full area of 320 acres, he may acquire the unselected balance by additional purchase. Once, however, having availed himself of this method of selection to the maximum area, he is debarred from making any other conditional purchase whatever.

#### *Purchases in Gold-fields.*

Special provision is made to enable residents on gold-fields to obtain the land upon which they have erected their residences or places of business. This they may do at a price to be fixed by the Local Land Board, not being less than £8 per acre for town lands, nor than £2 10s. for suburban or other lands, nor than £2 10s. for any area less than one acre.

The improvements to qualify the purchase need not be of greater value than these minimum rates. One person cannot purchase more than quarter of an acre of town land, nor over an acre of suburban or other land, nor can he make two purchases within three miles of each other. The purchaser must pay the full price within three months of notice, or be liable to a 10 per cent. penalty; and if he fail to pay the full price and penalty within six months, his right to purchase lapses. Lands in proclaimed gold-fields, within reserved areas, cannot be conditionally purchased, nor can lands lawfully occupied for mining purposes under any Mining Act; and further, all alienations of land under this Act are subject to the proviso that gold may be searched for thereon by persons properly licensed, and if the land be found auriferous the sale may be cancelled, wholly or in part, and the area become Crown lands, to be dealt with under the Statutes relating to mining in New South Wales. Any improvements which may be on the land at the time of such cancellation are to be compensated for to the owner, at their normal value, without reference to any enhancement from the discovery of the precious metal.

#### *Conditional Leasehold.*

This form of tenure first appears in the Statute-book as part of the present Act, and may be described as a contingent leasehold privilege attaching to a conditional purchase, with a preferent right of conditional purchase in some cases without residence after five years' tenure, or, sinking the preferent right, with an extension of the lease for a further five years, with residence.

By the system of pre-emptive leases in the land policy now repealed, a grazing right was accorded to the conditional purchaser of three times the area of his selection, which right was at any time liable to be reduced, or even cancelled, by alienation to other selectors. The system of conditional leases, on the other hand, gives a much more secure tenure. These leases are only obtainable in the Eastern and Central divisions, and may be granted to any applicant for a conditional or additional conditional purchase, or any holder of a conditional purchase under any of the repealed Acts (special areas excepted); the area being limited to three times that of the purchase, the area of the purchase and lease together not to aggregate more than 1,280 acres in the Eastern, and 2,560 in the Central divisions; a smaller area—not less than 40 acres—being allotted if there be not more available.

The application may be confirmed or disallowed as in the case of conditional purchase, and if confirmed, the Local Land Board, with the approval, of the Minister, fixes the rent payable, which cannot be less than 2d. per acre. The holder may, if he choose, reside on the leasehold to satisfy the residence condition of the conditional purchase in virtue of which the leasehold is held, but must give notice to the Board of his intention to do so; further, he must fence the land in a similar manner, as far as practicable, to that stipulated in the case of conditional purchases, but one exterior fence will suffice for purchase and lease.

The preferent right to purchase the whole or part of the leasehold matures at the end of five years from the confirmation of the application, and should he so elect, the leaseholder may thereby become the conditional purchaser thereof, in the following manner:—He first lodges his application with the Local Land Board for a certificate of fulfilment of conditions of the leasehold, which, if granted, is *prima facie* evidence of his right to purchase the leasehold in whole or in part. If he prefer to purchase a part only, such part must adjoin the prior purchase. Furnished with this certificate, he lodges his application with the land agent for the preferent purchase, paying a deposit of 2s. per acre, which application is dealt with by the Board in open court; and failing caveat or objections, he ultimately, having paid the balance of the instalments as in the case of other conditional purchases, obtains the freehold.

Provision has been made for the conversion of pre-emptive leases under the repealed Acts (for which application was necessary within ninety days from 1st January, 1885) into conditional leases under this Act, which has been largely availed of.

Residence on these converted leases is not essential, but the preferent right to purchase does not attach thereto.

#### *Auction Sales.*

The aggregate area allowed to be sold by auction, for the whole colony, in any one year, is 200,000 acres. Two to three months' notice is always given of any sale, and the minimum upset prices are fixed for town lands at £8; suburban lands, £2 10s.; and other lands, £1 5s. per acre. But a higher upset may be determined upon, and the value of any improvements be added thereto; and if the improvements were made in misapprehension, their value may be remitted to the improver. Twenty-five per cent. of the purchase-money must be paid at time of sale, and the balance within three months, or the deposit may be forfeited and the sale declared void. The maximum area which may be sold under the empowering section, is in the case of town lands, one-half acre; suburban, 20; and country lands, 640 acres.

#### *Special Sales without Competition.*

This is a provision for enabling the public in certain cases to obtain the freehold of water frontage to their properties, which had been previously reserved from sale; to reclaim land beyond high-water mark in continuity of their freeholds; to secure slips of land inconvenient for conditional sale; and to procure the closing and inclusion in their purchased area of unnecessary roads previously excluded therefrom.

In the latter case, if the original purchase be conditional, the payments may be made as for a conditional purchase.

The price for the reclaimed land is based upon one-half the net market value, less cost of reclamation, as appraised by the Board; the prices for the intervening small areas are determined by the Minister or by the Board, but to be not less than the minimum upset price for the class of land if sold by auction; and the water frontage area must also be paid for in like manner. All costs, charges, survey fees, and purchase moneys must be paid within three months after approval of purchase, under penalty of lapsing thereof.

#### OCCUPATION.

The aggregate area of country which was in the occupation of pastoral lessees from the Crown as at 31st December, 1884, may be roughly calculated at 194,500 square miles, or about 124½ millions of acres, exclusive of reserves, and of this area an important proportion was situated in what is now the Western division.

The division of runs under the present Act has already been explained. One portion is dealt with as pastoral leaseholds, and the lessee can also hold the resumed portion under occupation license until alienated, reserved, or otherwise leased or dealt with.

The pastoral leases under the present statute, in the Western division, are for the term of fifteen years, commencing at the determination of the existing lease; or, if the same person is the holder of more than one lease, at the mean date of determination of the whole.

The rent is determined by the Minister, after appraisalment by the Board, with a minimum of 1d. per acre for the first, increased for the second five years by one-fourth, and for the remainder of term the leave may have to run, by one-half. At the end of the third period an extension of the lease may be obtained on further appraisalment, for a further term of five years, bearing a rental not less than that charged for the last period of the former currency. By giving two years' notice before the expiration of such third period, the Government may extinguish the lessee's right to any such further extension. At the termination, however, of any five years' period, the lessee, by giving three months' notice, may surrender his lease. There are enabling powers for the withdrawal from lease of lands required for public purposes, and for the cancellation of reserves and incorporation of the area embraced therein into the leasehold. Neither a minor nor married woman can hold leases, unless the former is seised of such leasehold by inheritance, or the latter in separate estate.

Subdivision may be made of a pastoral lease upon application, subject to ministerial approval. Upon expiration, forfeiture, or surrender of any pastoral lease, the area may be either resumed or re-let, in the above or some other manner.

The principles governing the issue of pastoral leases in the Central division are similar; except that in this division the term is ten years, with right of extension for a further term of five years at a rental based on appraisalment, the lease commencing from the date of notification of the division of the run, and the minimum rent being 1½d. per acre for the first five years, and increased by 25 per cent. for the remainder of the term.

In the Eastern division the minimum rent is 1d. per acre for the whole term of lease, which is five years; but there is an equal right of extension for a further five years at an appraised rent.

Should any rent be not paid within the prescribed time, or within three months thereafter, plus 5 per cent., or six months plus 10 per cent., the lease is liable to forfeiture, which does not however extinguish the lessee's debt to the Crown in respect thereof.

#### OCCUPATION LICENCE.

The holder of a pastoral lease, at the time of making his application therefor, could also apply for a licence to occupy the resumed area until disposed of, paying at the same time a deposit of £2 per square mile in advance, until appraisalment by the Local Land Board with that amount as a minimum licence fee.

The amount of licence fee as determined must be paid within sixty days of notification thereof in the *Gazette*, under penalty of loss of renewal, these licences being annual from the 1st of January in each year.

Failing application for the use of the land by the pastoral lessee, the licence may be disposed of by auction or tender.

Proportionate refund of license fee is made for area withdrawn from occupation licence, as well as compensation for improvements thereon, subject to appraisalment by the Board and Ministerial approval; proportionate reduction in future fee *pro rata* is also made in similar circumstances.

#### HOMESTEAD LEASES.

This is the second of the new forms of leasehold tenure referred to at the commencement of this paper, and is only applicable to the Western division. It is a description of holding eminently suited to the small grazier, a class of persons hitherto not provided for; the maximum area procurable being 10,240, and the minimum 5,760 acres. The term of lease is fifteen years, and there is a right of extension for a further period of five years. The area selected as a homestead leasehold must be within a resumed area or vacant lands. The deposit required to be lodged with the application is 1d. per acre, in anticipation of the appraisalment, and payment is also required for any improvements upon the land. The conditional requirements are (1) the fencing of the outside boundaries of the leasehold within two years from entry thereon (which latter must be within ninety days from the notification of approval of the issue of lease in the *Gazette*), subject to a certain latitude, by consent of the Board, on cause shown; and (2) residence for at least six months during each of the first five years of the lease.

A pastoral lessee, during currency of the tenure, cannot himself, or by others, hold a homestead lease; and *vice versa*, a homestead lessee cannot become a pastoral lessee during the currency of his homestead lease; nor can more than one homestead lease be held by the same person, under penalty, in each case, of forfeiture of the whole of his leasehold interest, for which purpose every part owner of a lease is reckoned as a principal; but exception is made where the registered holder is so registered for his security as mortgagee of one, or more than one, of either or both. A homestead lease may be transferred after the fulfilment of the residence conditions.

#### ANNUAL LEASES

Are granted for areas not exceeding 1,920 acres, and are disposed of by auction or tender, the minimum upset annual rental being £2 per 640 acres or lesser area, or, if there be no bidding, may be let at the upset. Due notice is given of such auction sales or of the dates when tenders may be lodged. These leases are open to renewal, and 25 per cent. may thereupon be added to the former rental, but annual leasehold does not exempt the land so leased from sale, or special or conditional lease.

Annual auction lease held under the former Acts (in the Eastern and Central division) are convertible into the above class of tenure, but if a higher rental has been paid than the minimum above quoted, no reduction can be made.

#### SPECIAL LEASES

Are granted on equitable terms for the clearing of scrub lands, in which case, should the operations to that end have been satisfactorily initiated and pursued, concession is granted of an exemption from rent in certain cases for a limited period; and the holder of a pastoral or homestead lease may apply to convert the scrub part of his holding, if over 640 acres, into a holding of this description, but the area of the scrub lease may not exceed 10,240 acres. Special leases are also granted for purposes of irrigation, dams, tanks, bridges, sawmills, tramways, and other uses; and lands under water are also so obtainable. The lessee of lands where coal exists and is being worked pays a royalty of 6d. per ton, and is required to assist the Government inspector or other proper officer at all times to gauge the output, &c.

## RESERVES.

There is power to make reservations for the use of travelling stock and other public purposes.

It is estimated that no less than 35,000,000 acres at least are now under reserve in the interests of the public, including mining. There is provision in the Act for the dedication of land to the public, with or without trustees, and the reservation of lands along railway lines, and for towns, villages, commons, &c.—in fact for any public purpose within the meaning of the Act. For purposes of communication, land may be resumed for roads.

## TRANSFERS.

Proper forms are provided for this purpose, suited to the class of tenure. The cost is 10s. besides stamp duty (if any), and the instructions on the forms are so explicit that any non-professional person can prepare and complete them for registration. In the case of conditional purchases, the original and any additional may be transferred together after completion of residence, but not separately until all the conditions applicable to the whole (except payment of balance) have been fulfilled. Nor can a conditional lease be transferred except together with its qualifying conditional purchase. The registration of transfers under this Act, in the office of the Registrar-General, gives an important legal effect thereto.

## RING-BARKING, TIMBER, AND STATE FOREST REGULATIONS.

Lessees are not permitted to ring-bark trees on their leases, except by permission and on payment of a fee of £2 for each 1,920 acres or lesser area. In order to conserve the timber and forests of the colony, provision is made for the reservation of areas as State forests, subdivisible into blocks either entirely reserved from destruction or thrown open for cutting by licensed persons only, at certain rentals, or on payment of certain prescribed fees. The limitations as to class of timber, girth, height, &c., are fully laid down, and further provision is also made for the detection and punishment of persons guilty of any infringement of the regulations, for which purpose forest rangers and other officers are appointed.

There are the necessary clauses giving legal force to acts properly performed under the statute, for conserving the rights of the Crown, and securing the proper disposal of the public estate.

It may be mentioned that the object of the foregoing paper has been to briefly epitomize the leading features of the land system of New South Wales. Care has been taken to keep close to facts, and avoid everything likely to confuse or mislead the reader.

## LAND SYSTEM OF QUEENSLAND.

(By W. C. HUME, Esq., Under Secretary for Public Lands in that Colony.)

The several Acts of Parliament under which alienation of the Crown lands was secured have been repealed by "The Crown Lands Act of 1884," and the sale by auction of country Crown lands is abolished.

The administration of the Act is entrusted mainly to a "Land Board" specially constituted for the purpose, who from time to time hold public courts throughout the colony, at which all matters relating to inquiry, appeal, decision, costs, &c., are determined; and any person aggrieved by a decision of the Board has a right to appeal to the Supreme Court.

For the purposes of this Act the colony is divided into two parts by an irregular line, starting about latitude 28° S., longitude 142° E., on the borders of New South Wales and South Australia; thence northerly in a north-easterly direction to within thirty miles of the coast, at 16° south latitude; and thence continuing round the whole peninsula, at a distance of about thirty miles from the sea, till it strikes the west boundary at thirty miles from the Gulf of Carpentaria, as described in Schedule 1 of the Act. That part between such line and the sea-coast is available, under the provisions of the Act, for agricultural and pastoral settlement. At the same time, a lessee beyond the limits just described may, if he think proper, come under the operation of the Act, and take advantage of the benefits derived therefrom.

Pastoral lessees, within the Schedule, who have brought their runs under the Act, receive a new lease for ten or fifteen years for a portion of their runs, estimated by the

Board, according to rules laid down in the Act, at rents varying between 10s. and 90s. per square mile of available country.

In cases where lessees are holders of two or more conterminous runs, the entire holding is considered as consolidated, and treated as one block; and where the portion resumed by the Government is not required for immediate settlement, the pastoral lessee may continue to depasture his stock thereon (until the lands are disposed of). The rent payable for such grazing right is determined by the Land Board, but must not exceed that previously paid under the surrendered pastoral lease. This rental will be subject to reductions if any of the country is required for selection. Unavailable country, on the resumed half for which a grazing right is granted, will also be allowed for as on the leased half.

#### AGRICULTURAL AND GRAZING FARMS.

In an "agricultural area" the maximum which may be selected by one person is 1,280 acres, but the Land Board have power to limit such maximum in any one district to a smaller area, not being less than 320 acres. This does not prevent any person from selecting up to the maximum area in other districts.

In "grazing areas" the maximum may vary from 20,000 to 2,560 acres, as may be determined by the Board.

The annual rental payable to the Crown for such lands is made public by proclamation. The minimum price for land in an agricultural area is 3d., and in a grazing area  $\frac{3}{4}$ d. per acre per annum.

After an application to select has been confirmed by the Land Board, a licence to occupy is issued. A grazing farm must be fenced in within three years; and in the case of an agricultural farm, the selector must, within five years, either enclose the land with a fence or expend an amount equal to such fencing in improvements. The selector is then in a position to claim a certificate of fulfilment of conditions; such being notified to the Board, a lease issues, in the case of an agricultural farm for fifty years, and in the case of a grazing farm for thirty years. The rent payable for the first ten years is that stated in the proclamation declaring the land open to selection. Subsequent rents for each period of five years after the first ten years shall be determined by the Board.

The lessee must occupy the land continuously during the term of the lease, either personally or by bailiff.

Leases may be mortgaged, under-let in whole or part, or transferred.

Selectors under existing Acts may bring their holdings under this Act, receiving fresh leases and being allowed for the rents already paid, which, in most cases, will be found ample to prepay rents under the present Act for some years in advance.

In agricultural areas, the fee-simple may be acquired after ten years' personal occupation at the purchase price proclaimed in the proclamation.

Special provision is also made in certain cases for acquiring freeholds not exceeding 160 acres at 2s. 6d. per acre after personal occupation for five years. (This is commonly called Homestead Selection.)

#### OCCUPATION LICENCES.

Occupation licences may be granted from year to year for any Crown lands not subject to a right of depasturing; such licence expires on the 31st December of the year in which it is granted, unless renewed, and the rental will be published when the land is proclaimed open to licence. It will be open to selection, and any area selected as a grazing farm or agricultural farm will be allowed for. No protection will be granted for any improvements erected during the licence to occupy.

Provision is also made for special grants, leases, reserves, and for compensation. All Crown grants issued under this Act contain reservations of all gold in or under the land comprised therein.

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## LAND SYSTEM OF SOUTH AUSTRALIA.

(By G. S. WRIGHT, Esq., Secretary for Crown Lands in that Colony.)

In South Australia the public estate is divided into country lands and town and suburban lands. Land system.

For country lands the minimum price is £1 per acre, this price being increased in the case of "reclaimed lands," or lands improved by means of Government expenditure on drains or other public works; and in the case of "improved lands," or lands on which improvements have been made by purchasers on credit, or Crown lessees. Price of country lands.

## PASTORAL OCCUPATION.

Pastoral leases.

Lands not already held can be leased for pastoral purposes, without right of purchase, the yearly rent paid being 2d. per head for each sheep and 1s. per head of cattle depastured; with the proviso that such yearly rent is in no case to be less than 2s. 6d. per square mile.

## ALIENATION BY SELECTION.

No Crown lands are allowed to be selected until after they have been surveyed and declared open for sale.

Mode of selection.

When land is declared open for selection, the sections are offered for sale by auction, in the order fixed by the Surveyor-General, at an upset price of £1 per acre, the competition being, in the first instance, confined to persons who declare their intention of residing upon the land they buy. Lands which have been open to selection by personal residents, but not sold for a period of three months, may be taken up under the condition of substituted residence. The highest bidder is entitled to the section bid for and also to select adjoining lands, the whole area not to amount to more than 1,000 acres of country or improved lands. He is then declared the purchaser, and has at once to pay 10 per cent. of the purchase money, with the value of the improvements, if any, added. Successive lots are offered in this manner until all the bidders under personal residence are satisfied. Lands which have been offered and remain unselected are open for sale at £1 per acre, with the cost of improvements added. In the case of simultaneous applications, the person declaring his intention to reside on the land has the first choice; and if all the applicants either do or do not intend to reside, the right of choice is decided by lot.

Conditions attached to credit purchases.

Within thirty-five days of the purchase, the purchaser has to sign an agreement to the effect that after nine months he will reside on the land, or, if he has not declared to do so, that he will keep there a substitute, and that he will continue to do this during nine months of every year until the purchase money is paid; that he will make substantial improvements before the end of the second year to the extent of 5s. per acre; before the end of the third year, to the extent of 7s. 6d. per acre; and before the end of the fourth year, to the extent of 10s. per acre; such improvements to consist of all or any of the following:—Erecting buildings, sinking wells, constructing tanks, and fencing, draining, and clearing the land; that he will bring into cultivation, during the first year, at least one-tenth of the land; and during each subsequent year, until the purchase money is paid, that he will have under cultivation at least one-fifth of the land; but if osiers, olives, mulberries, vines, apples, pears, oranges, figs, almonds, carob trees, potatoes, onions, beetroot, mangold-wurtzel, hops, apricots, peaches, walnuts, sweet chestnuts, filberts or cobnuts, raspberries, gooseberries, currants, cherries, or plums are grown, one acre under any of these counts for six acres under ordinary cultivation.

Payments on credit purchases.

All amounts paid by the purchaser on credit are regarded as purchase money. One-tenth of the purchase money has to be paid at the time of purchase; within fourteen days of the beginning of the third year another one-tenth of the purchase money has to be paid (being for one year in arrear and one year in advance); within fourteen days of the fifth and each subsequent year up to and including the twentieth, one-twentieth of the purchase money has to be paid; and if he has complied with the conditions, he is entitled to a Crown grant. Selectors can, however, complete their purchases after carrying out all the conditions of agreement for ten years only.

Penalty for not taking land bid for.

Persons who, having bid for land, refuse or neglect to make the necessary payments, or sign the requisite declarations, render themselves liable to a penalty of £25.

Transfer of lands sold on credit.

Lands sold on credit are not allowed to be transferred, unless with the approval of the Commissioner of Crown Lands, and the permission is only given in cases where the purchaser dies or the transferor is unable to occupy the land from illness, physical incapacity, or necessary absence from the colony, or, being a woman, marries. The transferee is in all cases bound by the same conditions as the original purchaser.

Leases for ten years.

Country lands offered at auction for cash and not sold, and which remain afterwards unsold for five years, may be offered on lease for ten years, in blocks of not more than 1,280 acres, at an annual rent of not less than 6d. per acre, with a right of purchase at the expiration of the lease at £1 per acre. No conditions beyond paying the rent when due are attached to these leases.

Leases for twenty-one years.

Country lands, in certain districts named in the Land Act, or afterwards to be proclaimed, which have remained unsold for one month after being offered at auction, may be offered for lease for twenty-one years, in blocks of two square miles, at an annual rent of not less than 10s. per square mile, with a right of purchase at any time during the last eleven years of the term, at £1 per acre. These lands are open to leasing to personal residents only for a period of three months, after which they are open to lease without any residence condition. In the former case, residence within ten

miles of the land leased is deemed residence thereon, and all payments constitute purchase money.

About two million acres of land in the south-eastern portion of the colony are classified as "drainage lands," "first-class lands," and "second-class lands," and these are reserved for leasing to personal residents only. Any one person may hold 1,000 acres of either drainage or first-class land, and 3,000 acres of second-class land. Residence for nine months in the year on either drainage or first-class land is deemed residence on second-class land. Drainage lands are leased for seven years, with a right of renewal for seven years at a valuation. First and second-class lands are leased for fourteen years, with a right of renewal for fourteen years at a valuation. Leases are offered at auction. Conditions—to reside and fence.

The right to leases of country lands, under these provisions, is to be offered for sale by auction. If there are no bidders, the right may be had by any person applying. Leases to be offered at auction.

The rent of such leases is to be paid yearly in advance, and the lessee must, each year, clear not less than a fortieth of the land, until one-half of the same is fit for agricultural purposes, as far as the nature of the land permits. Conditions of leases.

No person is allowed to hold or have any interest in more than 3,200 acres in all, leased under these provisions. Extent allowed to be leased.

#### ALIENATION BY AUCTION.

Town and suburban lands are sold by auction for cash, and not upon credit. Twenty per cent. of the purchase money is paid upon the fall of the hammer, and the balance in one month. Any country lands which have been open for selection for two years can be offered at auction for cash. Town and suburban lands.

#### MINING OCCUPATION.

Lands are let for mining for minerals and metals, other than gold, in blocks not greater than 640 acres, for periods not exceeding ninety-nine years, at the annual rent of 1s. per acre, and a further sum of 6d. in the pound sterling on the net profits of the mine. Leases to discoverers of coal, guano, petroleum, or other valuable deposits may be granted by the Governor on such terms as he may see fit. Mining leases.

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### LAND SYSTEM OF WESTERN AUSTRALIA.

(By the Hon. JOHN FORREST, C.M.G., Commissioner of Crown Lands in that Colony.)

The head of the department of lands is the Commissioner of Crown Lands, who also is Surveyor-General of the colony. The land revenue from all sources, during 1884, amounted to £90,471.

The colony is divided into five land districts, viz., Central, Central-Eastern, South-Eastern, North, and Kimberley.

In the Central or Home district, land is alienated to the first applicant at 10s. an acre, in lots of any size not less than 40 acres, except for garden purposes, when as little as 10 acres can be bought, or on special occupation, with certain improvements, by annual instalments for 10 years of 1s. an acre. When the improvements, which consist of fencing the whole and cropping one quarter, are completed, and 10s. an acre is paid, a Crown grant issues; but until the improvements are completed the annual instalment of 1s. per acre must be continued, even after the full 10s. has been paid. The minimum size of blocks under special occupation is 100 acres; there is no maximum. Free selection before survey is permitted. Crown lands are leased for pasture in the Central district in blocks of not less than 10,000 acres, to the first applicant, at £1 per 1,000 acres, and on annual licence for areas not less than 1,000 acres at the same rate. The termination of all leases in this district takes place at the end of 1887.

In the Central-Eastern, South-Eastern, and North districts land is sold in blocks of not less than 400 acres, at 5s. an acre, and is leased for pasture at 5s. per 1,000 acres for the first half, and 10s. per 1,000 for the second half of the lease, in blocks of not less than 20,000 acres. All such leases terminate at the end of 1893. A lessee may at any time during the first seven years of his lease select from his run any land, not less than 1,000 acres in extent, which he desires to hold under an unconditional pre-emptive

right, at an annual rental of £5 per 1,000 acres. All such unconditional pre-emptive rights may be redeemed in fee on the following terms:—In the North district, if within the first seven years of the lease, by payment of 5s., and during the remainder of the term, of 10s. for each acre redeemed. In the Central-Eastern and South-Eastern districts, if within the first seven years of the lease, by payment of 2s. 6d., and during the remainder of the term, of 5s. for each acre redeemed.

In the Kimberley district land is sold at 10s. an acre to the first applicant, in blocks of not less than 200 acres, and leased for pasture at 10s. per 1,000 acres, in blocks of not less than 50,000 acres on frontages, and 20,000 where there is no frontage. Leases in this district terminate also at the end of 1893. A stocking clause provides that one head of large stock or ten head of sheep for every 1,000 acres held by a lessee shall be kept in the district after the first four years of the lease, or double rent paid until such time as the required number of stock are within the district. In the event of the required number of stock not being in the district at the end of seven years, the lease will be forfeited.

Leases and licences can be transferred with the approval of the Commissioner of Crown Lands, and on payment of a fee of 10s.

New regulations will be proclaimed before 1887 for the Central district, and before 1893 for all other districts.

Lessees are entitled to receive from the purchasers of land within their leaseholds the actual value of any improvements they have made on the land purchased.

Town lands are sold by public auction, the upset price being fixed by the Government.

*Timber.*—Licences to cut timber are issued at 5s. a month for each man employed. Special licences, at £20 per annum for each 640 acres, are also issued. To encourage timber companies on a large scale, special concessions are given.

*Minerals.*—Leases for areas not less than 20 acres are granted for seven years, on certain conditions, at a rental of 5s. an acre, and the land can be purchased by the lessee at £3 an acre, provided certain machinery has been erected and that the mine has been properly worked.

#### LAND TRANSFER ACT.

This Act, sometimes known as the "Torrens Act," has been in force several years, and is of great importance as affording an easy and cheap means of dealing with land. All Crown grants are issued under its provisions.

#### KIMBERLEY DISTRICT.

This new district comprises that portion of the colony lying to the north of 19° 30' south latitude. Its area is about 134,000 square miles, of which 62,084 square miles are leased from the Crown, and the remainder (about 71,916 square miles) is open to selection at 10s. per 1,000 acres per annum.

Free selection to purchase, subject to approval, is allowed; and land in any quantity over 200 acres can be bought at 10s. per acre.

A town site named "Derby" has been surveyed on the eastern shore of King Sound, and a Government station (with a magistrate) has been formed there. When the last returns were sent in there were 46,839 sheep, 960 cattle, and 287 horses on the Fitzroy and Lennard rivers, near Derby, besides a large number of cattle on the Upper Ord river that have been driven across from Queensland. The country on the Ord river is now being surveyed, and will no doubt be speedily settled; and Cambridge Gulf, the natural outlet of this portion of the district, will probably become a place of some importance. This magnificent harbour has recently been visited by Staff-Commander Coghlan, R.N., and his interesting and valuable report has been printed and can be obtained on application to the Survey Office, Perth.

Running streams are numerous in the northern portions of this district, and splendid alluvial plains exist in the valleys of the rivers, which it is hoped may be suitable for tropical culture.

A very great deal of attention has been drawn to it from the eastern colonies, and extensive areas are held on lease by outside capitalists.

Horses, cattle, and sheep thrive well, and it is believed by all those best qualified to judge that it will be a large wool-producing country.

The Government have already expended £10,000 in surveying the district and examining its geology, and there appears to be a good prospect of a payable gold-field being discovered. In his report on the geology of the district, Mr. Hardman, the Government Geologist, states:—"I am glad to be able to report that I have discovered a large area of country which I believe will prove to be auriferous to a payable degree. This country is traversed by the Margaret, Mary, Elvire, Panton, and Ord rivers, and comprises an area of at least 2,000 square miles, so far as observed, but it doubtless

continues over a much greater extent of country. The formation is principally Lower Silurian slate and schist of various kinds, traversed by an enormous number of quartz reefs. In some localities many of these occur in the space of a few hundred yards, and it was quite usual to notice 25 or 30 large reefs while riding over a mile of ground, without taking into account the smaller reefs or veins. The quartz constituting these reefs is of a very promising character. It is a dull yellowish and grey quartz, very cellular and vuggy, containing quantities of black and other oxides of iron, together with casts of, and often crystals of iron pyrites. From most of the surface quartz the enclosed minerals have been washed away, however, although their traces are still apparent. Minute specks of gold have been noticed in a few cases, and I have very little doubt that many of these reefs, when properly examined and tested, will prove to be auriferous. These quartz reefs have a general bearing of N. 10 E. to N.E. Many run due north and south. Some of them can be traced for several miles. It is most probable that these quartziferous rocks are a spur or continuation of the gold-bearing metamorphic rocks of the Northern Territory of South Australia, now being worked with some success. The river valleys and flats are in many places covered with deposits, sometimes very extensive, of quartz gravel and drift, the quartz being derived from denudation of the reefs referred to above. I have prospected these gravels over many miles of country, and I have rarely failed to obtain good colours of gold—in many localities of a very encouraging character. Very often good colours were obtained in every pan washed in different trials in the same locality. I have thus found gold to be distributed over about 140 miles along the Elvire, Panton, and Ord rivers, &c., as well as on the Mary and Margaret rivers, where the indications were very good, and the appearance of the country most favorable. In several instances I obtained good colours of gold at considerable distances from the quartz-bearing rocks from which the gold could only have been derived. This, to my mind, seems to indicate that there must be large quantities of gold in the quartz-bearing rocks and in the drifts immediately overlying them. The gold-yielding country is well watered by numerous rivers, creeks, and gullies, which, even in the driest part of the year, are never wholly without water. And although during the dry season water is scarce, there would be no difficulty in conserving water anywhere in sufficient quantity for all mining purposes.

“On the whole, the indications I have met with point, as I believe, to the great probability of payable gold being obtained in this part of Kimberley, and are, I consider, sufficient to justify the expenditure, either by the Government or private individuals, of a reasonable sum of money in fitting out a party to thoroughly test the country, and I should strongly recommend such an undertaking. I would also suggest the advisability of parties going up for this purpose providing themselves with some simple apparatus for crushing and washing some of the reef-quartz, as in one very rudely conducted experiment of this kind I obtained a small quantity of gold.”

LAND SYSTEM OF TASMANIA.

(Revised to date by C. P. SPRENT, Esq., Deputy Surveyor-General of that Colony.)

In Tasmania, the waste lands of the Crown are divided into three classes, viz., town, agricultural, and pastoral. Land system.

Agricultural lands must either be situated within certain areas proclaimed as agricultural divisions, or must be such as the Commissioner of Crown Lands deems to be suitable for cultivation; or which, after having been surveyed, are described in any official notice as “Agricultural Lands.” Agricultural lands.

ALIENATION BY SELECTION.

Agricultural lands may be selected in lots not exceeding 320 acres in extent, at the price of £1 per acre; the amount, with 33½ per cent. added for credit, being paid by instalments extending over fourteen years upon the following scale:— Price and mode of payment.

100 acres at 20s. per acre ...	...	...	...	...	£ 100 0 0
Add one-third for credit ...	...	...	...	...	33 6 8
					£133 6 8

	£	s.	d.
Cash at time of purchase...	3	6	8
„ first year ...	5	0	0
„ second year ...	5	0	0
„ third year ...	10	0	0
„ fourth year...	10	0	0
„ fifth year ...	10	0	0
„ sixth year ...	10	0	0
„ seventh year ...	10	0	0
„ eighth year ...	10	0	0
„ ninth year ...	10	0	0
„ tenth year ...	10	0	0
„ eleventh year ...	10	0	0
„ twelfth year ...	10	0	0
„ thirteenth year ...	10	0	0
„ fourteenth year ...	10	0	0
	<hr/>		
	£133 6 8		

And so in proportion for any greater or smaller area than 100 acres.

- Selection before survey.** The land may be selected before survey, but must be surveyed afterwards, the selector paying cost of survey, which is fixed by scale.
- Residence necessary.** The selector must, under the penalty of forfeiture of his allotment, either in person or by his tenant or servant, within one year of the date of his selection, reside thereon, and continue to do so until the full amount of his purchase money is paid.
- One lot only to be selected.** Until the time the purchase is completed, only one lot is allowed to be held by an individual, except one or more such lots should besides descend to him in inheritance or be acquired by marriage.
- Construction of roads.** As soon as 500 acres, in not less than ten adjoining or closely contiguous lots, have been selected for purchase and occupied by the selectors, their tenants or servants, an amount equal to one-half the purchase money, exclusive of the addition for credit, is raised by the Government on debentures chargeable on the Land Fund, and the amount so raised is expended on roads in the vicinity of the selected lands, and one-half the purchase money of such lands is set apart for the redemption of the debentures.
- Family selections.** Minors not being legally able to enter into contract for the purchase of land, are not eligible to make selections. There is, however, no objection raised to selections being made by members of the same family, provided they are eligible. Married women also may select.
- Balance may be paid off.** The balance of the purchase money of any lands selected, or taken up on credit, may be paid off at any time, a rebate equivalent to the sum added by way of credit premium being allowed upon the amount.
- Price of credit lands must exceed £15.** No portion of land of which the price is less than £15 sterling is allowed to be purchased on credit.
- Transfer of interest.** No purchaser of land on credit is allowed to transfer his interest in such land unless the balance of the purchase money is paid, or he obtain special permission from the Commissioner to transfer his interest.

#### ALIENATION BY AUCTION.

- Town lands.** Town lands are sold only by auction, the upset price being fixed by the Crown Lands Commissioner, according to their position and supposed value.
- Agricultural lands.** Agricultural lands may also be sold by auction in lots of not less than 320 acres each. The upset price is fixed according to the nature and quality of the soil, but must be in no case less than £1 per acre.
- Pastoral lands.** Pastoral lands embrace all lands not included in the foregoing classes. They are disposed of by auction, the lowest upset price being a sum equal to twelve years' rental, provided such price is not less than 5s. per acre.
- Cost of survey and Crown grant.** In the case of lands of all classes sold by auction, the cost of survey and of the grant deed is added to the upset price.
- Lands passed at auction.** With the exception of town lands situated within five miles of the city of Hobart or town of Launceston, all Crown lands which have been offered at auction, and not sold, may be taken up at the upset price. Such lands may be paid for in cash or on credit. If the former, one-fifth of the price must be paid at the time of sale, and the residue within one month. If on credit, a sum equal to one-third of the purchase money is added for the allowance of credit, and the purchaser pays one-eighth of the whole amount at the time of sale, and the residue in thirteen equal annual instalments.

PASTORAL OCCUPATION.

Crown lands not required for sale are let for pastoral purposes on licences for periods not exceeding fourteen years, old runs being subject to a fixed rent, according to the carrying capabilities of the land, of not less than 4d. nor more than 9d. per sheep, and not less than 2s. nor more than 4s. her head of cattle. The annual rental of new and forfeited runs is submitted at auction, the highest bidder being entitled to the run. Rent of runs.

LAND SYSTEM OF NEW ZEALAND.

(By H. J. H. ELIOTT, Esq., Under-Secretary for Public Lands in that colony.)

In New Zealand the manner of acquiring Crown lands is either by auction or application. If by auction, the land must have been previously surveyed and marked off on the ground into definite areas, designated sections. The upset price is either so much per acre or so much per section. Rural lands not disposed of at auction are opened for application after thirty days' notice. If by application, or free selection, as it is frequently termed, the land need not have been previously surveyed; but after survey there is an adjustment, either by supplementary payment or refund, according as the surveyed area is found to be in excess or defect of the area stated in the application. This system of application is only in force in the district of Canterbury, in the Middle Island. Land system.

ALIENATION BY AUCTION.

Town and suburban lands are sold by auction. The former are usually surveyed in quarter-acre sections, the minimum upset price of which is £7 10s. per section; the latter in sections of 2 or 3 up to 10 or 15 acres, with a minimum upset price of £3 per acre. Town and suburban lands.

ALIENATION BY APPLICATION OR SELECTION.

Village lands, if surveyed into sections under 1 acre each, are offered on application at not less than £5 per section, except in inland districts not opened up by railways, where the price may be £2 10s. per section. In the event of two or more persons applying on the same day for the same section, such section is submitted at auction, the right of bidding being, however, confined to the persons who have applied. But if village lands are surveyed into sections of a greater area than 1 acre each, but not more than 50 acres, they are designated "small farm allotments," and in the case of more than one applicant for the same section its occupancy is determined by lot. The minimum price of such allotments is—In districts opened up, 20s.; in districts not opened up, 10s., per acre; or they may be had on lease, with or without a purchasing clause. Village lands.

Rural lands comprise all other Crown lands, whether agricultural, pastoral, or forest. The price varies in different districts, and ranges from the mere cost of survey, under the homestead system in Auckland and Westland, up to 40s. per acre, as in the system of selection before survey in Canterbury. Rural lands.

The mode of payment for suburban and rural lands is either immediate or deferred. Under the immediate system, the purchaser has completed the transaction on full payment of the purchase money, and no further obligation rests on him, nor is there any restriction as to the extent of land he may acquire. Mode of payment for land.

DEFERRED PAYMENTS.

In the deferred payment system, the payments are spread over a number of years, during which the purchaser must fulfil certain conditions, or, failing to do so, forfeit any payments he may have made. Under this system, if suburban land, an allotment must not exceed 20 acres; if rural agricultural land, 320 acres. The price per acre of suburban land is £4 10s., and of rural or pastoral land not less than 20s. Suburban and rural agricultural lands are open to application, and only go to auction if two or more persons apply for the same allotment, in which case the bidding is confined to the applicants. No person is allowed to take up an allotment of more than one class. The deferred payments are made in equal instalments every six months over which the period extends; in the case of suburban lands this is five years, in that of rural lands ten years. Deferred payments.

Residence on the land by the purchaser is compulsory in all cases of its being taken up under the system of deferred payments, unless where the land is wholly or mostly covered with forest, in which case the Governor may declare residence optional. In Residence compulsory.

suburban land, residence must begin within six months of the issue of licence, and continue for four years; in rural land, the period is six years.

Improve-  
ments.

The holder under the deferred payment system of suburban lands must bring into cultivation not less than a tenth of the allotment the first year, one-fifth the second year, and within four years have three-fourths cultivated, the whole fenced, and have made substantial improvements to the value of £10 per acre. In the case of rural lands, the holder must bring into cultivation not less than one-twentieth the first year, one-tenth the second year, and within six years must have cultivated one-fifth, and effected permanent improvements to the value of £1 per acre.

#### CAPITALIZATION.

Any selector who has complied with the conditions of his purchase for a period of three years may apply to have the value of the unpaid instalments capitalized at the present value of an annuity of the same amount as the payments required to be made by the selector and payable for the same period. Interest shall thereafter be paid at the rate of 5 per cent. per annum by the selector instead of the half-yearly instalments. The interest is payable on the 1st January and 1st July in each year. After the capitalized value has been ascertained any selector may immediately pay off the whole, or he may, on the 1st January or 1st July, pay any portion of such capitalized value in sums of not less than £10, and thereafter the interest payable shall be proportionately reduced. At any time between six and fourteen years of the date of his licence the selector shall be entitled to his Crown grant, if he has paid the whole of the capitalized value with interest at the due dates.

#### AGRICULTURAL LEASING.

Agricultural  
leases on  
gold-fields.

Land within proclaimed gold-fields is let under agricultural leases, under conditions of improvement without residence. The yearly rent is 2s. 6d. per acre, and the conditions being fulfilled, and there being no objections, the land may be bought during the currency of the lease at the upset price. After the third year an "exchange lease" may be granted, which will enable the purchase to be completed by the payment of 2ls. per acre in fourteen equal half-yearly instalments, or the balance at any time in full; or the freehold may be acquired by the payment of the rent for 17 years.

#### HOMESTEAD SYSTEM.

Homestead  
system.

The homestead system is in force in the Auckland and Westland districts of New Zealand. Under it the settler makes no payment for the land, the only cost to him being the expense of survey. The conditions are—five years' residence, the erection of a house, and the cultivation of one-third of the selection if open land, and one-fifth if forest land; on the fulfilment of which the Crown grant is issued. In the Auckland district each person of the age of 18 years, or upwards, may select from 50 to 75 acres, according to the quality of the land; and a person under 18 years of age, from 20 to 30 acres. Provided that no family or household may take up more than 200 acres of first-class, or 300 acres of second-class land. In Westland the conditions are the same, except that 50, 20, and 200 acres are the limits, irrespective of the quality of the land.

Pre-emptive  
rights.

Original holders of pastoral licences are entitled to the pre-emption of 320 acres in one block for a homestead.

#### PERPETUAL LEASING.

Leasing with  
perpetual  
rights of  
renewal.

Any person who does not own the freehold of, or who does not hold a licence or lease from the Crown for, an area which, together with the area included in his application for a perpetual lease, does not exceed 640 acres, can apply for a lease.

Auction and  
price.

Leases are submitted to public competition at an upset rental equal to 5 per cent. on the capital value of the land.

Term.

The term of each lease is 30 years; renewal at periods of 21 years.

Surrenders.

Surrenders are permitted with the consent of the Land Board.

Residence  
and im-  
provement.

The same as in the case of deferred payment lands.

Right to  
acquire  
freehold.

Any lessee holding a lease outside a gold-field shall have the right of purchase if he shall have fulfilled all the conditions of improvement within the period of six years at the price fixed at the time when the lease is granted, being not less than the capital value on which rent has been paid, at the rate of 5 per cent. Advantage must be taken of the right to acquire the freehold within eleven years of the date of the lease.

Renewals.

Three years before the end of the term of the lease valuations are made by arbitration of the then value of the fee-simple of the land and of all substantial improvements. The lessee then elects whether he will accept a fresh lease for a further term of 21 years, at a rental of 5 per cent. on the gross value of the land after deducting the value of the improvements.

If the lessee will not accept a fresh lease on the new valuation, the lease is submitted to auction, and if another takes the place of the lessee he has to pay the value of the improvements to the outgoing lessee.

SMALL FARM SETTLEMENTS.

Any number of persons—not less than 25—being not less than 18 years of age, may form an association to take up not less than 1,000 nor more than 11,000 acres of Crown land, to be subdivided into areas not exceeding 150 acres, provided that the total number of persons to be located in a block shall not be less than one for every 100 acres of its total area. Sites for a township and necessary reserves will be laid off within each block. Two shillings and sixpence an acre is to be paid by each association towards the cost of survey and roading, if undertaken by the Government, payment to be made in four instalments of 7½d. each; or any association may employ its own authorized surveyor. The price of the land is to be as arranged, being in any case not less than £1 an acre. One-tenth of the total price is to be paid by each association before allotting the sections in a block. This payment is in satisfaction of two first half-yearly instalments, after which payments are to be made every six months in advance at the rate of one-twentieth of the price of the land. One-third of the payments are from time to time paid to the local body of the district, to be expended on roads in the block. Residence, either personally or by a “registered substitute,” is required for six years, but residence on bush land need not commence until within two years from the date of the allotment of sections. “Substantial improvements” are required to be executed by each settler to the extent required by deferred payment settlers, as described above. Each association may make its own rules, which must be approved by the Minister of Lands.

Number forming an association and areas which may be taken up. Reserves.  
Survey.  
Price and mode of payment.  
One-third returned for local roads.  
Residence.  
Improvements.

PASTORAL RUNS

are disposed of by auction, at an upset rental, not later than twelve months before the expiration of existing leases. Generally no larger extent is offered in one lot than is sufficient to carry all the year round 5,000 sheep or 1,000 head of cattle. If any of the land in a run is required for settlement it can be resumed on twelve months' notice without compensation. Any licensee can select 150 acres for a homestead, which cannot be resumed during the currency of his lease. If a licensee does not acquire his run when it is again submitted to auction, he is entitled to compensation for his improvements, not exceeding in amount three times the amount of the average annual rental paid under the existing lease, the compensation to be paid by the incoming licensee. Leases may be for a period of 21 years. No person who holds land capable of carrying 20,000 sheep or 4,000 head of cattle can take up a pastoral lease. This does not affect mortgages if a sale is effected within three years from the date of taking possession.

Mode of disposal. Extent. May be resumed for settlement. Homestead. Saving of improvements. Leases may be for 21 years. Disqualification for holding pastoral leases.

CONDITION OF PUBLIC ESTATE, MARCH, 1884.

The total area of New Zealand exceeds 64,000,000 acres. Of this, up to March, 1884, 17,500,000 had been sold or disposed of in education and other public reserves; 14,500,000 belonged to the aborigines, or to Europeans who had purchased from them; and 32,000,000 acres still remained for disposal by the Government. Of the latter, 14,000,000 were open grass or fern country, 9,000,000 forest, and 9,000,000 of barren mountain tops, lakes, and worthless country.

Land remaining unsold.

NOTE.—Since the above was written, the terms and conditions of land settlement in New Zealand have been considerably modified by the Land Act 1885. A full account of the provisions of this Act will, if possible, be obtained for publication in the next issue of this work.