



FOURTH SUPPLEMENT
TO THE
VICTORIA
GOVERNMENT GAZETTE

OF FRIDAY, JUNE 30, 1893.

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THURSDAY, JULY 6.

[1893.

Land Act 1890, Part I.

REGULATIONS.

At the Executive Council Chamber, Melbourne, the third day of July, 1893.

PRESENT :

His Excellency the Governor.

Mr. Patterson	Mr. McColl
Sir Bryan O'Loughlen	Mr. Wynne
Mr. Carter	Mr. Baker
Mr. McIntyre	Mr. Cooke.
Mr. Reid	

WHEREAS by section 142, Part I., of the *Land Act 1890* power is given to the Governor in Council from time to time to make, alter, and rescind rules, regulations, and orders for the various purposes therein specified: Now therefore His Excellency the Governor, acting by and with the advice of the Executive Council, doth hereby rescind all Regulations under Part I. of the *Land Act 1890* except as to all matters done, rights acquired, and obligations incurred thereunder, and doth make the Regulations following in lieu thereof:—

REGULATIONS RELATING TO PART I.

Chapter I.—Preliminary.

1. The Schedules hereto shall be taken to form part of these Regulations, and may be modified by the Governor in Council.
2. For the purposes of these Regulations, unless the context be inconsistent therewith, the words "agricultural allotment," "country lands," "Board," "cattle," "cultivation," "fence," "Minister," "occupy," "selector under any previous Land Act or

Acts," "substantial and permanent improvements," "traveller," and "vermin" shall have the respective meanings assigned to them in section 4 of Part I. of the *Land Act* 1890. The words "large cattle" shall mean cows, heifers, oxen, steers, horses, mares, geldings, colts, fillies, asses, and mules; and the words "small cattle" shall mean sheep and goats.

The words "Secretary for Lands," "Surveyor-General," "District Surveyor," and "Land Officer" shall mean the persons for the time being holding such offices respectively, or performing the duties of such offices respectively.

Chapter II.—Of Survey.

1. The boundaries of every survey district shall be defined by the Surveyor-General. Every surveyor, when making surveys, shall comply with the following requirements, that is to say:—

2. Except as provided in the special Regulations hereto, he shall use a theodolite in correct adjustment, the readings of both verniers of which must be entered in field book on taking an observation or laying out an angle; and a chain maintained at the true standard length of sixty-six feet by daily comparison, when in use, with a standard chain or steel tape kept exclusively for such purpose, the standard itself to be compared, at intervals, with the standard recognised by the Department.

3. He shall conspicuously mark on the ground by stakes (split from sound timber and sawn on top) and trenches all the boundary lines of each allotment surveyed by him, and shall distinctly blaze all trees within three feet of such lines, and at not less than two angles of such allotment, if a tree is available within two chains radius, remove a square of bark from it fifteen inches by fifteen inches, and grave with a chisel in the solid wood a broad arrow four inches long, in width and depth of arms one-third inch, the bearing and distance of such mark from the angle peg being carefully entered in the field book. Such stakes shall be not less than three inches square and twelve inches long when placed at the corners of the allotment, and when placed as intermediate stakes shall be of similar length, and not less than two inches square. Intermediate stakes and trenches shall be placed at regular intervals of ten chains along the lines on plains or flat country, but where hilly and undulating, in such position that from each peg one other peg, at least, on either side, may be visible, the distance apart in no case being more than ten chains. In hilly and undulating country the surveyor shall also, at each theodolite or transit station, drive a small peg four inches by one inch, and enter chained position in field book. When the slope of ground exceeds five degrees from the level, the angle shall be measured on the vertical arc of instrument, and used for correction of chainage. When practicable, these observations shall be made at even chains, thus avoiding the trouble of log. calculations in reduction. In all cases the measurements are to be reduced to the horizontal plane. All stakes shall be driven into the ground so that one inch only shall appear above the surface. Corner trenches shall be fifteen links long from the corner stake, cut exactly in the direction of the several boundary lines, and the trenches at the intermediate stakes shall be five links in length, cut in the direction of the line on each side of the peg, leaving a spit twelve inches long between the trenches, thus = . = . All such trenches shall be not less than ten inches wide and six inches deep. In places where, on account of rock, such trenches cannot be cut, the corner stakes and intermediate stakes shall be protected by piles of stones placed around them.

4. Every allotment shall, where it is practicable, contain at least two right angles, and be quadrilateral. If a narrow strip of land be left between any allotment and a water frontage, the shortest side of the allotment shall front such strip of land, and where such strip is required for a roadway it is to be not less than $1\frac{1}{2}$ chains in width. If an allotment abuts on a main road, the shortest side should face such road. The boundary lines of allotments within a defined parish shall conform to the locally established meridian of that parish, or as nearly thereto as circumstances will permit. Any departure from these instructions will necessitate a special report to be sent in with the plan.

5. The surveyor shall in all cases chain the actual boundaries of allotments, unless there be insuperable difficulties in the way, such as a wide river, lake, &c. In such cases the method observed in measuring the distance and prolonging the line should be clearly shown in the field book.

6. When a creek is the boundary of an allotment, the traverse of the creek is to form part of the geometrical figure used in calculating the area, and the areas of the portions lying between the traverse lines and the creek are to be computed from the offsets and insets.

7. In establishing a connexion with a previous survey, the most reliable line of that survey shall be adopted as a datum for bearings, and the surveyor will be careful to ascertain before adopting any line that its bearing on the ground is relatively correct with reference to adjacent lines of the survey. If no Government survey has been made in the immediate neighbourhood of the site, the surveyor shall establish a datum for his bearings, and shall connect his survey by traverse with some durably constructed signal station erected on or near the most remarkable topographical feature in the vicinity.

8. The subject of the selection of roads being one of vital importance, the attention of surveyors is specially directed to the following instructions in reference thereto:—As soon as a surveyor has been assigned a district, he shall put himself in communication with the shire council or councils exercising control within his district, and request the co-operation of their engineer in selecting the best routes for leading lines of road through the unappropriated portions of the district. In the event of any shire council neglecting or refusing to comply with his request, after receiving twenty days' notice in writing, the surveyor shall proceed to select the best lines according to his own judgment; but the failure of the shire authorities to co-operate shall not relieve him from the responsibility of making proper provision for all necessary roads; and in no case shall he survey a detached selection so as to block an existing track, or in a position likely to interfere with the public convenience, or block access to back country, until he has satisfied himself as to the road requirements of the locality in these respects, and made proper provision therefor. In cases where a difference of opinion may arise between himself and the shire engineers, or where the surveyor has doubts in his own mind as to the proper course to pursue, he shall consult the District Surveyor, and be guided by his directions. As soon as he has determined the approximate position of the leading lines of road for any locality, he shall forthwith furnish the District Surveyor or Land Officer with a rough diagram, showing the routes determined upon, in order that they may be noted on the locality plans for the information of intending selectors, and the main lines especially should be approximately selected as far ahead of selection as possible, and when once marked on the ground are not to be deviated from.

9. In addition to the necessary main roads, accommodation roads leading thereto are to be provided for at intervals of from a mile to a mile and a half in each direction.

10. Surveyors shall be held responsible for any inconvenience that may arise either to the public or individuals through the improper blocking of existing tracks, the omission of necessary roads, or the selection of impracticable roads where practicable lines are possible.

11. In making the permanent survey of a road, both sides are to be marked by pegs and trenches and blazed trees as specified for boundary lines.

12. Any previous surveyed blocks or allotments that may adjoin or be contiguous to the area or allotment under survey shall be connected by tie lines with such survey, and be shown on the plan.

13. In all cases where his measurements differ from those of any previous surveys, the surveyor shall furnish a special report with reference thereto.

FIELD NOTES, ETC.

14. Proper field notes of all surveys are to be recorded in the form of a diagram in books of a convenient size, to be approved by the Surveyor-General, and any correction in the entries made for practical errors are to be shown in red, with an explanatory note on the page in which it occurs; such books to be the property of the Department, and to be given up when asked for. The date on which survey was completed must also be entered in the field book. On the completion of the survey, the surveyor shall, on the next page of the field book, make a sketch of the position of the various lines of the survey, showing the chained lengths and observed bearings of each separate line. He must also certify on the field book that his notes as recorded are the actual results of his observations and measurements on the ground. With the plan must be sent in a certified copy of the

field notes, together with copy of the computations of the figure and its area in the usual form adopted for computation by reduction of traverse and double areas. The aforesaid instructions will be most stringently enforced, affording, as they do, the only assurance of probable accuracy to the Certifying Surveyor, in cases where he may not have an opportunity of making a personal inspection.

PLANS.

15. The surveyor shall supply a plan of the allotment, showing the course within its boundaries of any stream, race, road, track, and the position of any waterhole, dam, hut, fence, garden, old gold-workings, and any other topographical information that may be deemed necessary to be known in connexion with the application to select. He shall also state on the plan whether the bearings of the boundary lines have reference to the true or to the magnetic meridian, and how determined; or, if taken from an adjacent survey, the datum line adopted must be shown on the face of the plan. The scale of the plan, where the area of the allotment is 100 acres or less, shall be eight chains to one inch; where the area is over 100 acres, twenty chains to one inch, unless a larger scale be required to show distinctly the matters hereinbefore directed to be shown. All plans shall be dated, below signature, as of the day when the survey was completed, and be certified as follows:—"I certify that this survey has been effected on the ground in accordance with regulations, and that this plan is correct."

16. Plans are to be drawn in accordance with the specimen plans prepared by the Department for the guidance of surveyors, and are to be forwarded to the Land Officer for the district on completion.

AGRICULTURAL ALLOTMENTS.

17. In the case of every agricultural allotment a strip of land not less than one chain and a half in width, reckoned from the high winter level of the water, shall be left between the allotment and the water frontage, and the shortest side of the allotment shall front such strip.

18. Every allotment shall, where it is practicable, be quadrilateral, and contain at least two right angles; and no allotment will be allowed to be selected in a position or in a form which would, in the event of its being held separately, cut off access to water from the remainder of the grazing area, or interfere with the profitable occupation of the same.

ADJUSTMENT OF BOUNDARIES.

19. Whenever it may be necessary to adjust the boundaries of any surveyed land, the Surveyor-General shall on such adjustment certify as to the correct boundaries and area of the land or any portion or portions thereof, and for every such certificate there shall be charged such fee as the Minister may direct.

LEASEHOLDS.—TRANSFER OF PARTS.

20. Every application for the registration at the Office of Lands and Survey of the transfer of a part of a leasehold must either be accompanied by a plan of such part, made by a duly-authorized surveyor, showing its position in the original leasehold and its boundaries as defined on the ground by actual survey, or where any such transfer has been effected through the Office of Titles it must be shown to the Office of Lands and Survey that such a plan was lodged with the Registrar of Titles previously to the issue of the certificate of title of which such registration is sought.

21. Every such plan must be drawn to a suitable scale on good drawing paper to the satisfaction of the Surveyor-General, and must be certified by the surveyor making the survey.

22. No transfer shall be registered or Crown grant issued by the Office of Lands and Survey in respect of any such application unless and until the requirements of the foregoing regulations have been complied with.

SURVEY FEES.

23. Whenever it shall become necessary to survey and define on the ground the boundaries of any allotment under the provisions of this Act, at the expense of an applicant, lessee, or licensee, the fee payable for the survey by such applicant, lessee, or licensee shall be in accordance with the following Schedule of Fees and Scale applicable to the class of country in which such allotment is situated; and the Surveyor-General shall determine the scale which shall apply to each district or locality of the colony.

24. Schedule of Survey Fees for Surveys :—

20.4.91.

Areas.	Graduated Scales for Areas specified.					
	1st Scale.	2nd Scale.	3rd Scale.	4th Scale.	5th Scale.	6th Scale.
When the area does not exceed—	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
20 acres (minimum)	3 0 0	3 13 0	3 19 0	4 5 0	4 10 0	5 0 0
30 "	3 5 0	4 1 0	4 8 0	4 15 0	5 1 0	6 10 0
40 "	3 10 0	4 8 0	4 16 0	5 5 0	5 12 0	7 8 0
50 "	3 14 0	4 14 0	5 3 0	5 14 0	6 4 0	8 4 0
60 "	3 18 0	5 0 0	5 10 0	6 2 0	6 16 0	8 10 0
70 "	4 2 0	5 5 0	5 16 0	6 9 0	7 5 0	9 13 0
80 "	4 5 0	5 10 0	6 2 0	6 15 0	7 14 0	10 5 0
90 "	4 8 0	5 15 0	6 8 0	7 1 0	8 3 0	10 17 0
100 "	4 11 0	5 19 0	6 13 0	7 7 0	8 12 0	11 8 0
120 "	4 16 0	6 7 0	7 2 0	7 17 0	9 7 0	12 9 0
140 "	5 1 0	6 14 0	7 10 0	8 7 0	10 1 0	13 8 0
160 "	5 6 0	7 2 0	7 19 0	8 17 0	10 15 0	14 6 0
180 "	5 10 0	7 7 0	8 6 0	9 5 0	11 13 0	16 8 0
200 "	5 14 0	7 13 0	8 13 0	9 13 0	12 4 0	16 4 0
220 "	5 18 0	7 19 0	9 0 0	10 1 0	12 15 0	16 18 0
240 "	6 1 0	8 5 0	9 7 0	10 9 0	13 1 0	17 8 0
260 "	6 5 0	8 10 0	9 13 0	10 15 0	13 14 0	18 4 0
280 "	6 8 0	8 15 0	9 19 0	11 2 0	14 3 0	18 16 0
300 "	6 11 0	9 0 0	10 4 0	11 8 0	14 11 0	19 8 0
320 "	6 15 0	9 5 0	10 10 0	11 15 0	15 0 0	20 0 0
400 "	7 17 0	10 19 0	12 9 0	14 0 0	18 0 0	24 2 0
640 "	8 10 0	12 7 0	14 2 0	15 18 0	20 10 0	27 11 0
800 "	9 13 0	13 12 0	15 12 0	17 11 0	22 14 0	30 12 0
1,000 " (maximum)	10 12 0	15 0 0	17 4 0	19 8 0	25 3 0	34 0 0

25. For the survey of an allotment the area of which exceeds 1,000 acres, the survey fee payable shall be calculated at per mile of external boundaries, and the rate per mile shall be one-fifth the maximum, or fee for the survey of a 1,000-acre allotment, according to the scale applicable to the district or locality in which such allotment is situated. And, for the purpose of estimating the total amount of the fee payable for the survey of any given area, the following rule shall be adopted in computing the length of the boundaries, viz.:—The total length of the boundaries of any allotment shall be taken at four times the square root of its area in links.

26. Whenever it shall appear to the Surveyor-General that the survey of any allotment is exceptionally difficult or expensive from its isolated position or any other cause, such extra charge as the Minister may deem fit may be imposed for the survey.

27. No survey shall be held to be a survey under the direction of the Board within the meaning of the 54th section of the *Land Act 1890* until the Board shall be satisfied of its accuracy, and the applicant shall be responsible for the payment of any further sum that may be required for the survey of the allotment, or for any modification of the plan thereof, where such modification is not caused by the neglect of the authorized surveyor.

28. When the right of selection is exercised in any detached portions, a separate survey fee, according to scale, will be required for each portion.

29. For all other surveys, the fee for which is not provided for in the preceding Schedule of Fees, the rates payable shall be in accordance with a schedule of prices, to be approved by the Minister, to be called the "Departmental Scale," in which the rates shall be expressed in some ratio of the maximum or minimum rates fixed by the graduated scale in the said preceding Schedule of Fees applicable to the district or locality in which the surveys are required.

30. All moneys payable on the orders of the Land Officers towards the expense of surveys shall be deposited by the applicant for the land at the Treasury, and credited to an account called the "Survey Fees Account."

31. Accounts passed against deposits placed to the credit of the "Survey Fees Account" shall be signed by the Land Officer ordering the collection of the money, or his successor in office, and shall be countersigned by the Inspecting District Surveyor.

32. In any case where the whole of the fee collected shall not have been expended on the survey, the Land Officer shall report the fact to the Surveyor-General or District Surveyor immediately on certifying the surveyor's account, and such balance as may remain shall be carried to Revenue or otherwise disposed of as the Secretary for Lands may direct.

33. The Land Officer shall, if a survey be required, notify to the applicant that on his depositing with a Receiver of Revenue the amount chargeable to him for survey, and producing or forwarding the receipt therefor to the Land Officer, an authorized surveyor will be instructed to survey the land for and on account of the applicant. Should the said charge not be paid within one month from the date of such notification, the application shall be deemed to be abandoned, and the area shall be available for selection.

Chapter III.—Of Local Land Boards and Appeals.

(Section 128.)

1. For the purposes hereinafter specified there shall be Local Land Boards, and every such Board shall consist of such person or persons as the Minister shall from time to time appoint.

2. It shall be the duty of every Local Land Board to investigate publicly all applications that are remitted for its consideration, as herein provided, and all matters referred to it by the Minister, and to report to the Minister its opinion thereon. And the chairman of every such Board shall, on commencing each day's business, publicly read, in a distinct and audible voice, section 13.6.92. and to report to the Minister its opinion thereon. And the chairman of every such Board shall, on commencing each day's business, publicly read, in a distinct and audible voice, section 110 of the Principal Act as amended by the *Land Act* 1891.

3. At least seven days before the sitting of any Local Land Board the Land Officer shall insert in a newspaper circulating in the district where such Board will be held a list of the applications and matters to be heard at such sitting by such Local Land Board. The notice to be given herein is to be in addition to the *Gazette* notice required by section 128 of the *Land Act* 1890.

4. No Local Land Board shall, unless by the authority of the Minister, adjourn, except from day to day, until it has disposed of all matters that are remitted for its consideration.

5. Within five days (except as otherwise provided in these Regulations) after the sitting of any Local Land Board the Land Officer shall send to the Minister the report of such Board upon all such applications, and upon the objections (if any) to such applications, and shall also send the minutes of evidence (if any) taken before it, and any objections that may have been lodged with him too late for consideration by such Board.

APPEALS.

6. Any person who may be dissatisfied with the recommendation of a Local Land Board may appeal against the same to the Minister, provided that the ground of appeal be set forth in writing and forwarded to the Minister not later than seven days after the sitting of the Local Land Board, with a request that such appeal may be heard. No appeal will be entertained after the expiration of the said seven days, unless the applicant show by a statutory declaration that he received no notice to attend, and was not aware of the sitting of and did not attend the Local Land Board, and further that he has a claim on the merits for re-hearing. No verbal application will be entertained. The form of appeal prescribed in Schedule 1 hereto is given as a guide.

7. If the Minister be of opinion that the grounds of objection set forth in such before-mentioned statement or statutory declaration are sufficient, he may order the appeal to be set down for hearing by himself, or by persons whom he may appoint to hear the same and report thereon in writing to him, and due notice will be given to all persons interested in such appeal.

8. In order to afford time for the collection and examination of papers relating to the subject of appeal, and for the transmission of notices as hereinbefore provided, no appeal, unless otherwise expressly directed by the Minister, will be set down for hearing before the expiration of fourteen days from the date of sitting of the Local Land Board.

9. Unless otherwise expressly directed by the Minister, an appeal will only be allowed when based on the following or similar grounds, viz :—

- 1st. That the appellant had not received due notice to attend at, or that a fair opportunity was not offered by the Local Land Board for statement of his case ; or
- 2nd. That the Local Land Board refused to hear material evidence ; or,
- 3rd. That any member or members of the Local Land Board were interested in the case.

Chapter IV.

GRAZING LICENCES UNDER SECTION 3.

1. Applications by pastoral or grazing licensees under *The Land Act* 1869 to retain possession of their holdings, for grazing purposes only, and licences therefor, shall be in the forms prescribed in Schedules 2 and 3 respectively hereto.

2. The fee for the preparation of such grazing licence shall be Five shillings.

PASTORAL LANDS.

(Section 21.)

3. Every intending applicant for a right to a lease for a pastoral allotment shall lodge an application in the form prescribed in Schedule 4 hereto, at a place and hour to be named in a public notice; and in the event of two or more applications being lodged on any one day before the hour of Two o'clock in the afternoon in respect of the same pastoral allotment, the same shall be offered for sale by public auction, of which due notice shall be given, and subject to the conditions prescribed in Schedule 5 hereto.

27.6.92

4. Leases for pastoral allotments shall be in the form and subject to the conditions prescribed in Schedule 6A hereto.

5. Lessees of pastoral allotments who have complied with the covenants and conditions of their leases, and desire to exercise their right, under section 29 of the *Land Act* 1890, of selecting a portion of their pastoral allotments, not exceeding 320 acres in extent, as a homestead, must make application in the form prescribed in Schedule 7 hereto.

6. The fee for the preparation of a lease for a pastoral allotment shall be Two pounds.

NOTE.—For Regulations relating to resumption of land under the 10th sub-section of section 27, *Land Act* 1890, see Chapter VI.

Chapter V.

METHOD OF MAKING APPLICATION FOR LEASES AND LICENCES
UNDER SECTIONS 32, 42, 65, 67, 97, AND 99, LAND ACTS
1890-91, AND SECTION 22, LAND ACT 1891. 1.5.93

1. Every intending applicant for a lease under section 97, or for a licence under sections 42 or 49 in unsurveyed country, or section 65, or for a licence for a site under section 99 of the *Land Acts* 1890-1891, or for a licence under section 22 of the *Land Act* 1891, shall affix to a post or other conspicuous object at or near each corner of the allotment a legible notice in writing setting forth that he is an applicant for such allotment, the approximate area thereof, and his name and address, together with the date upon which he marked out the land.

All applicants who mark out the same allotment upon one and the same day shall be deemed to be equal as to the marking out.

2. After defining the boundaries as aforesaid, the applicant shall, within one week, post or deliver to the District Land Officer his application in the form prescribed, but at the hearing of such application the failure to comply with the provisions hereof respecting the time of posting or delivering the application shall not be deemed to be a fatal objection where the applicant can prove the existence of some reasonable ground of excuse, which shall be recorded by the Land Officer upon the application.

3. An applicant for a lease under section 32, or for a licence under section 42, for the whole or part of a grazing area, or under section 67, shall not be required to mark out the land applied for. The applicant shall post or deliver to the District Land Officer an application in the prescribed form, describing the land applied for.

4. The applicant shall, before lodging his application, pay to the nearest Receiver of Revenue the sum of One pound (except as provided in section 5 following) for a certificate of registration, which must accompany the application, and such sum shall not in any case be refunded. But an applicant for a licence under section 42 out of a grazing area leasehold, or under sections 67 and 99, or for a lease under section 97, shall not be required to lodge a certificate of registration with such application.

5. An applicant for a lease or licence who shall have paid with his application the sum of One pound for a certificate of registration shall, in the event of his application not being granted by the Governor in Council, be permitted to lodge during the period of one year from the date of such application one or more applications with each of which the sum of Two shillings and sixpence (2s. 6d.) only shall be paid for a certificate of registration.

6. The Land Officer shall enter the applications as received in the book kept for the purpose. Applications received by the Land Officer upon one and the same day shall be deemed to be equal so far as regards lodgment.

7. If the application be delivered to the Land Officer by the applicant personally, the Land Officer shall at the time make such inquiries and obtain such personal statements from him as may

be necessary for dealing with the application, and shall make a record of the same, which shall be read over to and signed by the applicant and by the Land Officer, to be attached to the application; and attendance at the Local Land Board shall not be required of such applicant in any case in which objections shall not have been lodged prior to the sitting of such Board. The inquiries or personal statement may be made at any time prior to the sitting of the Local Land Board.

8. The Land Officer shall, immediately on the receipt of the application, notify by post every person who, in his opinion, is interested in the application of the date when it will be considered, and shall weekly insert in a newspaper circulating in the district in which the land applied for is situated a notice of all applications lodged at his office during the preceding week and of the date of the Local Land Board at which such applications will be dealt with.

9. Immediately upon the receipt of an objection to any application the Land Officer shall notify the applicant of the nature of the objection.

10. The Land Officer shall, at a Local Land Board to be held at his office not less than seven days nor more than fourteen days after the publication of notice as aforesaid, deal with such applications, hear any objections thereto, and report thereon within 24 hours to the Minister.

11. Immediately on the application being recommended, the approved applicant shall be called upon to pay the fee for survey, and also the valuation (if any) for any improvements that may be upon the land.

12. Upon payment of such survey-fee and valuation (if any) being reported, there shall be issued to the approved applicant, if desired by him, a permit to occupy the land to be indicated therein subject to survey and non-interference with any public right as to railways, roads, mining, access to water, &c., upon payment of the rent or fee for the occupation of the land, and also the fee for the preparation of the lease or licence; but the land must not be fenced until after survey. Such occupation may commence from a date to be specified in the permit, and the rent or licence-fee shall be payable from such date.

13. Upon the completion of the survey ordered and approved by the District Surveyor, a lease or licence in the form and subject to the conditions duly prescribed, or that may be ordered by the Governor in Council in any particular case, shall be prepared and issued. Such lease or licence shall bear the date specified in the permit to occupy, and sums paid with respect to such permit shall be considered to have been paid in respect of the lease or licence, and shall be credited thereto.

14. If any person whose application for a lease or licence has been approved fail to pay the rent or licence-fees, sums, and fees as hereinbefore directed within one month of the date of the notice of approval, his application shall be deemed abandoned, and the area shall be available for selection.

15. All subsequent payments of rent or licence-fees shall be made to the Receiver authorized to receive the same; and no Receiver shall receive any moneys on account of leases or licences unless so advised by the Department of Lands and Survey.

Chapter VI.—Grazing Areas.

(Section 32.)

1. Every application for a lease under section 32 shall be in the form prescribed in Schedule 8A hereto.

2. Every lease under section 32 *Land Act* 1890, shall bear date as of the first of January or the first of July, as the case may be, and shall be in the form prescribed in Schedule 9 hereto; but the diagram of boundaries and statement of area shall be deemed as approximate and temporary only. Provided always that the Governor in Council may, if he think fit, order that a lease be subject to such special conditions as shall meet the circumstances of any particular case.

3. At the expiration of three years from the date of their respective leases each lessee under section 32 of the *Land Act* 1890, or section 32 of *The Land Act* 1884, shall forward to the Secretary for Lands a statement in the form of Schedule 10 hereto as to his performance of the covenant of his lease.

INGRESS, EGRESS, AND REGRESS REGULATIONS.

4. Every lessee of a grazing area under section 32 of the *Land Act* 1890 shall at all times permit free ingress, egress, and regress into, out of, and upon his leasehold to every other grazing area lessee, his agents and servants, with or without live stock or vehicles, travelling from and to any road or track usually used, and shall for that purpose erect slip-panels in his fences at the most convenient places for such persons so travelling.

5. Every lessee, his agents, or his servants, travelling through another lessee's grazing area, shall enter and depart only by means of the slip-panels above referred to, and shall take such route as shall not interfere with the improvements or domestic or other arrangements of the lessee through whose grazing area he is travelling.

6. The rails of the slip-panels shall be placed in their proper position in the fence by the persons travelling immediately after they have passed through.

7. No person travelling through a grazing area leasehold by authority of sub-section 12, section 38, of the *Land Act* 1890, shall damage or in any way interfere with the improvements, sheep, cattle, or other property of the lessee through whose grazing area he is travelling.

8. Every lessee of a grazing area desiring to travel cattle or sheep through another person's grazing area leasehold shall, if the number of such stock exceed 10 cattle or 50 sheep, not less than twelve hours or more than twenty-four hours before entering upon such grazing area leasehold, give or deliver at the residence of the occupier of such leasehold, or, if there be no occupier, then shall post in some conspicuous place on such leasehold a notice of his intention to drive such cattle or sheep; and all cattle or sheep when being travelled through a grazing area leasehold shall be driven in accordance with the provisions of these Regulations, and without any delay, and with proper reasonable speed.

TRANSFER OR MORTGAGE OF LEASES.

9. Applications for consent of the Board of Land and Works to transfer or mortgage of grazing area leases shall be made in the form prescribed in Schedule 11 hereto.

10. The form of consent of the Board of Land and Works shall be as prescribed in Schedule 12 hereto.

11. The fee for such consent shall be One pound.

RESUMPTION OF LAND UNDER SUB-SECTION 10 OF SECTION 27 AND SUB-SECTION 11 OF SECTION 38 AS SITES FOR TOWNSHIPS OR VILLAGES OR FOR MINING PURPOSES.

12. Whenever it shall appear to Her Majesty, her heirs, and successors that it is expedient to resume as sites for one or more townships or villiages any land forming part of a pastoral allotment or grazing area under the condition above recited the full value, not exceeding the amount expended thereon by the lessee, of all houses, fences, walls, reservoirs, tanks, dams, and other substantial and permanent improvements made, erected, or constructed by the lessee on the land so resumed shall be ascertained by arbitration.

13. Such arbitration shall be carried out in the same manner as is hereinafter provided with respect to resumption for mining purposes.

14. Any person desirous of moving Her Majesty, her heirs, and successors to resume for mining purposes any of the land comprised in any lease of a pastoral allotment or of a grazing area, shall do so by addressing the Minister in the form or to the effect contained in Schedule 13 hereto.

15. Such resumption may be enforced under the 10th sub-section of section 27 or the 11th sub-section of section 38 of the said *Land Act* 1890.

16. Such applicant shall forward to the Minister, with his application, the sum of Ten pounds, which shall be dealt with as hereinafter directed. He shall also forward a plan showing what portion of the leased lands he desires to have resumed and a statement in the form of a statutory declaration of the reasons why he desires such resumption.

17. Such statement shall be in duplicate.

18. On the receipt of such application, plan, and duplicate statement the Minister may, if in his opinion a *prima facie* case for resumption is made out, require the lessee, as also his registered mortgagee or mortgagees (if any), to show cause before him, on a day to be fixed by him, why, on payment to him of the full

value of all the matters and things enumerated in sub-section 11 of section 38, Her Majesty, her heirs, and successors should not resume possession of and re-enter upon the lands applied for, or such part as the Minister may approve of.

19. Such cause shall be shown by the lessee or his registered mortgagee or mortgagees (if any) by his or their forwarding to the Minister in the form of a statutory declaration his or their reasons why such resumption should not take place, or why a smaller area than that desired by the applicant should be resumed.

20. Before making such statement the lessee may require to be furnished with the duplicate statement before mentioned for his guidance in framing his counter statement.

21. Should such lessee or mortgagee or either of them decline or neglect to forward to the Minister such counter statement the Minister may act, should he think proper so to do, on the statement made by the applicant, and any other evidence that the Minister may require; but before so acting he shall satisfy himself that the intended application has been brought to the notice of the lessee or mortgagee or their agents or representative.

22. On receipt of such counter statement of the lessee and mortgagee the Minister may, if he be of opinion that such counter statement is a sufficient answer to such application, inform both parties of such his opinion and determination, and may, should he so think fit, out of the money deposited with him by the applicant, award all reasonable costs to the lessee or mortgagee, or both, and pay the balance (if any) to the applicant.

23. Should the Minister be of opinion that such counter statement is an insufficient answer to such application he may inform all parties of such his opinion and determination, and shall at the same time fix definitely the area and boundaries of the land to be resumed, and (unless all parties agree within one week after having been notified thereof as to the amount of compensation, or unless within fourteen days thereafter the lessee or mortgagee shall in writing desire the amount to be ascertained by arbitration as hereinafter is mentioned) may refer the question of such amount to a warden.

24. Such warden shall fix a day for the determination of such question, and on such day, or any later day to which such determination may be adjourned, shall in the presence of all parties, or in the absence of either of them on proof satisfactory to him that such party has been duly notified of the time and place where such inquiry shall be held, fix the amount of the valuation to be paid to the lessee.

25. The warden shall report to the Minister the amount of the compensation as fixed by him, as also the amount of costs (if any) which the applicant ought to pay to the lessee.

26. Such costs shall be paid out of the sum deposited by the applicant, and the balance (if any) shall, on the resumption of the land applied for by the applicant, be paid to him.

27. Should the lessee or mortgagee within the time hereinbefore limited desire that the amount of compensation be ascertained by arbitration and not by a warden he may do so, provided that he signifies his desire to the Minister and appoints his arbitrator and communicates such desire and appointment to the applicant within one week after the Minister has informed him that his counter statement is insufficient, and thereupon the applicant shall within one week after such communication has reached him appoint his arbitrator and inform the Minister of such appointment, and these two arbitrators shall appoint a third.

28. If the land in question is mortgaged the lessee and mortgagee shall only appoint one arbitrator between them, and if they cannot agree upon such arbitrator the Minister shall elect between the person nominated by the lessee and first mortgagee respectively, and the person elected by him shall be the joint arbitrator of the lessee and the mortgagee or mortgagees.

29. Should either party neglect to appoint an arbitrator, or should such arbitrator when appointed die, refuse to act, or become incapable of acting, such proceeding shall *mutatis mutandis* be taken for the purpose of remedying the consequence of such neglect, death, refusal to act, or incapacity as are contained in the 47th and 48th sections of the *Land Act* 1890.

30. The arbitrators or a majority of them shall, within one month after their appointment, or such later day as shall from time to time be allowed by the Minister, report to him the amount of compensation as fixed by them, as also the amount of costs (if any) which the applicant ought to pay to the lessee.

31. Such costs shall be paid in the same manner and out of the same fund as is provided with respect to a reference to a warden.

32. On the amount of compensation being ascertained it shall be paid to the lessee or mortgagee, or as may be agreed upon between them, but if they cannot agree upon the disposal of such amount, or if when tendered to the lessee or mortgagee it shall be refused to be accepted, it shall be paid into the Supreme Court to abide the direction of the court as to its distribution.

33. On such amount of compensation being paid or tendered to the lessee or mortgagee such lessee shall forthwith surrender to Her Majesty, her heirs, and successors his lease, and he shall be entitled to receive free of cost a fresh lease for the unexpired term thereof, at a rent reduced in proportion to the area of land resumed.

Chapter VII.—Agricultural Allotments.

RESIDENCE LICENCES.—(SECTION 42.)

1. Every application to select an agricultural allotment shall be in the form and accompanied by the declaration prescribed in Schedule 14 hereto, and the same shall be posted or delivered to the Land Officer of the district in which such allotment is situated.

2. Licences for agricultural allotments shall be in the form and subject to the conditions prescribed in Schedule 15A hereto, and shall also be subject to such other special conditions as the Governor in Council may in any particular case direct. 13.6.92.

3. Any licensee under section 42 of the *Land Act* 1890 who may wish to absent himself from his allotment for a period in all not exceeding three months in any one year of the currency of his licence shall apply to the Land Officer for the district in which the land is situated, and fill up and sign a notice in the form prescribed in Schedule 16 hereto.

4. The Land Officer shall register in a book, in the form prescribed in Schedule 17 hereto, to be kept in his office for that purpose, each notice of intended absence, and shall transmit such notice to the Secretary for Lands.

NON-RESIDENCE LICENCES.—(SECTION 49.)

5. Applications for non-residence licences shall be in the form and shall be accompanied by the declaration prescribed in Schedule 18 hereto, and the same shall be posted or delivered to the Land Officer of the district in which the land is situated.

6. Non-residence licences shall be in the form and subject to the conditions prescribed in Schedule 19B hereto, and shall also be subject to such other special conditions as the Governor in Council may in any particular case direct. 13.6.92.

7. The fee for the preparation of a licence for an agricultural allotment shall be One pound.

8. The fee for the preparation of any duplicate, modified, or consolidated licence under Part I., Division 3, of the *Land Act* 1890, shall be One pound.

Agricultural Allotments forming the whole of a Grazing Area.

(Section 7, *Land Act* 1891.)

9. When an agricultural allotment forms the whole of a grazing area, and any person is desirous of obtaining a licence to occupy the same as an agricultural allotment under the provisions of section 7 of the *Land Act* 1891, such person shall, in addition to any regulations relating to applications and licences under sections 42 and 49 of the *Land Act* 1890, be subject to the Regulations of Chapter V. of these Regulations.

10. Every such licence shall bear date as of the first day of the month next after that in which the issue of such licence shall have been approved, and shall be in the prescribed form.

Licences may be Changed.

(Sections 50 and 64.)

11. Holders of ordinary and non-residence licences under Part I., Division 3, of the *Land Act* 1890, desiring to avail themselves of the provisions of section 50 of the said Act to convert their ordinary licences into non-residence licences, or *vice versa*, shall make application in the form prescribed in Schedules 29 and 30 respectively.

12. Licensees under *The Land Act* 1869 who have had the terms and conditions of their licences altered so as to accord with the provisions of *The Land Act* 1878, and who desire that the terms and conditions imposed by the licence as originally granted may be reverted to, as provided for by section 64 of the *Land Act* 1890, shall make application in the form prescribed in Schedule 31 hereto.

VINEYARD, HOP-GARDEN, AND ORCHARD.

(Section 55.)

13. Any selector under any previous Land Act or Acts, or any licensee or lessee of any agricultural allotment under *The Land Act* 1884 or the *Land Act* 1890, having established and cultivated a vineyard, hop-garden, or orchard, and desiring to obtain under the provisions of section 55 of the *Land Act* 1890 a Crown grant for the area so cultivated, not exceeding 20 acres, shall make application on the form prescribed in Schedule 20 hereto.

Licence Liens.

(Section 57.)

14. The licensee of an agricultural allotment under Part I., Division 3, of the *Land Act* 1890, or the licensee of any allotment under Part II. of *The Land Act* 1869, or any Act amending the same, desiring to register a lien on his improvements must make an application in the form prescribed in Schedule 21 hereto, and at the same time pay the prescribed fee.

15. A licence lien will be registered in the Crown Lands Office, Melbourne, upon the following conditions, viz.:—

1. That all rents or fees due to date have been paid.
2. That substantial and permanent improvements have been made upon the land equal to twice the amount of the lien, which shall be verified by a Crown Lands Bailiff, or other person whom the Minister may appoint.

16. The licence lien shall be indorsed upon the licence in the form prescribed in Schedule 26 hereto.

17. The memorandum of the charge upon the land by reason of such licence lien, when required to be indorsed on a Crown grant or lease before issue, shall be in the form prescribed in Schedule 27 hereto.

18. The removal or discharge of any licence lien shall be notified to the Minister of Lands in the form prescribed in Schedule 28 hereto, and the licence shall be forwarded forthwith. Upon receipt of such notice (and licence) the indorsement on the licence shall be cancelled and the lien noted as discharged in the register.

19. The fee for the registration of a licence lien shall be One pound.

20. Licence liens must be executed, in duplicate, in the form prescribed by Schedule 22 hereto, or such other form as licensee or lienor may mutually agree upon.

21. Upon the application to register a licence lien being approved, the duplicate lien must be forwarded to the Crown Lands Office, Melbourne.

22. Upon receipt of the duplicate licence lien, the same shall be attached to the papers in the case.

23. When the lien has been discharged, the duplicate lien and the registration of the lien indorsed upon the licence shall be cancelled.

TRANSFER OF LICENCE LIENS.

24. The holder of a registered licence lien under section 57 of the *Land Act* 1890 may apply to transfer such licence lien to any other person upon the following conditions, viz.:—

25. That all rents or fees due to date have been paid.

26. Applications to register transfer of licence liens shall be made upon the form prescribed in Schedule 23 hereto, accompanied by a statement in the form prescribed by Schedule 24 hereto, signed by the licensee, acknowledging his indebtedness to still exist to the amount set forth by the licence lien.

27. No transfer of a licence lien shall be of any effect until the same shall have been registered in the Crown Lands Office, Melbourne.

28. The transfer shall be indorsed upon the licence, the lien, and the duplicate lien, in the form prescribed in Schedule 25 hereto.

29. The fee for registration of the transfer of a licence lien shall be One pound.

Leases and Crown Grants.

(Sections 44 and 49.)

30. Every application by a residence licensee for a lease or for a Crown grant of the agricultural allotment held by him under licence shall be in the form and shall be accompanied by a declaration in the form prescribed in Schedule 32 hereto.

31. The certificate for improvements issued by the Board of Land and Works, with respect to applications under section 44 of the *Land Act* 1890, shall be in the form prescribed in Schedule 33 hereto.

32. Applications by non-residence licensees for a certificate of improvements, at the end of the third and sixth years of the currency of the licence held by him, shall be in the form and accompanied by the declaration prescribed in Schedule 34 hereto, and the certificate of improvements issued by the Board of Land and Works with respect to such application shall be in the form proscribed in Schedule 35 hereto; and every application for a lease or Crown grant shall be accompanied by the first of such certificates.

33. Should an arbitration be required under the provisions of the 46th section of the *Land Act* 1890, the appointment of arbitrators shall be in the forms prescribed in Schedules 36, 37, and 38 hereto respectively.

34. Leases issued under section 44 of the *Land Act* 1890 shall be in the form prescribed in Schedule 39A hereto, and shall be subject to such other exceptions, reservations, covenants, and conditions as the Governor in Council may in any particular case direct. 13.6.92.

35. The fee for the preparation of a lease or certificate issued herein shall be One pound.

Orders for the Delivery of Crown Grants.

(Section 56.)

36. Every order by a lessee of an agricultural allotment under the *Land Act* 1890, or of an allotment under Part II. of *The Land Act* 1869, authorizing any other person to obtain from the Governor in Council his Crown grant, shall be given on the form prescribed in Schedule 40 hereto.

37. Approved orders to obtain Crown grants shall be registered in a book in the form prescribed in Schedule 41 hereto.

38. The Secretary for Lands shall forward to the Registrar of Titles, once in each week, a copy of the register of approved orders, showing the transactions for the week preceding.

39. The fee payable for the registration of an order authorizing any other person to obtain a Crown grant shall be Ten shillings, and shall be paid when the order is lodged at the Crown Lands Office for registration.

Chapter VIII.—Auriferous Lands.

(Section 65.)

1. Every application for a licence under section 65 shall be in the form prescribed in Schedule 42 hereto.

2. Except as hereinafter provided, licences shall not be granted for occupation of—

Lands comprised within proclaimed reserves, cities, or towns, or within a distance of twenty chains from sold building lots in boroughs, townships, or villages, or within a distance of twelve miles from the Post Office, Melbourne.

Lands so situated that the occupation thereof would obstruct the holders of miners' rights, saw-mill licences, wood or other licences, in their access to timber or water.

Lands situated on both banks of a river or creek containing permanent water.

Lands required for mining purposes, or if included in any mining claim, unless with the consent in writing of the mining manager of such claim and of the Minister of Mines first had and obtained.

3. Licences shall be in the form and subject to the conditions specified in Schedule 43A hereto. Provided always that the Governor in Council may, if he think fit, order that a licence may bear such date and be subject to such special conditions as shall meet the circumstances of any particular case. 13.6.92

4. Every such licence shall bear date as of the first of the month next after that in which the issue of such licence shall have been approved, but the diagram of boundaries and statement of area shall be deemed as approximate and temporary only.

5. The fee to be paid for a licence to occupy land under this section shall be at the rate of Five pounds per centum per annum on the capital value, to be determined by the Board of Land and Works, of the land licensed; but in respect of land situate within 19.10.91. the boundaries of the county of Evelyn, and within the parishes of Neerim, Neerim East, and Jindivick, county of Buln Buln, and the parish of Tanjil, county of Tanjil, the fee shall be Two shillings per acre per annum. The fee for a licence under this section shall not, however, be less than One pound per annum.

6. Upon the expiration of any licence under this section, the Governor may, if he think fit, issue a new licence for the same land to the holder of the expired licence upon the same or such other terms and conditions as may be deemed necessary, and may authorize the District Receiver of Revenue to indorse by stamp on the back of the expired licence a notification in the form of Schedule 44 hereto, and such indorsement shall have to all intents and purposes the effect of a licence under this section.

7. Assignment of the licensee's interest, either by operation of law or by consent of the Minister, must be registered in the Office of Lands and Survey, Melbourne.

8. The following fees shall also be payable under section 65 of the *Land Act* 1890:—

	£	s.	d.
For a licence issued under section 65 of the <i>Land Act</i> 1890	0	2	6
For a transfer of a licence issued under section 65 of the <i>Land Act</i> 1890	0	10	0

23.12.90. REGISTRATION OF LIENS UNDER SECTION 65, LAND ACT 1890.

9. Applications for permission to register a lien on licences issued under section 65, *Land Act* 1884 or 1890, shall be made in the form prescribed in Schedule A hereto.

10. The fee for registration shall be Ten shillings (10s.), and shall be paid at the time the application is lodged.

11. The indorsement of the lien upon the licence shall be in the form prescribed in Schedule B hereto.

12. Liens will only be registered where the conditions of the licence have been complied with, and all fees, &c., due have been paid.

SCHEDULE A.

Date—
Address—
Sir,—Being desirous to obtain a loan of £ upon the security of my licence, held under section 65 of the *Land Act* 1884-1890, No. , representing acres roods perches, in the parish of which of has agreed to advance me, to be repaid by me with interest on or before the day of 189 . I beg to request your sanction to the arrangement, and to intimate that I have deposited the said licence with the said as security therefor; and I hereby transfer, and authorize you to transfer, the said licence and all my right, title, and interest thereunder to the said heirs, administrators, or assigns at any time after the day of 189 , provided that he or they are eligible to hold a licence under the said section 65.

I have the honour to be, Sir,
Your most obedient servant,

Witness to signature of—

The Honorable the President of the
Board of Land and Works, Melbourne.

SCHEDULE B.

A lien in favour of of for the sum of £ has this day been registered in the Office of Lands and Survey, Melbourne. , 189 .

Secretary for Lands.

WORKED-OUT AURIFEROUS LANDS.

20.5.93. (Section 22, *Land Act* 1891.)

13. Every application for a licence under section 22 *Land Act* 1891 shall be in the form of Schedule 45A hereto.

14. No person will be allowed to hold or obtain more than one licence for such lands, either by transfer, operation of law, or otherwise.

15. The licence-fee to be paid shall be at the rate of Five pounds per centum on the capital value of the land licensed, to be determined by the Board of Land and Works.

16. Licences to occupy worked-out auriferous Crown lands shall be in the form prescribed in Schedule 46A hereto.

17. Fees—				<i>s.</i>	<i>d.</i>
For a licence ... ..	...	...	...	2	6
For a transfer of a licence	...	...	...	10	0

GRAZING LICENSES UNDER SECTION 67.

18. Applications for licences and licences to occupy for grazing purposes the surface of auriferous lands shall be in the forms prescribed in Schedules 47 and 48 respectively hereto.

19. The fee for the preparation of a licence under section 67 shall be One pound, and for every renewal Five shillings.

20. Renewals of licences under this section shall be in the form prescribed by Schedule 49 hereto, and shall be granted by the officer duly authorized by the Governor in Council in that behalf.

Chapter IX.—Of Sales by Auction and Crown Grants.

1. All sales of Crown lands by public auction shall be subject to the conditions specified in Schedule 50A hereto, and to such other conditions as the Governor in Council may in any particular case direct. 13.6.92

2. Land sale reports, prepared for the Lands Department, shall be certified by the officer appointed to conduct the sale, as well as by the Treasury officer who attended to receive the money. They shall be forwarded to the Secretary for Lands within 48 hours of the termination of the sale. All moneys derived from auction shall be included in the "Red-faced Reports."

3. Every purchaser of an allotment of Crown lands sold by public auction shall, at the time of such auction, pay to the officer appointed to receive the same a charge for survey of such allotment in accordance with the following scale:—

For an allotment containing 20 acres, or a less area, One pound.

For an allotment containing an area in excess of 20 acres, One shilling per acre or fraction thereof.

Provided that in the event of a purchaser of any such allotment having previously paid a charge or fee for the survey of such allotment, the payment at the time of auction of the whole or any portion of the charge for survey herein prescribed may be dispensed with.

4. Crown grants under the *Land Act* 1890 shall be in the form prescribed in Schedule 51A hereto, and shall be subject to such other exceptions, reservations, covenants, and conditions as the Governor in Council may in any particular case direct. 13.6.92

(Sections 11, and 12, *Land Act* 1891.)

5. With respect to grants of Crown land sold prior to the 29th of December, 1891, issued or made after that date, in addition to the reservation of all gold and silver in, under, or upon such land, every such grant shall also contain a reservation of all other metals, minerals, and mineral ores, and shall be in the form of Schedule 52 hereto. 13.6.92

6. The fees payable for preparation of any Crown grant, either on parchment or paper, shall be as follow:—

	£	<i>s.</i>	<i>d.</i>
For any Crown grant of purchased land not exceeding in extent 50 acres	1	1	0
For any Crown grant of purchased land exceeding 50 acres, and not exceeding in extent 300 acres	1	6	0
For any Crown grant of purchased land exceeding in extent 300 acres	1	11	6

7. The fee for an authority for the issue of a Treasurer's receipt shall be One pound sterling.

For a certificate of search in connexion with a release of mortgage and issue of a Treasurer's receipt, the fee shall be Ten shillings.

8. The Governor in Council may, if he think fit, register the transfer of the interest of any purchaser of an allotment sold by public auction, prior to the final payment of the purchase money being made. The fee for such registration shall be One pound eleven shillings and sixpence.

Chapter X.—Swamp Lands.

- 23.5.92. 1. Leases under Part I., Division 6, of the *Land Act* 1890, for Swamp lands, shall be in the form prescribed in the Schedule 52A hereto, and shall be subject to such other exceptions, reservations, covenants, and conditions as the Governor in Council may in any particular case direct.

PERMISSIVE OCCUPATION OF CERTAIN ALLOTMENTS OF RECLAIMED LAND ON THE KOO-WEE-RUP SWAMP SET ASIDE FOR SELECTED LABOURERS EMPLOYED BY THE PUBLIC WORKS DEPARTMENT IN CONNEXION WITH THE RECLAMATION WORKS.

- 15.93. 2. The area of any one of such allotments shall not exceed twenty acres, and no person shall be allowed to occupy more than one allotment.
3. The permissive occupation shall be for a period of three (3) years.
4. The occupant of any allotment may, if required by the Public Works Department, be employed every alternate week on the Swamp drainage works.
5. During the first year he must erect a habitable dwelling and cultivate at least an acre of the area, failing which the permit to occupy will be cancelled.
6. Before the end of the third year he must have reclaimed and cultivated at least one-fourth of the area occupied.
7. During the term of the permissive occupation a fee at the rate of Two shillings an acre per annum shall be charged, payable every six (6) months in advance.
8. No application to transfer during the first three years of the occupation will be entertained except in the event of death of the occupier, when his interest may, with the consent of the Minister, be transferred to any person who does not already possess any land.
9. On satisfactory proof being given that the above conditions have been fulfilled, a lease for 21 years will be issued under the provisions of Part I., Division 6, of the *Land Act* 1890.
10. Within the area named the rent under the lease shall be fixed by the Governor in Council.
11. Should any occupier not desire a lease he may, subject to the approval of the Board of Land and Works, after the completion of the third year of permissive occupation, transfer his holding to any person who does not already possess any land.

Chapter XI.—Licences.—State Forests and Timber Reserves.—(See also Chapter XIII.)

(Sections 87, 89, 99.)

SAW-MILL LICENCES.

1. There may be issued yearly licences to occupy sites for saw-mills at an annual fee of not less than Ten pounds. The area of any such site shall not exceed five acres, and the boundaries thereof shall be described in the licence. Every such licence shall be subject to the conditions specified in Schedule 53 hereto, and no site shall be taken possession of or plant deposited thereon, unless by virtue of such licence, or the written consent of the Minister pending the issue of the licence.

2. Applications for saw-mill licences shall be made in the form prescribed in Schedule 72 hereto, and shall be accompanied in each case by a deposit of Three pounds, to be applied as part fees for occupation in the event of the application being approved; if not approved, the deposit, or such portion thereof as the Minister may direct, to be returned to the applicant. The payment of the deposit does not entitle the applicant to take possession of the land. A sketch plan showing the position of the proposed site as nearly as possible must accompany each application. Every such licence shall be in the form and subject to the conditions prescribed in Schedule 73A hereto.

LICENCES TO FELL EUCALYPTUS TIMBER OTHER THAN REDGUM FOR SUPPLY OF A SAW-MILL.

3. There may be issued licences to fell eucalyptus timber other than redgum for saw-mill purposes on such State forest or timber reserve as shall be specified therein, and subject to the conditions

provided in Schedules 54 and 55 hereto respectively. Fellers in connexion with saw-mills must, in every case, be licensed. If the timber be felled in a State forest or timber reserve the fee shall be Five pounds per annum, and the licence shall be subject to the conditions specified in Schedule 54 hereto.

JINKER LICENCES.

4. There may be issued licences to transport by jinkers or log-carriages, to saw-mills on public or private lands, timber cut within the boundaries of State forests and timber reserves.

5. The annual fee for each such jinker or log-carriage, if it be engaged in transport of timber to a licensed saw-mill on Crown lands, shall be Twelve pounds; and if it be engaged in transport of timber to a saw-mill on private land beyond a distance of two miles from any licensed saw-mill erected on Crown lands, Sixteen pounds; but the Minister, if he thinks fit, may dispense with the above condition with regard to distance. (See also Chapter XIII. for jinker licences in connexion with timber felled on Crown lands not being State forests or timber reserves.)

SPLITTERS' LICENCES.

6. There may be issued to wood-splitters licences to cut, split, and take away when split, stringybark, box, messmate, ironbark, gum, or other kinds of eucalyptus, excepting redgum. The annual fee for every such licence, including ironbark, shall be Four pounds per annum, and for other kinds of eucalyptus Two pounds per annum; and the licences shall be subject to the conditions specified in Schedules 56 and 57 hereto respectively.

This licence does not empower the licensee to fell timber for the purpose of hewing railway sleepers.

LICENCES TO CUT TIMBER FOR PURPOSES OTHER THAN SAW-MILL OR SPLITTING.

7. There may be issued licences to cut and take away eucalyptus timber for purposes other than saw-mill or splitting from such State forest or any part thereof as shall be described in such licence. Every such licence shall be subject to the conditions specified in Schedule 58 hereto, and to payment of the following fees:—Ironbark logs not exceeding twenty feet in length, Four shillings each; every additional foot, lineal measurement, Twopence; other kinds of eucalyptus, one-half the above-mentioned rates.

LICENCES FOR FELLING UNDERGROWTH.

8. Licences, available for three months, may be issued to fell and remove undergrowth and timber, other than eucalyptus timber, at the undermentioned rates, viz.:—

	£	s.	d.
For undergrowths commonly known as hazel and dogwood	1	10	0
For other description of undergrowth and timber other than eucalyptus	5	0	0

9. Every such licence shall be subject to the conditions specified in Schedule 59 hereto.

10. Applications must be addressed to "The Secretary for Lands, Melbourne," and must specify the kind of undergrowth or timber required to be felled, and the forest or timber reserve in which it is desired to obtain the same.

FORMS OF LICENCES.

11. Licences hereinbefore in this Chapter provided, except licences for saw-mills and felling undergrowth, shall be in the form specified in Schedule 60 hereto.

LICENCES FOR EXCLUSIVE RIGHT TO CUT TIMBER.

12. There may be issued, subject to the conditions specified in Schedule 61 hereto, licences conferring the exclusive right to cut timber in specified portions of State forests or timber reserves not exceeding in any instance 1,000 acres.

13. All licences issued conferring the exclusive right to cut timber shall be for a term not exceeding one year.

14. The amount of licence-fee shall be fixed in each case by the Minister, and shall be paid in advance in respect of the whole period for which the licence is issued.

15. It shall not be necessary for the licensee, or any person employed by him in or about such land, to hold any other licence mentioned in this Chapter.

16. The non-compliance with or the non-performance of any of the obligations specified in the licence shall render such licence null and void.

GENERAL PROVISIONS.

17. Every licence-fee mentioned in this Chapter shall, except where it is otherwise expressly provided, be payable quarterly in advance.

18. Every licence mentioned in this Chapter shall be personal, and shall be subject to such special condition or conditions as may in any case be deemed necessary.

19. The interest of the Crown in any timber cut under a licence shall not cease until such timber has been transported to the nearest main road, and if any timber cut by the licensee is transported by any other person, except as provided in clause 11, such other person shall hold a licence.

20. Every licensed jinker or log-carriage shall have painted thereon the number of the licence and the name of the owner of the mill to which the timber is being transported.

21. No licence for felling undergrowth or the exclusive right of cutting timber, or for a jinker to transport timber to a saw-mill on private land, or to occupy a site for a saw-mill, shall be issued unless and until the application for it has been approved by the Minister.

GRAZING LICENCES.

22. Every grazing licence shall be in the form and subject to the conditions contained in Schedule 80 hereto, and shall be subject to such exceptions, reservations, covenants, and conditions as the Governor may in any particular case direct.

RESIDENCE LICENCES.

23. There may be issued licences to occupy sites for residence purposes at an annual fee of Ten shillings. The area of each site shall not exceed one acre.

24. Every such application shall be in the form prescribed in Schedule 62 hereto, and shall be accompanied by a plan.

25. Residence licence shall be in the form prescribed in Schedule 63 hereto.

26. Upon the expiration of any licence for a residence area, a new licence may be issued for the same land to the holder of the expired licence upon the same or such other terms and conditions as may be deemed necessary, and the District Receiver of Revenue may be authorized to indorse on the back of the expired licence a notification in the form of Schedule 64 hereto, and such indorsement shall have to all intents and purposes the effect of a licence.

27. The charge for survey of every residence area shall be One pound ten shillings. The fee for the transfer of a licence for a residence area shall be One pound.

THINNING LICENCES.

28. There may be issued licences to fell and remove timber of less than eighteen inches diameter in such State forest or timber reserve, or any part thereof, as shall be described in such licence.

29. Every such licence shall be subject to the conditions specified hereunder.

30. All such licences shall be for a term not exceeding one year.

31. The amount of licence-fee shall be fixed in each case by the Minister, but shall not be less than Two shillings per acre per annum.

14.1.91.

Conditions.

(1) One-fourth of the area licensed to be operated upon first, and the young timber thinned, scrub cut, and all debris stacked and burnt.

(2) The thinning of the young timber, &c., to be performed under the supervision of the district forester and in accordance with his instructions.

(3) If the licensee or his employes cut any timber in contravention of the said instructions, the licence may be cancelled at any time during its currency.

(4) Receipt for payment of fees must be produced at any time on the request of a bailiff of Crown lands.

(5) The licensee only to be employed felling young timber, but others may cut the same up in lengths for firewood only.

(6) Boundaries of area to be clearly defined before operations commence.

(7) The licensee within named shall be responsible for the due protection of all timber upon this block, and shall not permit any damage to same.

(8) This licence may be declared void for any breach of or non-compliance with any of the conditions thereof.

(9) The licensee may cut upon this block as late in the year as is consistent with safety from bush fires. Upon receiving fourteen days' notice the licensee must at once clean up his block to the satisfaction of the officer in charge, and must entirely cease work within the period mentioned if so directed by that officer.

FELLING AND REMOVAL OF REDGUM TIMBER IN AND FROM STATE FORESTS, AND THE PAYMENT FOR THE SAME BY MEASUREMENT. ^{23.11.92}

32. The amount to be paid for redgum timber obtained from these State forests shall be in accordance with Schedule A hereto.

33. Licensees of special areas shall have all timber felled for them removed to a site to be fixed upon by the forest officer. This site shall be called a depôt, and at such depôt all timber shall be stacked and the quantity measured by the forest officer, who will make due allowance for bark, faults, shakes, gumwells, hollows, dry rot, and other imperfections. The timber so stacked shall be paid for as provided herein, and shall not be removed from the depôt until branded by the forest officer for that purpose. The measurements shall be made by the forest officer in the presence of the licensee or his representative, and the depôt may be upon a licensed mill site, if convenient.

34. Timber felled by persons other than licensees of special areas may be removed to a depôt and treated as in Regulation 3 preceding, or may be measured standing and so branded for removal by the forest officer. In this latter case the timber must be neither felled nor removed until branded by the forest officer, and the receipt for payment produced to him for inspection. The timber must be measured in the presence of the purchaser or his agent.

35. Each individual employed in felling, removing, or working redgum timber within a State forest other than the licensee or purchaser must be provided with an official permit. Such permits will be issued by the Department on application to the forest officer in the form of Schedule B hereto, and at the instance of the licensee or purchaser, but the Minister may refuse any such permit at his discretion. Any person other than the licensee or purchaser found felling, removing, or operating upon any redgum timber within a State forest may be prosecuted, and for the purposes of this regulation all redgum timber felled within a State forest shall be considered the property of the Crown until paid for and removed from such State forest.

36. Under no circumstances whatsoever must timber be removed from a State forest until branded for the purpose as provided in these regulations.

37. The forest officer will provide the licensee or purchaser with a pay-slip, showing the quantity of timber purchased and the amount to be paid. The sum named must be paid at the receipt and pay office mentioned in the pay-slip within seven days of the purchase, and the timber shall not be removed from the locality where it has been felled, or from the depôt in the case of one having been provided, until the receipt for payment therefor shall have been produced to the forest officer. If, however, it can be shown that special circumstances require it, payment may be made, notwithstanding any other provision in these regulations, at such time and in such manner as the Minister may direct.

38. Saw-millers may obtain the exclusive right to fell redgum timber, on royalty, on an area not exceeding 1,000 acres, should the Minister see fit to grant a licence therefor, at the rate of 10s. per month for 100 acres or portion thereof, and no person or firm shall be permitted to hold more than 1,000 acres in one or more areas at any one time. These areas shall be known as "special areas," and every holder of such area or areas shall be entitled, within the boundaries of any such area, to a saw-mill site not exceeding 5 acres in extent, for the purpose of operating on redgum timber obtained under these regulations. The locality of such site must be approved of by the forest officer, and no fee will be charged for the site. All timber remaining upon a "special area" after the expiration of the licence for the same shall revert

to the Crown. The Minister may, however, should the circumstances in his opinion warrant such a course, grant a stated time after the expiration of a "special area" licence for the removal of any timber purchased by the licensee under these regulations.

39. Licences will be granted, at the discretion of the Minister, to saw-millers of not more than 5 acres in State forests as saw-mill sites for the purpose of therein operating upon timber obtained under these regulations. The fee for such site shall be 10s. per month in advance.

40. Surveys of saw-mill sites and "special areas" shall be effected, if considered necessary by the Department, at the expense of the applicant, and under any regulations as to surveys of sites and areas within State forests.

41. Every jinker or log-carriage employed in the removal of redgum timber from State forests under these regulations shall be duly licensed, and the number of the licence and name of the owner legibly and permanently painted thereon. The fee will be the nominal one of 5s. each.

42. In the event of any saw-miller or employé committing a breach of his licence or permit, or of the forest regulations, the Minister may cancel his licence or permit, or may direct that no further timber be supplied to him.

43. The quantity of sound timber in any tree shall be calculated by the forest officer, and paid for as at a height of 2 feet from the ground, notwithstanding that the purchaser may fell the tree at any greater height to suit his convenience, or because the forest is flooded.

44. Trees felled and paid for, and not removed to a licensed mill or depôt within a State forest, or removed without the boundaries of the State forest within 30 days, unless an extension of time be granted, in writing, by the Minister, shall revert to and again become the property of the Crown.

45. No person shall be permitted to fell and remove a further quantity of redgum timber until the previous quantity obtained under any permit by him shall have been paid for, and the receipt produced to the forest officer.

46. No redgum tree shall be felled for saw-mill purposes which, at the height of 2 feet from the ground, measures less than 30 inches in diameter.

47. Faulty trees only will be granted under these regulations by the Minister for the supply of posts and rails to farmers in the vicinity of any State forest involved, and at the rate provided in Schedule 1 hereto.

48. Preference may be given as regards the granting of "special areas" to contractors for the supply of redgum timber for important public works.

49. The Minister may, at his discretion, refuse any application for redgum timber under these regulations, and may close any State forest or forests, or portion or portions thereof, for any stated time by *Gazette* notice, and during such stated time no redgum tree shall be felled on the area affected, excepting for departmental purposes.

50. Redgum timber in State forests shall be felled and removed only under these regulations, and any person or persons otherwise felling, cutting, or removing the same may be proceeded against as provided in section 114 of the *Land Act* 1890, or under the provisions of the *Crimes Act* 1890 or any other Statute that may apply.

51. The schedules hereto shall form and be considered part of these regulations.

SCHEDULES.

REGULATIONS FOR THE FELLING OF REDGUM TIMBER IN STATE FORESTS, AND THE PAYMENT FOR THE SAME BY MEASUREMENT.

SCHEDULE A.

The payment to be made for redgum timber for various purposes shall be on the following scale:—

- 1.5.93
- Milling Timber*.—5s. per 1,000 feet super.
 - Piles*.—15s. each up to 25 feet in length, and 6d. per foot beyond that length in addition.
 - Telegraph Poles*.—2s. 6d. each up to 25 feet in length, and 1d. per foot beyond that length in addition.
 - Scaffold Poles*.—1s. 6d. each up to 20 feet. Poles for this purpose must not exceed 6 inches in diameter at the large end. Halfpenny per foot in addition for each foot over 20 feet in length.
 - Posts*.—6s. per 100.
 - Rails*.—8s. per 100.
 - Struts (split)*.—15s. per 100.
 - Straining Posts*.—2s. each.
 - Split Wood*.—2s. per cord.
 - Rough Deadwood*.—One or two horse load, 1s.; three or four horse load or bullock-waggon load, 1s. 6d.

SCHEDULE B.

No. _____ <i>Redgum.</i> STATE FOREST EMPLOYÉ'S CERTIFICATE.	V.  R. <i>Redgum.</i> STATE FOREST EMPLOYÉ'S CERTIFICATE.	Certificate No.— _____
Name of employé— Address— Name of employer— Address— No. of licence or sale note— Date of issue— Date of expiry of licence— Description of licensee's brand— Date of issue of certificate— Date of return of certificate to licensee— Date of return of certificate by licensee to forest officer— If not returned as above the reason for the same—	It is hereby certified that _____ is employed by the undersigned for the pur- pose of _____ upon the State forest in virtue of the sale note or licence, particulars of which are given below. The within-named person has been informed of the terms and conditions to which such licence or sale note is subject. This certi- ficate shall become null and void upon the person in whose name it is drawn leaving the employ of the undersigned, or upon the expiration of the permit or licence under which it is granted, or upon any breach of the regulations under which the permit or licence is granted. Signature of licensee or permit-holder— No. of licence or permit— Date of licence or permit— Date of expiry of licence— Description of licensee's brand— Date of issue of certificate— Forest Officer.	

Note.—These particulars must be obtained and filled in this block by the forest officer, who will also see that all expired certificates are from time to time duly collected.

Note.—The above particulars must be filled in by the licensee or permit-holder. This certificate must be returned to the licensee or permit-holder upon the discharge of the employé or expiry of licence, and the licensee must thereupon forward it to the forest officer.

NOTE.—For special regulations *re* the undermentioned State forests and Timber reserves, see the *Government Gazette* quoted against each :—

Ballarat and Creswick State Forest,	<i>Gazette</i> 2.10.85, p. 2771.
Barmah and Yielima State Forest	„ 10.9.86, p. 2620.
Egerton and Kamarooka State Forest	„ 10.9.86, p. 2620.
Gunbower State Forest	... „ 21.1.87, p. 126.
Ulupna Timber Reserve	... „ 27.4.88, p. 1208.

Chapter XII.—Of Leases under Part I, Division 8, of the
 “Land Act 1890.”

1. Every application for a lease under Part I, Division 8, of the *Land Act* 1890 shall be transmitted to the Minister in the form prescribed in Schedule 65 hereto.

2. Every application for a lease under section 97 of the *Land Act* 1890 shall be accompanied by a plan showing the lengths and bearings of the boundary lines of the site applied for and their connexion with some fixed point of a survey made under the direction of the Board.

3. Every application for a lease under section 100 of the *Land Act* 1890 shall be accompanied by plans and sections. The plans shall show the lands proposed to be leased, and every proposed diversion of existing roads.

4. Where a line of tramway proposed to be formed under section 100 would cross an existing surveyed road, transverse and longitudinal sections drawn to scale shall be given, whether such crossing be level or otherwise, showing the manner in which it is proposed to obviate obstruction or interruption of traffic on the said road, and the provision for the prevention of accident at such crossing.

5. Notice of every such last-mentioned application shall, at the cost of the applicant, be published in a newspaper circulating in the district where the land for which application is made is situated, and in the *Government Gazette*.

6. Every plan and every section accompanying any application under this Chapter shall be drawn on a scale of eight chains to one inch by an authorized surveyor, and shall be signed by him.

7. Every lease under Part I, Division 8, of the *Land Act* 1890 shall, subject to the provisions of the said Part, be in the form prescribed in Schedule 66 hereto, and shall be subject to such covenants and conditions and to the payment of such rent or royalty as the Governor in Council may prescribe, not being less than the amounts provided in the said Act.

8. The fee for the preparation of a lease of Crown lands issued under Part I, Division 8, of the *Land Act* 1890 shall be Two pounds.

Chapter XIII.—Timber Licences.—(See also State Forests, Chapter XI.)

LICENCES ON CROWN LANDS (NOT BEING STATE FORESTS OR TIMBER RESERVES).—SECTION 99.

1. There may be issued licences to cut and take away from such Crown lands as are specified therein, gum (excepting the kinds known as redgum and ironbark), stringybark, box, messmate, and other kinds of eucalyptus. Every such licence shall be subject to the conditions specified in Schedule 67 hereto, and to a yearly fee of One pound.
2. There may be issued licences to cut and take away eucalyptus timber, including ironbark, from such Crown lands as are specified therein. Every such licence shall be subject to the conditions specified in Schedule 68 hereto, and to the payment of a yearly fee of Four pounds.
3. There may be issued licences to cut and take away from such Crown lands, not being State forests or timber reserves, as are specified therein, blackwood, pine, sassafras, beech, oak, or other valuable timber; and every such licence shall be subject to the payment of such annual fee as the Minister thinks fit, but not less than Ten pounds.
4. There may be issued licences to cut and take away live or dead wood from Crown lands in cities, towns, or boroughs; and every such licence shall be subject to such conditions and such fee as the Minister in each case thinks fit.
- 3.10.92. 5. There may be issued licences to cut and take away dead wood from Timber Reserves and other Crown lands not being State Forests; and every such licence shall be subject to such conditions as the Minister in each case thinks fit, and to a fee of Five shillings (5s.) per quarter.

STRIPPING OF WATTLE BARK.

6. Any person duly authorized by the Governor in Council in that behalf may from time to time grant to any applicant a licence to strip and remove bark from any wattle trees on any Crown lands, not within a State forest or timber reserve, specified in such licence.
- 11.7.92. 7. No person although he be duly licensed or authorized under the next preceding section shall, unless he hold a special permit signed by the Minister of Lands, cut or remove bark from wattle trees on any reserved land situate on the bank of any river or creek or on any Crown lands that has been either temporarily or permanently reserved for any specific purpose.
8. Every such licence shall be available for the season commencing on the fifteenth day of September in any year, and ending on the fifteenth day of January next following thereafter, and no longer, and shall be in the form and subject to the conditions contained in Schedule 69 hereto.
9. The fee for every such licence shall be One pound ten shillings, and shall be payable in advance.
10. The cutting of wattle trees on Crown lands within one mile from the shores of Port Phillip Bay and its arms is prohibited.
- 8.9.90. 11. There may be issued licences for the exclusive right of stripping and removing bark from wattle trees on lands leased under section 32 of the Land Acts 1884 or 1890. Every such licence shall be available for the season commencing on the fifteenth day of September in any year, and ending on the fifteenth day of January next following thereafter, and no longer, and shall be subject to the conditions specified hereunder. The fee shall be Two pounds.

Conditions.

- (1) The holder of this licence shall be the lessee under section 32 of the Land Acts 1884 or 1890 of the block referred to herein.
- (2) The fee shall be payable in advance.
- (3) This licence is only available for block _____ parish of _____ held under section 32, Land Acts 1884 or 1890 by _____
- (4) No tree of a less diameter than five inches at a height of two feet from the ground shall be stripped of its bark.
- (5) No bark shall be stripped from a tree until after the same has been felled.
- (6) This licence is personal, and must be produced by the holder thereof to any Crown lands bailiff or police constable when called upon.
- (7) If the licensee shall strip or remove bark from any tree on this block, except in accordance with these conditions, he shall be deemed to have stripped or removed same without a licence.
- (8) This licence shall be available from the 15th September to the 15th January next following thereafter, and no longer.

SAW-MILLS, ETC.

12. There may be issued licences to occupy sites not exceeding three acres for saw-mills on Crown lands, not being State forests, at such annual fee as the Minister thinks fit; but not less than Ten pounds.

13. Applications for saw-mill licences shall be made in the form prescribed in Schedule 72 hereto, and shall be accompanied in each case by a deposit of Three pounds, to be applied as part fees for occupation in the event of the application being approved; if not approved, the deposit, or such portion thereof as the Minister may direct, to be returned to the applicant. The payment of the deposit does not entitle the applicant to take possession of the land.

14. There may be issued licences to fell, on Crown lands or lands held under lease or licence from the Crown other than State Forests or Timber Reserves, eucalyptus timber other than red-gum for the supply of saw-mills. The fee shall be Two pounds ten shillings per annum, and the licence shall be subject to the conditions prescribed in Schedule 55 hereto.

15. There may be issued licences to transport to saw-mills on public or private lands, in jinkers or log-carriages, eucalyptus timber, cut as hereinbefore mentioned upon Crown lands.

16. The annual fee for each such jinker or log-carriage, if it be engaged in the transport of timber to a licensed saw-mill on Crown lands, shall be Ten pounds; and if it be engaged in the transport of timber from Crown lands to a saw-mill on private land, Fourteen pounds.

LICENCES FOR THE EXCLUSIVE RIGHT TO CUT TIMBER ON CROWN LANDS.

17. There may be issued, subject to the conditions specified in the Schedule hereto, licences conferring the exclusive right to cut timber in specified portions of Crown lands not exceeding in any instance 1,000 acres in extent. 30.5.92.

All licences issued conferring the exclusive right to cut timber shall be for a term not exceeding one year.

The amount of licence-fee shall be fixed in each case by the Minister, and shall be paid in advance in respect of the whole period for which the licence is issued.

It shall not be necessary for the licensee, or any person employed by him in or about such land, to hold any other licence to cut timber within the area licensed.

The non-compliance with or the non-performance of any of the obligations specified in the licence shall render such licence null and void.

Every such licence shall be subject to the conditions specified in Schedule 61 hereto.

THINNING LICENCES.

18. There may be issued thinning licences to fell and remove surplus young timber of less than eighteen inches in diameter from any Crown lands, not being a State forest or Timber reserve, specified in such licence, notwithstanding that the general cutting of timber as aforesaid by other licensees may be prohibited upon such land. 22.3.92.

Every licence shall be for the term, not exceeding one year, that shall be specified therein.

The licence-fee payable for such thinning licence shall be fixed in each case by the Minister, but shall not be less than Two shillings (2s.) per acre per annum.

Every such thinning licence shall be subject to the conditions following, viz:—

Conditions.

(1) One-fourth of the area licensed to be operated upon first, and the young timber thinned, scrub cut, and all debris stacked and destroyed or removed from Crown lands.

(2) The thinning of the young timber, &c., to be performed under the supervision and in accordance with the instructions of the bailiff of Crown lands or other duly authorized officer.

(3) If the licensee or his employés cut any timber in contravention of the said instructions, the licence may be cancelled at any time during its currency.

(4) This licence, together with the receipt for payment of fees, must be produced at any time by the person actually felling the timber on the request of a bailiff of Crown lands or other duly authorized officer.

(5) The person actually felling the young timber must have this document, together with the receipt for fees, in his possession,

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but the licensee may employ others to cut up the timber in lengths and to remove same.

(6) Boundaries of the area herein licensed must be defined by the bailiff of Crown lands before operations are commenced.

(7) The licensee within named shall be responsible for the due protection of all timber upon this block, and shall not permit any damage to same.

(8) This licence may be declared void for any breach of or non-compliance with any of the conditions thereof.

(9) The licensee may cut upon this block as late in the year as is consistent with safety from bush fires. Upon receiving fourteen days' notice the licensee must at once clean up his block to the satisfaction of the officer in charge, and must entirely cease work within the period mentioned if so directed by that officer.

REDGUM LICENCES.

- 14.4.02. 19. There may be issued permits for the felling and removing from Crown lands, not being State forests or timber reserves, of all kinds of eucalyptus timber, including redgum, for saw-mill purposes in such form and subject to such royalty and conditions as the Minister may from time to time direct.

APPLICATIONS FOR PERMISSION TO CUT TIMBER ON LANDS UNDER SECTION 32, LAND ACT 1884, 1890.

- 17.02. 20. Applications for permission to cut timber on 32nd section leaseholds shall be in the form, and be accompanied by the consent of the lessee, specified in the Schedule hereto lettered A.

21. When the consent of the lessee to the application cannot be obtained, the applicant must state fully his reasons for desiring to cut timber on the particular block, and the application may then be considered by the Hon. the Minister of Lands.

22. With the application the applicant shall forward an undertaking in the form hereto lettered B, and shall deposit with the Secretary for Lands the sum of £25 to guarantee the fulfilment of the conditions of his licence if granted, such deposit to be returned to the licensee at the expiration of the term of his licence upon the certificate of the District Crown lands bailiff, or of the lessee of the grazing area, that all the conditions of the licence have been complied with.

Provided that the Hon. the Minister of Lands may in any special case order that such greater or lesser sum be deposited as he may deem necessary.

SCHEDULE A.

Address—
Date—

To the Hon. the Minister of Lands.

Sir,—I have the honour to make application for permission to cut timber * upon the Grazing Area, being allotment parish of now held under lease by whose consent is appended hereto, and I forward herewith the undertaking and deposit of money prescribed by the Regulations.

I have the honour to be,

Sir,

Your most obedient servant,

(* Specify kinds of timber.)

I hereby consent to the foregoing application by for permission to cut timber on the Grazing Area, being allotment parish of now held under lease by me under section 32, Land Act 1884, 1890.

Lessee's Signature—

Date—
Witness—

SCHEDULE B.

Application having been made by me to the Hon. the Minister of Lands for the issue to me of a licence to cut and take away timber from allotment parish of held under section 32 of the Land Act 1884 by

I hereby agree to and do now deposit the sum of £25 with the Secretary for Lands, Melbourne, the same to be returned to me upon the certificate of the Crown lands bailiff that the conditions of my licence have been faithfully carried out, and that no damage has been done to the land or to the lessee's fences, buildings, or other property by my operations; or upon the written statement of the lessee that he is satisfied the conditions have been carried out, and any damage done has been repaired; and in the event of the said conditions not having been carried out or of damage having been done to the land or to the lessee's fences, buildings, or other property, I further agree that the Secretary for Lands may direct such steps to be taken as he may think fit for the carrying out of the said conditions, and have such damages repaired, and may expend all or as much of the said deposit of £25 as may be necessary for the proper carrying out of the same, the balance of the amount (if any) to be returned to me.

Dated this eight hundred and

day of

One thousand

Signature—
Address—

Witness—
Address—

23. All licences mentioned in this Chapter of these Regulations may be issued by any person authorized by the Governor in Council in that behalf, but no licence to cut and take away any valuable timber or live or dead wood in towns, boroughs, or townships, or to occupy a site for a saw-mill, shall be issued unless and until the application for it has been approved by the Minister.

GENERAL PROVISIONS.

24. Every licence-fee mentioned in this Chapter shall, except where it is otherwise expressly provided, be payable quarterly in advance.

25. Every licence mentioned in this Chapter shall be personal, and, unless where otherwise provided, may be in the form prescribed in Schedule 74 hereto, or as near thereto as circumstances will permit, and shall be subject to such special condition or conditions as may in any case be deemed necessary.

26. The interest of the Crown in any timber cut under a licence to cut eucalyptus timber, or to cut valuable timber upon Crown lands as hereinbefore provided, shall not cease until such timber has been transported to the nearest main road, and if any timber cut by a licensee be transported by any other person, such other person also shall hold a licence.

27. Every licensed jinker or log-carriage shall have painted thereon the number of the licence and the name of the owner of the mill to which the timber is being transported.

28. A licence under this Chapter is not operative in any area over which an exclusive right to cut timber shall have been granted.

Chapter XIV.—Miscellaneous Licences.

(Section 99.)

1. Licences under this Chapter, unless otherwise provided, shall be classed in two divisions:—

The first division shall comprise those licences which confer the exclusive right to enter upon any Crown lands not under lease or licence, and shall be for the purposes and subject to the payment of the fees and the conditions specified in Schedule 70 hereto.

The second division shall comprise those licences which do not confer any exclusive right, and shall be for the purposes and subject to the payment of the fees and the conditions specified in Schedule 71 hereto.

2. The provisions of Chapters II. and V. of these Regulations, except as is hereinafter provided, shall apply to applications under the first division.

3. Licence-fees shall be payable quarterly in advance, except where otherwise specially directed.

The registration fee specified in these Regulations is not payable under this section.

Applications shall not, unless specially ordered, be remitted to Local Land Boards.

Application shall be made in the form of Schedule 72 hereto. The Minister may, if he think fit, dispense with a plan, either temporarily or wholly.

Licences under Schedule 71 hereto shall be issued by the officers appointed by the Treasurer for that purpose.

4. Licences under the first division shall be in the form and subject to the conditions specified in Schedule 73A hereto, and, if deemed expedient, to all or any of the special conditions specified therein, and to such other special condition as may be necessary in any particular case. Licences under the second division shall be in the form prescribed in Schedule 74 hereto.

5. Licences for lime sites north of and adjoining the Botanical Gardens at Geelong shall be issued subject to the conditions prescribed in Schedule 75 hereto, and shall only be renewable annually on the said conditions being fulfilled.

6. Applications for garden licences shall be in the form prescribed in Schedule 72 hereto.

7. The interest in a licence issued for any of the purposes specified in Schedule 70 hereto may be transferred, with the consent of the Minister, upon payment of a fee of One pound, and a new licence shall thereupon issue to the transferee.

Chapter XV.—Of Commons.

(Part I., Division 9, Land Act 1890.)

1. Every common proclaimed previously to the passing of the *Land Act* 1890, except as hereinafter provided, shall be managed by the members for the time being of the council of the shire within the boundaries of which any such common is included.
2. The council of the shire within the boundaries of which any common heretofore proclaimed or hereafter to be proclaimed under the provisions of the *Land Act* 1890 is wholly included shall be the managers of such common.
3. In all cases in which a common shall be situate partly within any shire, or partly within two or more shires, the council of the shire within the boundaries of which the largest extent of such common shall be included shall be the managers of such common.
4. Every gold-field common shall be managed by the members for the time being of the mining board of the mining district within the boundaries of which such common is included, unless, owing to the distance of any gold-field common from the office or place of meeting of any mining board, such common can be more conveniently or efficiently managed by other persons whom the Minister may appoint.
5. Every borough common shall be managed by the members for the time being of the council of the borough in connexion with which such common was proclaimed.
6. All commons amalgamated previously to the passing of the *Land Act* 1890, or to be hereafter amalgamated, may be managed by the members for the time being of two or more of the before-mentioned councils or boards. The Governor in Council may, however, place an amalgamated common under the management of one only of the before-mentioned councils or boards, or under management of delegates from each council or board.
7. The managers of commons wholly or partially comprised within cities, towns, boroughs, or townships, and of gold-fields commons proclaimed under the Act No. 117 or No. 145, may grant to butchers or to slaughtermen special licences to depasture, for such periods of time as may be agreed on, cattle intended for slaughter, subject to the condition that the fees shall not be at a proportionately less rate than Two shillings per head per annum for large cattle, and One shilling per head per annum for small cattle.
8. The Minister shall nominate, for appointment by the Governor in Council, the persons who shall be managers of all farmers' commons, temporary commons, and town commons outside the boundaries of any shire, road district, city, or borough.
9. Applications for the proclamation of a common under the *Land Act* 1890 shall be made in the form prescribed in Schedule 76 hereto.
10. Application for an increase to the area of any existing common shall be made in the form prescribed in Schedule 77 hereto, and shall contain full particulars relative to the area of the common proposed to be increased, the number of cattle depastured thereon during the year preceding the date of the application, the number of persons whose cattle have been depastured on the common during such year, the amount of commonage fees received during that year, and the mode in which such fees have been disposed of.
11. Ratepayers in shires and boroughs, holders of miners' rights, business licences, or carriers' licences, and farmers may respectively depasture on a common proclaimed under the *Land Act* 1890, within a distance of five miles (ten miles at the option of the Hon. the Minister of Lands) from their places of residence, four head of large cattle, or the equivalent of the whole or a portion thereof in small cattle, on the basis that one head of large cattle be deemed equivalent to three head of small cattle. A farmer having under cultivation not less than one-tenth portion of the land occupied by him may depasture on such common one additional head of large cattle, or the equivalent in small cattle, for every ten acres of such land cultivated by him.
12. The fees for depasturing cattle on a common shall be paid in advance, and shall not be less than at the rate of Two shillings per annum for every head of large cattle and One shilling per annum for every head of small cattle. The managers of any common may, from time to time and at any time, make alterations in the scale of fees, but not below the prescribed limits, which alteration shall be subject to the approval of the Board, and be published by the managers in the *Government Gazette* and in a newspaper circulating in the district wherein the common is situated.

13. The managers of a common shall have power to appoint a herdsman to take charge of the cattle depastured on such common, and be responsible for the efficient carrying out of the regulations framed for the management of that common. The herdsman shall also conform to any special instructions issued to him by the managers of the common relative to the registration, custody, and delivery to owners of the cattle depastured thereon, and to the prevention of trespass thereon of cattle other than travelling cattle for which no commonage fees have been paid. Such herdsman shall be remunerated for his services out of the fund derived from the commonage fees, and he shall provide security for the honest and faithful discharge of his duties in such amount as the managers of the common may deem adequate.

14. The money derived from the fees received for the agistment of cattle on a common may, after paying for the services of the herdsman, be expended by the managers of such common on the publication of the regulations for its management, the purchase of account books, stationery, branding irons and tar, and on the eradication of thistles, Bathurst burr, wild briar, and gorse, and on the destruction of vermin on the common. The surplus over such expenditure may be applied with the concurrence of the Board, under its seal, to the formation of dams for storage of water on the common, the improvement of natural water-holes, the construction and repair of stockyards, the improvement of such approaches to the common as are not proclaimed roads or streets, and to any other purpose which the Board may consider desirable.

15. The managers of commons shall keep books in the forms prescribed in Schedule 78 hereto, in which books shall be recorded the description and brands of the cattle depastured on the commons, the money received as commonage fees, the payments made from the funds derived therefrom, the dates of such payments, and the authority for making them; and the managers shall give, in the form prescribed in said Schedule, printed receipts consecutively numbered, the butts of which receipts shall be retained for inspection.

16. The managers of every common shall, within one month after the termination of each year, publish in a newspaper circulating in the district wherein the common is situated a certified account of their receipts and expenditure for the year, in the form prescribed in Schedule 79 hereto, and forward copy thereof to the Board.

17. No animal affected with any contagious disease shall be allowed to depasture on any common.

18. Every person offending against any regulation for the management of a common shall, on conviction before any justice, forfeit and pay a penalty not exceeding Twenty pounds for each offence.

19. The managers of every common may sue for and recover any fees overdue for depasturing stock on such common or for any penalty for breach of any regulation for management of such common.

20. The managers of any common may submit to the Board draft regulations for the management of the common, provided that they be not inconsistent with the provisions of the foregoing general regulations for the management of commons, and such draft regulations, after revision by the Board and approval by the Governor in Council, shall be published in the *Government Gazette*, and by such managers in the newspapers circulating in the district wherein the common is situated.

21. The Board may at any time direct a special audit of the accounts of the managers of any common to be made by such persons as it thinks fit.

Chapter XVI.—Miscellaneous.

APPLICATION FOR FORFEITURE.

1. Any applicant for the forfeiture of any lease or licence issued under the *Land Act 1890* shall support his application by a statutory declaration setting forth the grounds and particulars on which such application is made, under the following heads, viz.:—

- (a) The time when the lease or licence was issued, the situation and area of the land, and the name of the lessor or licensee.
- (b) The nature of improvements (if any) on the land.
- (c) The name of the person or persons (if any) resident on the land.

- (d) The use to which the land has been applied.
- (e) Particulars of the conditions of the lease or licence which are alleged to have been broken or not fulfilled, or of the acts of fraud, illegality, or violation of the Act on the part of the licensee.
- (f) The occupation of the applicant for forfeiture, and the extent of land (if any) held by him in fee simple or under lease or licence, and the use to which such land is applied.

2. The application for forfeiture with the declaration shall be forwarded to the Land Officer in whose district the land is situated, who shall report thereon to the Minister.

3. The Minister may, if he thinks fit, call upon the lessee or licensee to show cause before a Local Land Board against the forfeiture of his lease or licence.

4. The Local Land Board may, if it recommend forfeiture of the lease or licence, at the same time recommend that the application of the applicant for forfeiture to select the land be granted, or that it be heard at the next succeeding Board, without the land being thrown open for general application. If, however, any valid objections are raised to the applicant for forfeiture, the Board may recommend that the land be made again available for selection or be sold by public auction. In this case, the applicant for forfeiture shall not be deemed to have any claim or prior right to the issue of a lease or licence for the land referred to.

5. The improvements upon any forfeited land shall be valued and disposed of in such manner as the Minister may deem fit.

SECTION 123.—GRAZING LICENCES.

6. Tenders for the right to graze on any park lands, reserves, or other Crown lands not forming part of any common or held under lease or licence may be invited from time to time, and licences shall be issued by any person duly authorized by the Governor in Council to the successful tenderers on the form and subject to the conditions prescribed in Schedule 80 hereto, and to such other special conditions as the Minister may in any particular case direct.

7. The fee for the preparation of a grazing licence under this section of the *Land Act* 1890 shall be Five shillings.

FEEs.

8. The following fees not otherwise provided for shall be payable under these Regulations :—

	£	s.	d.
For any lease or licence or transfer of any lease or licence issued under the <i>Land Act</i> 1890 other than those specified	...	1	0 0
For a certificate issued by the Board	...	1	0 0
For any special deed	...	not exceeding 5 0 0	

SCHEDULES.

SCHEDULE 1.—(CHAP. III. s. 6.)

FORM OF APPEAL AGAINST THE RECOMMENDATION OF LOCAL LAND BOARD.

Place where and time when Local Land Board was held. Here state the recommendation objected to. Describe the reason why a fair opportunity was not afforded. Describe the material evidence rejected.

1. I, _____ of _____ object to the recommendation of the Local Land Board held at _____ on _____ day of _____ A.D. 189 _____

2. That at such Local Land Board I was (an applicant under section _____ of the *Land Act* 1890 for _____ and the said Local Land Board recommended that _____ should receive a licence for the said land); or

3. That the grounds of my objection to such recommendation are :—

(a) That I have not received any notice whatever to attend the said Local Land Board; or

(b) That a fair opportunity was not afforded by the Local Land Board to state my case; or

(c) The said Board refused to receive the evidence of _____ who could prove I was the first person to { apply for } { mark out } the said land; or

(d) That _____ one of the members of the said Board is interested in the decision of the said Board by reason that he is _____

4. That I claim to have a { lease } { licence } granted to me for the said land, inasmuch as I was the first applicant Given under my hand at _____ this _____ day of _____ A.D. 189 _____

To the Honorable the Minister of Lands.

NOTE.—If the appeal be lodged after the expiration of seven days from date of the holding of the Local Land Board, a declaration in the following form should also be forwarded:—

FORM OF STATUTORY DECLARATION IN SUPPORT OF APPLICATION FOR APPEAL AFTER THE EXPIRATION OF SEVEN DAYS.

Name, address, and occupation.
Place where sitting held and date.

I, _____ of _____ in the colony of Victoria, do solemnly and sincerely declare as follows:—

1. That at a sitting of a Local Land Board held at _____ on the _____ day of _____ 189____ I was not present.
2. That I did not receive any notice to attend, nor was any notice left at my address as furnished to the Lands Department, nor was it left at my usual place of abode, nor was I aware that at the sitting of the said Board the subject-matter stated in my application to appeal would have been considered by the Land Board on the said _____ day of _____ A.D. 189____.
3. That I have appealed against the recommendation made by the said Local Land Board, and the grounds of my objections to such recommendation above as stated in the appeal which is signed by me are true and correct.
4. That I have good grounds for the re-hearing of this case on its merits.

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Declared before me at _____ in the said colony of Victoria,
this _____ day of _____ A.D. 189____

SCHEDULE 2.—(CHAP. IV. s. 1.)

APPLICATION BY A *PASTORAL LICENCEE FOR A GRAZING LICENCE UNDER SECTION 3, THE "LAND ACT 1890."

Run. No. _____ Address—
Date—
Sir,
Referring to the land licensed to me under section† of *The Land Act 1863*, and more particularly described in the margin, I hereby apply, under the provisions of section 3 of the *Land Act 1890*, to occupy the same for grazing purposes only.
Herewith I return my licence for the year 1884, and I hereby undertake to pay the fees for the use of the said land for grazing purposes only for the period above-mentioned when demanded.
I have the honour to be,
Sir,
Your most obedient servant,
To the President of the
Board of Land and Works.

* Strike out and insert such words as the case may require.
† Insert the figures 47 if a Grazing Licence, or 75 if a Pastoral Licence.

SCHEDULE 3.—(CHAP. IV. s. 1.)

V.  R.

Fee per annum—
£ s. d.

Receiver and Paymaster at

GRAZING LICENCE UNDER 3RD SECTION, THE "LAND ACT 1890."

KNOW ALL MEN that I, _____ being the person duly authorized in that behalf in pursuance of the *Land Act 1890*, and in consideration of the sum of _____ duly paid by the person hereinafter mentioned, being the holder of a * licence for one year next preceding the commencement of *The Land Act 1884*, and who was in occupation of the Crown lands specified in the Schedule hereto under such licence, and who has remained on such land after the expiration of the term for which he held the same, do hereby give to _____ of _____ licence and liberty to enter with cattle, sheep, or _____ upon the Crown lands specified in the Schedule hereto, and therewith to depasture the same. This licence continues in force until _____ next and no longer, and is issued subject to the conditions on the back hereof.

Dated _____ day of _____ 189____

Schedule.

All these Crown lands _____ acres or thereabouts containing _____

CONDITIONS.

1. The issue of this licence shall not prevent the land comprised therein or any part or parts thereof being sold, leased, licensed, alienated, or dealt with under any of the provisions of the *Land Act 1890*, except under the 123rd section thereof, under which the licence is issued, or being resumed by order of the Governor or Administrator of the Government of Victoria, with the advice of the Executive Council, for any of the purposes for which land may be reserved under section 10 of the *Land Act 1890*, or for mining purposes.
2. In case the said land or any part thereof should be sold, leased, licensed, alienated, dealt with, or resumed as aforesaid, the licensee shall not be entitled to any compensation other than the return of such portion of the licence-fee paid by him as the responsible Minister of the Crown for the time being administering Part I. Division 2 of the *Land Act 1890* may think fit. This licence is also subject to the rights of the holders of miners' rights or of mining leases now issued or hereafter to be issued to enter upon the allotment here licensed, and to search for gold and to mine therein, and to erect and occupy mining plant and machinery, without making any compensation for surface or other damage.

2a. Subject to these conditions the licensee shall be entitled to use the land for the purposes for which this licence has been granted until notice has been given in the *Government Gazette* that such land or any part thereof has been sold, leased, licensed, alienated, dealt with, or resumed as aforesaid, and immediately upon such notice being given all the interest of the licensee in the licensed land described in such notice shall cease and be determined, and any person entitled to occupy the licensed land or any part thereof may lawfully make entry upon and hold the same without the permission or sanction of the licensee or any one claiming under her, him, or them.

3. No land comprised in roads from time to time surveyed and marked out, within the boundaries of the land comprised in this licence, shall be deemed within its operation.

4. This licence entitles the owner thereof, during the period for which it is granted, to use the land therein comprised for depasturing purposes only, but does not confer any right to build thereon, or to cultivate, or to fence any portion thereof.

5. If the licensee desire a renewal of this licence, notice to that effect must be given to the responsible Minister aforesaid one month prior to the expiration thereof, but nothing herein contained shall be deemed to confer the right to any renewal.

6. The interest in this licence may not be transferred without the consent of the Minister aforesaid and the payment of a fee of £1.

7. No claim whatever shall be made or entertained by reason of the licence not being renewed or transferred.

8. This licence is to be used under and in accordance with the regulations made or to be made under the provisions of the said Act and for the time being in force.

9. This licence may be forfeited if the licensee commit a breach of or neglect to comply with any of these conditions.

10. The publication of a notice in the *Government Gazette* purporting to declare that the Governor or Administrator, with the advice aforesaid, has forfeited the licence shall be conclusive evidence that the licence is forfeited.

SCHEDULE 4.—(CHAP. IV. s. 3.)

FORM OF APPLICATION FOR A RIGHT TO A LEASE FOR A PASTORAL ALLOTMENT, SECTION 21, "LAND ACT 1890."

In pursuance of the 21st section of the *Land Act* 1890, I, _____, do hereby make application for a lease of pastoral allotment No. _____ situate in the parish of _____ county of _____ and containing about _____ acres.

I, _____, do hereby declare that I am of the full age of eighteen years; that I am not the lessee of a pastoral allotment; and that should I be granted the pastoral lease for which I now make application, I will accept such lease upon the terms, covenants, and conditions which may be lawfully imposed.

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Declared at _____ in the colony of Victoria, _____
 this _____ day of _____ 189 _____
 before me— _____
 Justice of the Peace in and for the _____ Bailiwick
 of the Colony of Victoria.

SCHEDULE 5.—(CHAP. IV. s. 3.)

CONDITIONS OF SALE OF THE RIGHT TO LEASE FOR PASTORAL ALLOTMENTS.

1. The occupation of the pastoral allotments will be offered for sale at the annual rents respectively stated and annexed to the description thereof, and the bidder of the highest sum by way of premium will be declared the purchaser, provided he shall immediately pay down such sums and sign the description herunto annexed, of the pastoral allotment of the occupation of which he shall have become the purchaser, thereby binding himself to the observance of the above and following conditions; and, in default of such payment being immediately made, the pastoral allotment shall again be forthwith put up to auction.

2. The annual rents determined by the Board of Land and Works to be paid in respect of these pastoral allotments will be due and payable by the purchasers, in advance, in two half-yearly moieties, on the 1st January and 1st July in every year, till the termination of the period of occupation so purchased.

3. Immediately after the biddings on each pastoral allotment are concluded, and before another allotment is put up, the name of the purchaser will be entered, by the officer conducting the sale, in the list of the descriptions of the pastoral allotments annexed to these presents. If, previous to such entry, any question or dispute shall arise between the seller and bidder, or amongst the bidders themselves, the allotment in question shall be put up for sale again. Subsequent to such entry no dispute whatever can be admitted, nor can any alteration of names or transfer from the actual purchaser be allowed.

4. The purchasers of the occupation of these pastoral allotments shall be entitled to receive leases in the prescribed form to occupy the same during the period assigned in each particular case, subject to the conditions contained in the *Land Act* 1890 and such other conditions as may be lawfully imposed.

5. If the officer acting on behalf of the Government shall find reason to believe that any pastoral allotment will not obtain its just value, or if he shall otherwise think fit to withdraw the same from sale, he shall have full power to do so at any time previous to its actually being sold.

6. Persons having affixed their signatures to the list of descriptions of the pastoral allotments annexed to these presents, in token of their having become purchasers or agents of purchasers of the occupation of the allotments to the description of which their signatures are so attached or fixed will be held to have previously obtained all necessary information, and shall not be entitled to allege ignorance or any other cause for their not fulfilling all and every obligation incumbent upon them by these articles and conditions.

NOTE.—All offers and leases relative to these pastoral allotments will be held to refer to the boundaries of same as projected on the public charts, and will accordingly be described as containing an area more or less. Any future claim for compensation as to any alleged difference in the area cannot therefore be entertained.

DECLARATION OF PURCHASERS.

We, the undersigned, do hereby acknowledge that we are the purchasers, or agents of the purchasers, of the pastoral allotments to which our names are respectively signed; and we do each of us severally for ourselves, or on behalf of our constituents, undertake to make regular payments of the annual rent determined by the Board of Land and Works to be paid in respect of the same, and to pay the charge for survey, and to fulfil each and all of the foregoing conditions, and to execute the lease referred to in such conditions; and, failing our doing so, we do hereby acknowledge that we have forfeited every claim to the occupation of the said pastoral allotment or allotments and to the premium we have paid.

In witness whereof we have, on the day and year hereafter written, severally signed our names at the foot hereof and at the foot of the description of each pastoral allotment, the occupation of which has been so purchased by us.

Dated this _____ day of _____ 189

SCHEDULE 6A.—(CHAP. IV. s. 4.)

LEASE UNDER SECTION 21 OF THE "LAND ACT 1890" AS AMENDED BY THE 27.6.92.
"LAND ACT 1891."

This Indenture made the first day of _____ in the year of our
Lord One thousand eight hundred and ninety- _____ between His Excellency

Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies in the name and on behalf of Her Most Gracious Majesty Queen Victoria of the first part the Board of Land and Works (hereafter referred to as "the Board") of the second part and
of _____ Victoria (hereinafter called the "Lessee") of the third part.

Whereas the Governor by Order in Council dated the _____ day of _____ 189 _____ made in pursuance of the powers conferred on him in that behalf has directed that the depth down to which land of the Crown to be leased for pastoral purposes shall be _____ feet and _____

Whereas the Governor with the advice of the Executive Council has agreed to grant this lease for pastoral purposes subject to the limitation as to depth as aforesaid of the pastoral allotment hereinafter demised for the term of _____ years and _____ calendar months at the annual rent of _____ being the rent computed according to the provisions of the *Land Act 1890* as amended by the *Land Act 1891* to the lessee who has acquired the right or become entitled thereto under the provisions of the same Acts and the lessee has paid half a year's rent in advance And whereas the Governor with the advice aforesaid has approved of and directed the conditions and provisions hereinafter contained to be inserted in this lease framed in accordance with the Regulations made in pursuance of the provisions of the said Acts Now this Indenture witnesseth that in consideration of the payment aforesaid and of the rent hereby reserved and of the covenants of the lessee hereinafter contained Her Majesty doth by these presents grant and demise unto the lessee his executors administrators and assigns the surface and down to the depth aforesaid of all that pastoral allotment situate in the county of _____ in the colony of Victoria containing _____ acres more or less and delineated on the plan prepared in accordance with the provisions of the 19th section of the *Land Act 1890* and thereon numbered _____ in the said county and also delineated on the plan drawn in the margin of these presents and therein coloured yellow together with the appurtenances *Excepting and reserving unto Her Majesty her heirs and successors all gold and silver and auriferous and argentiferous earth or stone and all copper tin antimony coal and all other metals and minerals and mineral ores whatsoever and all mines seams veins lodes and deposits containing gold silver copper tin antimony coal and other metals and minerals and mineral ores in upon and under the said demised premises together with liberty for Her Majesty her heirs and successors and her and their agents servants lessees licensees and assigns at any time or times during the said term to enter upon the said land and to search and mine therein for gold silver copper tin antimony coal and other metals and minerals and mineral ores or to remove therefrom any gold silver auriferous and argentiferous earth or stone copper tin antimony coal and other metals and minerals and mineral ores and for the purposes aforesaid to sink shafts make drives and do any other things which may be necessary or usual in mining And also excepting and reserving to Her Majesty her heirs and successors and each and every other lessee of any pastoral allotment or grazing area and the holder of a miner's right or of a gold mining or mineral lease or a licence to search for metals and minerals and her heirs and their agents and servants tenants and workmen liberty and right of ingress egress and regress at all times through over and across the premises hereby demised with or without horses cattle and other animals carts waggons and carriages to or from such pastoral allotment grazing area or part thereof or to or from any claim or mine from and to any public road or track subject to such regulation to be made by the Governor with the advice of the Executive Council as may for the time being be in force And also excepting and reserving unto Her Majesty her heirs and successors by the Governor with the advice aforesaid to grant in manner and on the conditions prescribed in Part I. Division VIII. of the *Land Act 1890* licences to any person to enter upon any of the land comprised in this lease and search for cut dig and take away live or dead timber coal and other mineral gravel salt guano sand resin stone or limestone loam brick or other earth To have and to hold the premises hereinbefore expressed to be hereby demised unto the lessee his executors administrators and assigns for the term of _____ years and _____ calendar months from the day of the date of this lease Yielding and paying therefor during the said term the yearly rent of _____ by two equal half-yearly payments in advance on the first day of _____ and the first day of _____ in every year clear of all deductions the first of the said half-yearly payments having been made as aforesaid the next of the said half-yearly payments to be made on the first day of _____ next and the last of the said half-yearly payments to be made on the first day of _____ next preceding the expiration of the said term And the lessee doth hereby for himself his heirs executors administrators and assigns covenant and agree with Her Majesty her heirs and successors that he the lessee his executors administrators or assigns will during the said term observe perform and be bound by the several covenants conditions provisoes agreements acts matters and things hereinafter contained (that is to say):—*

1. That he or they will pay the said rent hereinbefore reserved at the times and in manner hereinbefore appointed for payment thereof clear of all deductions;

2. That he or they will during the said term pay all existing and future rates assessments and taxes for the time being payable either by landlord or tenant in respect of the said premises:

3. That he or they will not assign sublet or subdivide or part with the possession of the land hereby demised or any portion thereof without the previous consent of the Board of Land and Works signified in writing:

NOTE.—The lengths of the boundaries are approximately given in this plan in chains.

4. That he or they will at once after the granting of this lease commence and continue to destroy and will within three years after the granting of this lease have destroyed to the satisfaction of the Board of Land and Works the animals and birds by the *Land Act 1890* included in the term "vermin" or which the Governor with the advice aforesaid may by proclamation in the *Government Gazette* declare to be vermin for the purposes of the said Act upon such land and will keep the same free of such animals and birds Bathurst burr wild briar and gorse to the satisfaction of the Board of Land and Works during the currency of the term hereby granted:

5. That he or they will repair and keep in good condition and repair during the continuance of the term hereby granted all houses fences wells reservoirs tanks dams and all substantial and permanent improvements situated on the land hereby demised whether made erected or constructed by the lessee his executors administrators or assigns or not reasonable wear and tear and damage by fire storm and tempest alone excepted and that the lessee his executors administrators or assigns will not remove fill up or render useless or cause to be removed filled up or rendered useless any of the same without first obtaining the permission of the Board of Land and Works signified in writing:

6. That he or they will at the expiration or sooner determination of the said term hereby granted peaceably deliver up to Her Majesty or her successors the premises hereby demised together with all houses fences wells reservoirs tanks dams and all improvements that now are or may be made erected or constructed thereon in such good and sufficient repair and order as aforesaid and in all respects in such state and condition as shall be consistent with the due performance of the several covenants hereinbefore contained:

7. That he or they will permit any person appointed in that behalf by the Board of Land and Works at any time to enter upon the premises hereby demised to ascertain if the conditions and covenants of this lease are being performed by the lessee:

8. That he or they will not during the currency of this lease ring or destroy or except for the purpose of fencing or building on the land hereby demised cut down any timber in or upon such demised land unless with the previous sanction of the Board of Land and Works signified in writing and only then under the supervision of an officer appointed in that behalf by the said Board:

9. That every holder of a miner's right or of a licence to search for metals or minerals or of a gold mining or mineral lease shall have the right and that the lessee his executors administrators and assigns will at all times allow every such person to enter upon the demised land and every part thereof and to search for gold and silver and any other mineral ores whatsoever and to mine thereon and to erect and occupy mining plant and machinery without making any compensation to the lessee his executors administrators or assigns for surface or other damage:

10. That these presents shall become absolutely void on any assignment thereof save under the provisions of the *Land Act 1890*:

11. That he or they shall and will observe perform fulfil and be bound by the stipulations conditions covenants and provisos contained in the Schedule hereto:

Provided always and it is hereby agreed and declared—

12. That Her Majesty her heirs and successors may at any time and from time to time during the said term resume possession of the whole or any part or parts of the land hereby demised which may in the opinion of the Governor with the advice aforesaid be required for the purposes of water supply irrigation works races dams and ditches forest or timber reserves or for public railways roads canals or for tramways or other internal communication through such lands or for mining purposes or for the purpose of obtaining or removing therefrom guano or other manure stone or earth or for sites of inns stores smithies bakeries or similar buildings or of bathing-houses bathing-places fishermen's residences drying grounds fellmongering establishments slaughter-houses lime-kilns bridges ferries toll or punt houses tanneries factories saw or paper mills stores ware-houses or dwellings quays docks landing-places or the deposit of materials ship building and repairing boat building and repairing or for the working of mineral springs or for the manufacture of salt or for the purpose of erecting pumps or for the purpose of cutting digging and taking away any live or dead timber gravel stone ballast limestone salt shell seaweed and loam brick or other earth:

13. That Her Majesty her heirs and successors may at any time and from time to time during the term hereby granted in accordance with the Regulations aforesaid resume as sites for townships or villages or for mining purposes and re-enter upon any lands forming the whole or any part of the land hereby demised upon payment to the lessee his executors administrators or assigns of the full value of all houses fences (being fences within the meaning assigned to the word "fence" by the *Land Act 1890*) wells reservoirs tanks dams and of all substantial and permanent improvements made erected or constructed by such lessee his executors administrators or assigns on the lands so resumed but nothing herein or in the said Act contained shall be construed to give a better tenure to the lessee his executors administrators or assigns in regard to the right of miners to enter upon the land hereby demised in search of gold than was possessed by pastoral tenants under *The Land Act 1869*:

14. That neither of the preceding provisions shall prejudice or be construed as restricting the generality of the covenant on the part of the lessee hereinbefore contained conferring on the holder of a miner's right or of a mining or mineral lease or of a licence to search for metals or minerals other than gold the right to enter upon the demised land and exercise the rights in such covenant mentioned:

15. In case of any land being required to be resumed for mining purposes the Governor with the advice aforesaid shall determine and have the election whether it shall be resumed under the provisions of the 63th section of the said Act or under the provisions hereinbefore contained and if so under which of such provisions it shall be so resumed or taken:

16. That in case possession of any part or parts of the said land being resumed under either of the preceding provisions the covenants provisions and agreements herein contained with reference to the whole of the premises shall continue in force and apply to such part of the same as shall be left in the possession of the lessee his executors administrators or assigns:

17. That the term hereby granted may be determined by Her Majesty her heirs or successors at any time by not less than three years' previous notice in writing of such intention addressed to the lessee his executors administrators or assigns being served upon him or them or left upon any part of the lands comprised in this lease and published in three consecutive ordinary numbers of the *Government Gazette* and upon payment to the lessee his executors administrators

or assigns for his interest in this lease together with the value of houses fences (being fences within the meaning aforesaid) wells reservoirs tanks dams and of all substantial and permanent improvements made erected or constructed by the lessee prior to the date of such notice and during the currency of this lease on the lands so resumed provided that the sum paid in respect of such improvements by the Board of Land and Works shall not exceed the sum expended thereon by the lessee his executors administrators or assigns and that such sum shall be determined in accordance with the regulations aforesaid and every such determination shall be binding and conclusive and the compensation to be paid to the lessee in respect of his interest in this lease shall be determined in manner by law required.

18. That these presents are upon this condition that if and whenever there shall be a breach of or non-compliance with any of the covenants by the lessee herein contained and the Governor with the advice aforesaid shall determine that this lease shall in consequence be avoided (and the production of the minute of the proceedings of the Executive Council whereat such determination was arrived at shall be conclusive evidence thereof) or if the land hereby demised or any part thereof is assigned whether by operation of law or otherwise except as hereinbefore mentioned or as in the Land Acts otherwise expressly provided then these presents and the term hereby created shall be void and of no effect and immediately thereupon it shall be lawful for any bailiffs of Crown lands or for any other agents or officers authorized in that behalf by Her Majesty or by the Governor with the advice aforesaid without any demand whatsoever to enter upon the land hereby demised and the lessee his executors administrators and assigns and all persons claiming under him or them for ever to expel and remove therefrom without any legal process whatsoever and as effectively as any sheriff might do in case Her Majesty had obtained judgment in ejectment for recovery of possession of the said land or in an action for the recovery of land and a writ of *habere facias possessionem* or writ of possession or other process had issued on such judgment directed to such sheriff in due form of law And that in case of entry and any action being brought or other proceeding taken for or on account of the same by any person whomsoever the defendants or defendant to such action may plead leave or licence in bar thereof and these presents shall be conclusive evidence of the leave or licence of the lessee his executors or administrators and all persons claiming under him or them to any bailiffs of Crown lands and all persons acting in the matters complained of in such action or other proceedings.

19. That the term "Governor" in these presents shall mean the Governor or the Administrator of the Government of the Colony of Victoria for the time being unless such meaning shall be inconsistent with the context.

In witness whereof His Excellency

Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies hath on behalf of Her Majesty the Queen caused this demise to be sealed with the seal of the said colony and the lessee hath hereunto set his hand and seal.

Signed sealed and delivered by the } (L.s.)
above-named }
in the presence of— }

SCHEDULE 7.—(CHAP. IV. s. 5.)

APPLICATION BY PASTORAL LESSEE TO SELECT A HOMESTEAD UNDER SECTION 29 OF THE "LAND ACT 1890."

Address—
Date—

Sir,

Being the lessee of pastoral allotment No. _____, county of _____, and having complied with all the conditions and covenants of my lease, I hereby make application to select a portion of the said pastoral allotment, not exceeding _____ acres in extent, and described hereunder as a homestead, and undertake to pay the sum of One pound per acre for every acre or fractional part of an acre comprised in such homestead so soon as this my application shall have been approved.

I have the honour to be, Sir,

Your most obedient servant,

The President of the Board of Land and Works.

Description of Land applied for:

SCHEDULE 8A.—(CHAP. VI. s. 1.)

APPLICATION FOR A LEASE OF A GRAZING AREA UNDER DIVISION 3, PART I., OF THE "LAND ACT 1890," AS AMENDED BY THE "LAND ACT 1891." 13.6.92.

I, _____ of _____, do hereby state that I, _____ of _____, do hereby make application, under Division 3, Part I., of the *Land Act 1890* as amended by the *Land Act 1891*, for a lease of the _____ of _____ grazing area described hereunder; and I hereby request that (if necessary) an authorized surveyor be instructed to make a survey, for me and on my account, of the said grazing area, and to supply plan of same; and I undertake to pay all duly authorized fees for the making of the said survey and plan, or for any modification thereof, and to accept a lease subject to the terms, covenants, and conditions which may lawfully be imposed.

I, _____, do hereby declare that I have selected under this and previous *Land Acts* _____ acres; and that the area I now desire to obtain would not, if added to the area already held under a lease as a grazing area or selected by me under this or any previous *Land Act* or *Acts*, exceed 1,000 acres; that I am not under eighteen years of age.

And that with respect to this application I am not an agent, or a servant of, or a trustee for, any other person; that I have not entered into or promised to enter into any agreement to permit any other person to acquire by purchase or otherwise the grazing area in respect of which this application is made, or any part thereof, or my interest therein, or the usufruct thereof; that I intend to occupy the said grazing area for my own use and benefit solely; that if my application be granted, it is my intention to comply with the provisions of the *Land Act 1890* as amended by the *Land Act 1891*, and that the statements made by me in reply to the questions hereto subjoined are true and correct in every particular.

(N.B.—State here at what money order office or receipt and pay office you wish to pay the survey charge for the allotment herein applied for.)

Questions and Statements referred to in the Declaration.

Questions.	Statements in Reply.
1. What is your occupation, and where have you resided during the last twelve months?	
2. Do you own any land in fee simple? If so, state the number of acres, situation, and purpose to which it has been applied	
3. Have you at any time obtained any land under lease or licence from the Crown? If so, Under what section and Act? ... Where situated? What area? What use did you make of it? ...	
4. Have you obtained a lease or leases under Section 32, Division 3, Part I., of the Land Act 1890, whether by application or by transfer? If so, state particulars When obtained and how? ... Where situated? Area of each? Do you still hold it or them? If not, how disposed of	

And I make this solemn declaration, conscientiously believing the same to true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Signature—
Occupation—
Address—

Declared at _____ in the colony of Victoria, this _____ day of _____ 189 before me

Justice of the Peace in and for the Bailiwick of the Colony of Victoria.

Situation and Area of Allotment applied for, if previously surveyed.	Description of the Land applied for, if previously unsurveyed, or forming part only of a surveyed allotment.	Report by Land Officer.
County— Parish— Allotment— Section— acres. roods. perches. Extent—		Date and hour of receipt of application } Date of transmission of order to survey to authorized surveyor } Report— Land Officer at

*The magistrate's signature is only required here in cases where the applicant is a marksman, and can neither read nor write.

*I hereby certify that this declaration was read to the declarant in my presence this _____ day of _____ 189

Justice of the Peace in and for the Bailiwick of the Colony of Victoria.

NOTE.—This application will not be received by the Land Officer unless accompanied by a "Certificate of Registration," which can be obtained of any Receiver of Revenue on payment of a fee of One pound.

SCHEDULE 9.— (CHAP. VI. s. 2.)

Entered in the Register Book, Vol. _____ Fol. _____

Registrar of Titles.

LEASE UNDER SECTION 32 OF THE "LAND ACT 1890."

THIS Indenture made the first day of _____ in the year of our Lord One thousand eight hundred and ninety-_____ between His Excellency Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies in the name and on behalf of Her Most Gracious Majesty Queen Victoria of the one part and _____ of _____ in the colony of Victoria, (hereinafter called the "Lessee") of the other part.

Whereas the Governor with the advice of Executive Council has agreed to grant this lease of the grazing area hereinafter described for the term of years and calendar months less three days at the annual rent of being the rent fixed and reserved in accordance with the provisions of the 37th section of the *Land Act 1890* to the lessee who is entitled thereto under the provisions of the said Act and the lessee has paid half a year's rent in advance And whereas the Governor with the advice aforesaid has approved of and directed the conditions and provisions hereinafter contained to be inserted in this lease framed in accordance with the regulations made in pursuance of the provisions of the said Act Now this Indenture witnesseth that in consideration of such payment aforesaid and of the rent hereby reserved and of the covenants by the lessee hereinafter contained Her Majesty doth by these presents grant and demise unto the lessee his executors administrators and assigns all that grazing area situate in the parish of county of in the colony of Victoria containing acres more or less and delineated on the plan prepared in accordance with the provisions of the 30th section of the said Act and thereon numbered in the said parish and also delineated on the plan drawn in the margin of these presents and therein coloured yellow together with the appurtenances Excepting and reserving unto Her Majesty her heirs and successors all gold and silver and auriferous and argentiferous earth or stone and all copper tin antimony coal and all other metals and minerals whatsoever and all mines seams veins lodes and deposits containing gold silver copper tin antimony coal and other metals and minerals in upon and under the said demised premises together with liberty for Her Majesty her heirs and successors and her and their agents servants lessees licensees and assigns at any time or times during the said term to enter upon the said land and to search and mine therein for gold silver copper tin antimony coal and other metals and minerals or to remove therefrom any gold silver auriferous and argentiferous earth or stone copper tin antimony coal and other metals and minerals and for the purposes aforesaid to sink shafts make drives and do any other things which may be necessary or usual in mining And also excepting and reserving to Her Majesty her heirs and successors and each and every other lessee of any grazing area and the holder of a miner's right or of a gold mining or mineral lease and her heirs and their agents and servants tenants and workmen liberty and right of ingress egress and regress at all times through over and across the premises hereby demised with or without horses cattle and other animals carts waggons and carriages to or from such grazing area or part thereof or to or from any claim or mine from and to any public road or track subject to such regulation to be made by the Governor with the advice of the Executive Council as may for the time being be in force And also excepting and reserving unto Her Majesty her heirs and successors and all persons duly licensed under section 49 of the *Land Act 1890* to cut and take away any live or dead timber on Crown lands and all persons specially licensed in that behalf by the Governor in Council full and free liberty at all times to enter upon the said demised lands and therefrom to cut and take away live or dead timber To have and to hold the premises hereinbefore expressed to be hereby demised unto the lessee his executors administrators and assigns for the term of years and calendar months less three days from the day of the date hereof Yielding and paying therefor during the said term the yearly rent of by two equal half-yearly payments in advance on the first day of and the first day of in every year clear of all deductions the first of the said half-yearly payments having been made as aforesaid the next of the boundaries of are approximately next and the last of the said half-yearly payments to be made on the first day of next preceding the expiration of the said term And the lessee doth hereby for himself his heirs executors administrators and assigns covenant with Her Majesty her heirs and successors that he the lessee his executors administrators and assigns will during the said term pay the said rent hereinbefore reserved in advance at the times and in manner hereinbefore appointed for payment thereof clear of all deductions And also will during the said term pay all existing and future rates assessments and taxes for the time being payable either by landlord or tenant in respect of the said premises And also will not assign sublet subdivide or part with the possession of the land hereby demised or any portion thereof without the previous consent of the Board of Land and Works signified in writing And also will at once after the granting of this lease to the satisfaction of the Board of Land and Works commence and continue to destroy and will within three years after the granting of this lease have destroyed to the satisfaction of the Board of Land and Works the animals and birds by the said Act included in the term "vermin" or which the Governor with the advice of the Executive Council may by proclamation in the *Government Gazette* declare to be vermin for the purposes of the said Act upon such land and will keep the same free of such animals and birds Bathurst burr wild briar and gorse to the satisfaction of the Board of Land and Works during the currency of this lease And also will repair and keep in good condition and repair during the continuance of the term hereby granted all houses fences wells reservoirs tanks dams and all substantial and permanent improvements situated on the premises hereby demised whether made erected or constructed by the said lessee his executors administrators or assigns or not reasonable wear and tear and damage by fire storm and tempest alone excepted and that the lessee his executors administrators or assigns will not remove fill up or render useless or cause to be removed filled up or rendered useless any of the same without first obtaining the permission of the Board of Land and Works signified in writing And also will not during the continuance of the term hereby granted ring or destroy or except for the purpose of fencing or building or domestic use on the land hereby demised cut down any timber in or upon the land hereby demised unless with the sanction of the Board of Land and Works signified in writing and then only under the supervision of an officer appointed in that behalf by the said Board And also will if not sooner called upon under the provisions of the *Fences Act 1890* within three years from the date of these presents enclose the land hereby demised with a fence of such kind as shall come within the meaning aforesaid and keep the same in repair during the continuance of the term hereby granted And also will at the expiration or sooner determination of the said term hereby granted peaceably deliver up to Her Majesty her heirs or successors the premises hereby demised together with all houses fences wells reservoirs tanks dams and all improvements that now are or may be made erected or constructed thereon in such good or sufficient repair and condition as aforesaid and in all respects in such state and condition as shall be consistent with the due performance of the several covenants hereinbefore contained And also will permit any person appointed in that behalf by the Board of Land and Works at any time to enter upon the premises hereby demised to ascertain if the conditions and covenants of this lease are being performed by the lessee And also that every holder of a miner's right or of a gold mining or mineral lease shall have the right and be allowed by the lessee his executors administrators and assigns to enter upon the area hereby

demised and search for gold silver copper tin antimony coal and other metals and minerals and to mine thereon and to erect and occupy mining plant and machinery without making any compensation to the lessee his executors administrators or assigns for surface or other damage. And also that these presents shall become absolutely void on any assignment thereof save under the provisions of the *Land Act 1890*. Provided always and it is hereby agreed and declared that Her Majesty her heirs and successors may at any time and from time to time during the said term resume possession of any part or parts of the land hereby demised which may in the opinion of the Governor with the advice aforesaid be required for the purposes of water supply irrigation works races dams and ditches or for public railways roads canals or for tramways or other internal communication through such lands or for mining purposes or for the purpose of obtaining or removing therefrom guano or other manure stone or earth or for sites of inns stores smithies bakeries or similar buildings or of bathing-houses bathing-places fishermen's residences drying grounds fellmongering establishments slaughter-houses lime-kilns bridges ferries toll or punt houses tanneries factories saw or paper mills quays docks landing-places or the deposit of materials ship building and repairing boat building and repairing or for the working of mineral springs or for the manufacture of salt or for the purpose of erecting pumps or for the purpose of cutting digging and taking away any live or dead timber gravel stone ballast limestone salt shell seaweed and loam brick or other earth upon payment to the lessee or his executors administrators or assigns for his interest in such lease together with the value of houses fences (within the meaning aforesaid) wells reservoirs tanks dams and of all substantial and permanent improvements made erected or constructed by the lessee his executors administrators or assigns during the currency of this lease on the land resumed. Provided always that the sum paid in respect of such improvements by the Board of Land and Works shall not exceed the sum expended thereon by the lessee his executors administrators or assigns. And that such sum shall be determined in accordance with regulations in that behalf made by the Governor with the advice aforesaid. And that the compensation to be paid to the lessee his executors administrators or assigns in respect of his interest in this lease shall be determined in manner provided by the *Lands Compensation Act 1890* or any Act amending the same. Provided always and it is hereby also agreed and declared that Her Majesty her heirs and successors may at any time and from time to time during the term hereby granted in accordance with the regulations to be made by the Governor with the advice aforesaid in that behalf resume as sites for townships or villages or for mining purposes and re-enter upon any lands forming part of the land hereby demised upon payment to the lessee his executors administrators or assigns of the full value of all houses fences (within the meaning aforesaid) wells reservoirs tanks dams and of all substantial and permanent improvements made erected or constructed by the lessee his executors administrators or assigns on the lands so resumed but nothing in this lease contained shall be construed to give a better tenure to the lessee his executors administrators or assigns in regard to the right of miners authorized by the responsible Minister of the Crown for the time being administering the *Land Act 1890* or Part I. Division 3 thereof subject to any conditions he may think fit to impose to enter upon any portion specified by the said Minister of the land hereby demised in search of gold than was possessed by pastoral tenants under *The Land Act 1869* with regard to the right of miners to enter upon the lands occupied by such pastoral tenants. Provided always and it is hereby expressly agreed and declared that neither of the preceding provisions shall prejudice or be construed as restricting the generality of the covenant on the part of the lessee hereinbefore contained conferring on the holder of a miner's right or of a gold mining or mineral lease the right to enter upon the demised land and exercise the other rights in such covenant mentioned. And in case of any land being required to be resumed for mining purposes the Governor with the advice aforesaid shall determine and have the election whether it shall be resumed under the provisions of the 68th section of the said Act or under the provisions hereinbefore contained and if so under which of the provisions hereinbefore contained it shall be so resumed or taken. And it is hereby declared that in case possession of any part or parts of the said land shall be resumed as aforesaid the covenants provisions and agreements herein contained with reference to the whole of the premises shall continue in force and apply to such part of the same as shall be left in the possession of the lessee his executors administrators or assigns aforesaid. Provided always and it is hereby also agreed and declared that the term hereby granted may be determined by Her Majesty her heirs or successors at any time by not less than three years' previous notice in writing of such intention addressed to the lessee his executors administrators or assigns being served upon him or them or left upon any part of the lands comprised in this lease and published in three consecutive ordinary numbers of the *Government Gazette* and upon payment to the lessee his executors administrators or assigns for his interest in this lease together with the value of houses fences (within the meaning aforesaid) wells reservoirs tanks dams and of all substantial and permanent improvements made erected or constructed by the lessee his executors administrators or assigns prior to the date of such notice and during the currency of this lease on the land so resumed provided that the sum paid in respect of such improvements by the Board of Land and Works shall not exceed the sum expended thereon by the lessee his executors administrators or assigns and that such sum shall be determined in accordance with the regulations aforesaid and that the compensation to be paid to the lessee his executors administrators or assigns in respect of his or their interest in the lease shall be determined in manner provided by the *Lands Compensation Act 1890* or any Act amending the same. Provided always and it is hereby agreed and declared and these presents are upon this condition that in the event of the lessee his executors administrators or assigns becoming the licensee or licensees of any portions of the land hereby demised as an agricultural allotment and his or their licence thereafter being annulled for any breach of the provisions of the *Land Act 1890* or of the conditions of such licence or if and whenever there shall be a breach of or non-compliance with any of the covenants by the lessee herein contained and the Governor with the advice aforesaid shall determine that this lease shall in consequence be avoided (and the production of the minute of the proceedings of the Executive Council whereat such determination was arrived at shall be conclusive evidence thereof) or if the land hereby demised or any part thereof is assigned whether by operation of law or otherwise except as hereinbefore mentioned or as in the *Land Act 1890* otherwise expressly provided then these presents and the term hereby created shall be void and of no effect. And immediately thereupon it shall be lawful for any bailiffs of Crown lands or for any other agents or officers authorized in that behalf by Her Majesty or by the Governor with the advice aforesaid without any demand whatsoever to enter upon the land hereby demised and the lessee his executors administrators and assigns and all persons claiming under him or them for ever to expel and remove therefrom without any legal process whatsoever and as effectually as any sheriff might do in case Her Majesty had obtained judgment in ejectment for recovery of possession of the said land or in an action for the recovery of land and a writ of *habere facias possessionem* or writ of possession or other process had issued on such judgment directed to such sheriff in due form of law. And that in case of such entry and any action being brought or other proceeding taken for or on

account of the same by any person whatsoever the defendants or defendant to such action may plead leave and licence thereto and these presents shall be conclusive evidence of the leave and licence of the lessee his executors or administrators and all persons claiming under him or them to any bailiff of Crown lands and all persons acting in the matters complained of in such action or other proceedings. And the lessee for himself his executors administrators and assigns further covenants with Her Majesty her heirs and successors in manner following that is to say that in the event of any portion of the land hereby demised being at any time or times required by the Victorian Railways Commissioners for the construction of railways railway stations or railway works already or hereafter authorized to be constructed or by the Governor or Administrator of the Government of Victoria by and with the advice of the Executive Council thereof hereinafter designated the Governor in Council for the construction of water supply works irrigation works reservoirs dams races water-courses or drains or for public roads or highway to be hereafter set out by the Governor in Council he the said lessee his executors administrators or assigns will upon being allowed by the Victorian Railways Commissioners or Governor in Council one month after receiving notice in writing from the Victorian Railways Commissioners or Governor in Council that the land is so required for the removal by him or them of any houses buildings or fences upon the land so required remove such houses buildings and fences and relinquish possession of the land so required and that neither he nor they will make any claim for compensation whatsoever for the said houses buildings fences or for any improvements upon the said land or for the cost which he or they may incur in such removal nor will he or they make any claim for compensation for any right or interest which he or they may possess in such lease or in such land beyond a proportionate reduction of rent which shall in all cases be fixed by an officer appointed by the Governor in Council for such purpose nor in respect of the severance of such land from the other lands held under this lease. And it is hereby expressly agreed between the parties hereto that this covenant is to be construed as a release by the said lessee his executors administrators and assigns to Her Majesty her heirs and successors from all or any payment to him or them and from all claims thereto which might otherwise have been made in respect of resumption of any portion of the land hereby demised for railway purposes or for the purpose of the construction of water supply works irrigation works reservoirs dams races water-courses or drains or for public roads or highway under the before contained conditions for resumption by or on behalf of Her Majesty her heirs and successors. And it is hereby lastly agreed and declared that the term "Governor" in these presents shall mean the Governor or Administrator of the Government of the Colony of Victoria for the time being unless such meaning shall be inconsistent with the context.

In witness whereof His Excellency Governor and
Commander-in-Chief in and over the Colony of Victoria and its
Dependencies hath on behalf of Her Majesty the Queen caused this
demise to be sealed with the seal of said colony and the lessee hath
hereunto set his hand and seal.

Signed sealed and delivered by the } (L.S.)
above-named }
in the presence of— }

SCHEDULE 10.—(CHAP. VI. s. 3.)

STATEMENT OF LESSEE UNDER SECTION 32 OF THE "LAND ACT 1890" AS TO THE PERFORMANCE OF THE COVENANTS OF HIS LEASE.

	Address—
Extent of land—	Post Town—
A. R. P.	Date—
SIR,	
Parish—	Being the holder of a lease, No. under section 32
Allotment—	of the <i>Land Act 1890</i> , to occupy the land specified in the
Section—	margin hereof, and having occupied the said land for a period
	of at least three years, and having performed the covenants
	of such lease, I hereby furnish in the subjoined form the
	particulars of the manner in which the said covenants have
	been carried out and the costs thereof.
Date of Lease—	I have the honour to be, Sir,
To the Honorable the President	Your most obedient servant,
of the Board of Land and Works.	

DECLARATION BY LESSEE.

I, _____ of _____ being the holder of
a lease to occupy the above-mentioned land, declare as follows:—

1. That I have paid £ _____ s. _____ d., being all rent and fees due on the said lease.
2. That I have not at any time assigned, mortgaged, or sublet the said land or any part thereof, or transferred my interest or any part of my interest therein, except as provided in the *Land Act 1890*.
3. That within _____ years from the date of the said lease I enclosed the said land with good and substantial fence.
4. That from the date of the issue of the said lease I commenced to destroy the vermin, Bathurst burr, wild briar, and gorse upon the land, and that it is now free from the same.
5. That I have complied with all the other covenants of the lease.
6. That the statements made and the answers given by me in reply to the questions in the "Further Particulars" hereto subjoined are true and correct in every particular.

List of work done and improvements effected—	Value.
Fencing	£
Destruction of vermin	£
" Bathurst burr	£
" wild briar	£
" gorse	£
Buildings attached to the soil	£
Water storage	£
All other improvements	£

July 6, 1893.

3004

Further Particulars to be furnished by Lessee when forwarding information respecting his performance of the covenants of his Lease under Section 32 of the "Land Act 1830."

Fencing:—		Description thereof.	No. of Chains.	Cost per Chain.	Total Cost.
		Is the land all enclosed as per licensed boundaries? ... (See third column on the opposite page.)			£ s. d.
		Post and 3-rail, split stuff ...			
		Post and 2-rail, ditto ...			
		Post, rail, and wire ...			
		Post and wire ...			
		Stone wall ...			
		Stub or picket ...			
		Log ...			
		Chock and log ...			
		Log and brush ...			
		Brush ...			
		Have you arranged with occupiers of adjoining lands for payment of any portion of the above fences?			
		Who are the occupiers of the adjoining lands?			
Destruction of vermin:—	of	First year			
		Second year			
		Third year			
Destruction of Bathurst burr, wild briar, and gorse:—	of	First year			
		Second year			
		Third year			
		TOTAL			
Buildings:—		Description.	Dimensions.	Materials.	
Water Storage:—		Description.	Dimensions, &c.		
		Dam			
		Reservoir			
	Well				
All other Improvements:—		Particulars of Nature and Cost.			
		Total Cost of Improvements		... £	

Is the land heavily timbered, covered wholly or in part with scrub, wild briar, gorse, Bathurst burr, or undergrowth, or open plain country?

Is the land infested with vermin? If so, state of what kinds

If the fencing covenant has not been complied with, by enclosing the land according to the leasehold boundaries, state the reason why

If the covenant for the destruction of vermin has not been performed, state the reason why

If the covenant for the destruction of Bathurst burr, wild briar, and gorse has not been complied with, state the reason why

Have you applied for the sanction of the Board to transfer? If so, with what result?

Have you applied for an Agricultural Allotment? If so, to what extent

Further Particulars—continued.

If application for an Agricultural Allotment has been granted, are you residing on the land, and what cultivation has been done? ...

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Signature—
Occupation—
Address—

Declared at _____ in the colony of Victoria, this _____ day of _____ 189 _____ before me, _____ Justice of the Peace in and for the _____ Bailiwick of the colony of Victoria.

*The magistrate's signature is _____ *I hereby certify that this declaration was read to only required here in cases where the applicant is a marksman, and can neither read nor write _____ 189 _____ day of _____

Justice of the Peace in and for the _____ Bailiwick of the colony of Victoria.

NOTE.—District surveyors, land officers, and other officers connected with the Lands Department are directed to assist lessees in filling up this form and declaration. No fee is to be offered or accepted for such assistance.

This form, when filled up, to be handed to the nearest land officer or Crown lands bailiff, who will forward it to the Crown Lands Office, or transmitted by the lessee direct to the Secretary for Lands, Melbourne.

SCHEDULE 11.—(CHAP. VI. s. 9.)

THE "LAND ACT 1890."—SECTION 38, SUB-SECTION 2.

County— _____ Sir, _____ of _____ being the holder of a Grazing Area lease, as per margin, and having paid all rents and fees due thereon, and otherwise complied with all the covenants and conditions of the said lease, hereby apply to the Board of Land and Works for its sanction in writing to the transfer or mortgage of the said lease to _____ of _____ Area— One pound, being the fee for the certificate of the Board's sanction, is forwarded herewith.

I have the honour to be, Sir,
Your most obedient servant,

The President of the
Board of Land and Works.

DECLARATION TO BE MADE BY LESSEE WHEN APPLYING TO TRANSFER OR TO MORTGAGE.

I, _____ of _____ in the colony of Victoria, do solemnly and sincerely declare that I have paid all rents and fees due to date in respect of my lease under section 32 of the *Land Act 1890*, for allotment _____ parish of _____. That I have erected _____ chains of fencing on the land of the value of _____ per chain, and that I have effected other improvements upon the said land to the value of £ _____ and that my reasons for desiring to mortgage/transfer are _____

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Declared before me, at _____ in the colony aforesaid, this _____ day of _____ in the year of our Lord One thousand eight hundred and ninety- _____

Justice of the Peace.

THE "LAND ACT 1890."—SECTION 38, SUB-SECTION 3.

APPLICATION BY PROPOSED TRANSFERREE FOR THE TRANSFER TO HIM OF A LEASE FOR A GRAZING AREA UNDER PART I. DIVISION 3 OF THE "LAND ACT 1890."

I, _____ of _____ hereby make application for the transfer to me of the lease for the Grazing Area, described below, and I undertake, in the event of the said transfer being sanctioned by the Board of Land and Works, to faithfully carry out all the covenants and conditions of the said lease.

Signature—

I, _____ of _____ hereby declare that I have not at any time held a lease for a Grazing Area, under this Act,* that selected, he may strike *I have selected under this and previous Land Acts* out the words in italics. _____ acres and that the area I now desire to obtain by transfer would not, if added to the area already selected by me under this or any previous Land Act or Acts, exceed 1,000 acres; that I am not under eighteen years of age. And that with respect to this application I am not an agent, or a servant of, or a trustee for, any other person; that I have not entered into or promised to enter into any agreement to permit any other person to acquire by purchase or otherwise the Grazing Area in respect of which this application is made, or any part thereof, or my interest therein, or the usufruct thereof; that I intend to occupy the said Grazing Area for my own use and benefit solely; that if my application be granted, it is my intention to comply with the provisions of the 38th section of the *Land Act 1890*, and that the statements made by me in reply to the questions hereto subjoined are true and correct in every particular.

Questions and Statements referred to in the Declaration.

Questions.	Statements in Reply.
1. What is your occupation, and where have you resided, during the last twelve months?	
2. Do you own any land in fee simple? If so, state the number of acres, situation, and purpose to which it has been applied	
3. Have you at any time obtained any land under lease or licence from the Crown? If so, Under what section and Act? ... Where situated? What area? What use did you make of it? ...	
4. Have you obtained a lease under section 32, Part III., of <i>The Land Act 1884</i> , or Part I., Division 3, of the <i>Land Act 1890</i> ? When? In what parish is the holding situated? Area?	

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Signature—

Occupation—

Address—

Declared at _____ in the colony of Victoria, this _____ day of _____ 189____, before me,
Justice of the Peace in and for the _____ Bailiwick of the colony of Victoria.

County.	Parish.	Allotment.	Section.	Extent.

* The magistrate's signature is only required here in cases where the applicant is a marksman, and can neither read nor write. * I hereby certify that this declaration was read to the declarant in my presence this _____ day of _____ 189____.
Justice of the Peace in and for the _____ Bailiwick of the colony of Victoria.

SCHEDULE 12.—(CHAP. VI. s. 10.)

No. of certificate—



The *Land Act 1890*.—Section 38, Sub-section 2.

CERTIFICATE OF SANCTION OF THE BOARD OF LAND AND WORKS TO TRANSFER OR MORTGAGE OF A LEASE UNDER SECTION 32 OF THE "LAND ACT 1890."

Office of the Board of Land and Works, Melbourne.

This is to certify that the Board of Land and Works has sanctioned the transfer or mortgage by _____ of _____ of the lease under Section 32 of the *Land Act 1890* held by him for allotment _____ section _____ parish of _____ containing _____ acres of _____ roads _____ perches, to _____

The common seal of the Board of Land and Works was hereto affixed this _____ day of _____ 189____, in the presence of the undersigned two members of the said Board.

President.
Member.

SCHEDULE 13.—(CHAP. VI. s. 14.)

To the Honorable the Minister of Lands.

I, _____ of _____ hereby apply that _____ acres of land included in a lease _____ of _____ parish of _____ county _____ of _____ granted on the _____ day of _____ and now held by _____ and subject to the following registered encumbrances be resumed by Her Majesty:—

I desire to occupy the same for mining purposes. I forward herewith the sum of (£10) Ten pounds sterling in accordance with the regulations. I also forward a plan showing the portion of land I desire to have resumed by Her Majesty; as also a statutory declaration showing the grounds on which I desire resumption.

I have the honour to remain,
Your obedient servant,

SCHEDULE 14.—(CHAP. VII. s. 1.)

APPLICATION FOR AN AGRICULTURAL ALLOTMENT UNDER PART I. DIVISION 3 OF THE "LAND ACT 1890."

* Here state fully the place of abode and the occupation of the applicant.

I, _____ of _____ hereby make application, under Part I. Division 3, of the Land Act 1890, for the allotment described hereunder; and I hereby request that (if necessary) an authorized surveyor be instructed to make a survey for me and on my account of the said allotment, and to supply plan of same; and I undertake to pay all duly authorized fees for the making of the said survey and plan, or for any modification thereof, and to accept a licence subject to the terms, covenants, and conditions which may lawfully be imposed.

† If applicant has not selected, he may strike out the words in italics.

I, _____ hereby declare that I have not taken up a pre-emptive right; *that I have selected under this and previous Land Acts* acres; that no selection made by me under this or any previous Land Act or Acts has been forfeited or cancelled for the evasion of the provisions of any such Land Act or Acts; and that the area I now desire to obtain would not, if added to the area already selected by me under this or any previous Land Act or Acts, exceed 320 acres; that I am not under eighteen years of age; ‡

‡ If the applicant be a female, insert (as the case may be) the words "that I am not a married woman," or "that I am a married woman, and have obtained a decree of judicial separation."

And that with respect to this application I am not an agent or a servant of, or a trustee for any other person; that I have not entered into nor promised to enter into any agreement to admit any other person to acquire by purchase or otherwise the allotment in respect of which this application is made, or any part thereof, or my interest therein, or the usufruct thereof; that I intend to occupy the allotment for my own use and benefit solely; that, if my application be granted, it is my intention within twelve months after receipt of the licence, and thenceforward during the currency of the same, to occupy the allotment by residing thereon in my own proper person, and to comply with the covenants and conditions of the 44th section of the Land Act 1890; and that the statements made by me in reply to the questions hereto subjoined are true and correct in every particular.

N.B.—State here at what money order office or receipt and pay office you wish to pay the survey charge for the allotment herein applied for.

Questions and Statements referred to in the Declaration.

Questions.	Statements in Reply.
1. What is your occupation, and where have you resided during the last twelve months?	
2. Do you own any land in fee simple? If so, state the number of acres, situation, and purpose to which it has been applied.	
3. Have you at any time obtained any land under lease or licence from the Crown? If so, Under what section and Act? ... Where situated? ... What area? ... What use did you make of it? ...	

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Signature—
Occupation—
Address—

Declared at _____ in the colony of Victoria, this _____ day of _____ 189____, before me,
Justice of the Peace in and for the Bailiwick of the colony of Victoria.

Situation and Area of Allotment applied for, if previously surveyed.	Description of the Land applied for, if previously unsurveyed, or forming part only of a surveyed allotment.	Report by Land Officer.
County— Parish— Allotment— Section— A. R. P. Extent—		Date and hour of receipt of application. } Report— Date of transmission of order to survey to authorized surveyor. } at Land Officer

* The magistrate's signature is only required here in cases where the applicant is a marksman, and can neither read nor write.

* I hereby certify that this declaration was read to the declarant in my presence this _____ day of _____ 189____

SCHEDULE 15A.—(CHAP. VII. s. 2.)

3.6.92 LICENCE UNDER SECTION 42 OF THE "LAND ACT 1890" AS AMENDED BY THE "LAND ACT 1891."

THIS Indenture made this first day of _____ in the year of our Lord One thousand eight hundred and _____ between His Excellency _____ Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies in the name and on behalf of Her Most Gracious Majesty Queen Victoria of the one part and _____ of _____ in the said colony (hereinafter called the "Licensee")

of the other part Whereas the licensee having applied for this licence and made the declaration required by the 44th section of the *Land Act 1890* the Governor with the advice of the Executive Council has agreed to grant the same on the faith that the applicant does not by becoming the licensee violate or fail to comply with any of the provisions of the *Land Acts* And whereas the Governor with the advice aforesaid has approved of and directed the conditions and provisions hereinafter contained to be inserted in this licence framed in accordance with the Regulations made in pursuance of the provisions of the said Acts And whereas the licensee has paid half a year's fee for occupation in advance Now this Indenture witnesseth that in consideration of the payment aforesaid of the fee for occupation hereby reserved and of the agreements by the licensee hereinafter contained the Governor with the advice aforesaid and in exercise of the power given by the said Act doth hereby grant unto the licensee licence and liberty to enter upon and personally to occupy in accordance with the provisions of the said Acts the surface and down to a depth of _____ feet below the surface of all that agricultural allotment situate in the parish of _____ county of _____ in the colony of Victoria containing _____ acres

more or less and delineated on the plan prepared in accordance with the provisions of the 30th section of the *Land Act 1890* and thereon numbered _____ in the said parish and also delineated on the plan drawn in the margin of these presents and thereon coloured yellow for the term of six years from the day of the date of this licence *Excepting and reserving unto Her Majesty her heirs and successors all gold and silver and auriferous and argentiferous earth or stone and all copper tin antimony coal and all other metals and minerals and mineral ores whatsoever and all mines seams veins lodes and deposits containing gold silver copper tin antimony coal and all other metals and minerals and mineral ores in upon and under the land hereby licensed together with liberty for Her Majesty her heirs and successors and her and their agents servants lessees licensees and assigns at any time or times during the said term to enter upon the said land and to search and mine therein for gold silver copper tin antimony coal and all other metals and minerals and mineral ores or to remove therefrom any gold silver auriferous and argentiferous earth or stone copper tin antimony coal and all other metals and minerals and mineral ores and for the purposes aforesaid to sink shafts make drives and do any other things which may be necessary or usual in mining And also excepting and reserving to Her Majesty her heirs and successors and the holder of a miner's right or of a licence to search for metals and minerals or of a gold mining or mineral lease and their agents and servants tenants and workmen liberty and right of ingress egress and regress at all times through over and across the land hereby licensed with or without horses cattle and other animals carts waggons and carriages to or from any claim or mine and to any public road or track subject to such regulations to be made by the Governor with the advice of the Executive Council as may for the time being be in force The land comprised in this licence is also subject both during the currency of this licence and after the licensee shall have acquired the fee-simple or leasehold thereof to the right of any person being the holder of a miner's right or a licence to search for metals and minerals or of a gold mining or mineral lease being allowed by the licensee his executors administrators and assigns to enter upon the area hereby licensed and search for gold silver copper tin antimony coal and other metals and minerals and mineral ores and to mine therein and thereon and to erect and occupy mining plant and machinery thereon in the same manner and under the same conditions and provisions as those on which such person had at the time of the passing of the *Land Act 1890* the right to mine for gold and silver in and upon Crown lands provided that compensation shall be paid to the licensee by such persons for surface damage to be done to such lands by reason of mining thereon such compensation to be determined as by law required and the payment thereof to be a condition precedent to such right of entry and*

NOTE.—The lengths of the boundaries are approximately given in this plan in links.

this licence is subject to the conditions that the licensee shall at all times during the currency hereof permit every such person to exercise the right aforesaid Yielding and paying therefor during the said term a yearly fee for occupation of _____ being calculated at the rate of One shilling per annum for each

and every acre or fractional part of an acre contained in the said allotment and such further fee (if any) fixed by any Order in Council made in that behalf under and by virtue of the provisions of section 17 of the *Land Act 1891* the said yearly fee to be paid in advance by equal half-yearly payments on the first day of _____ and the first day of _____ in every year clear of all deductions the first of the half-yearly payments having been made in conformity with the provisions of the said Acts the next of the said half-yearly payments to be made on the first day of _____ next and the last of the half-yearly payments to be made on the first day of _____ next preceding the expiration of the term of this licence The licensee for himself his heirs executors and administrators hereby agrees with the Governor as follows:—

1. To pay the said licence-fee in moieties in advance at the times and in manner hereinbefore appointed for payment thereof clear of all deductions.
2. To pay all existing and future rates assessments and taxes for the time being payable by landlord or tenant in respect of the premises.
3. That he will not during the currency of this licence assign the licence nor transfer his right title and interest therein or in the allotment hereinbefore described and herein comprised or any part thereof nor sublet the said allotment or any part thereof.
4. To at once and to the satisfaction of the Board of Land and Works commence and continue to destroy and within two years after the issue of this licence to have destroyed to the satisfaction of the Board the animals and birds by the said Act included in the term "vermin" or which the Governor with the advice of the Executive Council may by proclamation in the *Government Gazette* declare to be vermin for the purposes of the said Acts upon such land and to keep the same free from such animals and birds to the satisfaction of the said Board during the currency of this licence.
5. To enclose within six years from the issue of this licence if not sooner called upon under the provisions of the *Fences Act 1890* the land herein comprised with a fence of such kind as shall come within the meaning assigned to the word "fence" by the *Land Act 1890* and keep the same in repair during the continuance of this licence.
6. That he will within twelve months after the issue of this licence commence and thenceforward during the continuance of this licence without intermission (except for any period specified in a notice registered in conformity with the provisions of the 4th section of the said Act) occupy personally the said allotment.

7. That he will make and erect on the said allotment before the end of the sixth year from the commencement of this licence substantial and permanent improvements of the value of One pound for every acre and fractional part of an acre of the allotment.

8. That he will at all times during the continuance of this licence *bona fide* comply with all and will not violate any of the provisions of the said Acts.

9. That the Governor with the advice of the Executive Council or the Board of Land and Works for and on behalf of Her Majesty her heirs and successors may at any time during the currency of this licence resume possession of all or any part or parts of the lands comprised in the said allotment which may be required for reserves for public purposes or for the purpose of water supply irrigation works races dams and ditches or for railways roads canals or for tramways or other internal communication or for mining purposes provided that any moneys which may have been paid by the licensee to the Crown in respect of the lands so resumed or expended by him thereupon shall be repaid to him together with such other moneys as compensation for such resumption as to the Governor with the advice of the Executive Council seems fit. The preceding provision shall be construed as independent of and concurrent with the powers conferred by the 68th section of the *Land Act* 1890 and of the powers conferred by the last provision of this licence.

10. That in case possession of any part or parts of the land be resumed as aforesaid or as hereinafter mentioned the agreements and conditions herein contained with reference to the whole shall continue in force and apply to such part as shall be left in the possession of the licensee.

11. That if and whenever any part of the said fees for occupation are in arrear whether the same have been demanded or not or if and whenever there shall be a breach of any of the agreements positive or negative by the licensee herein contained or if this licence be assigned whether by operation of law or otherwise save as in the said Acts is otherwise expressly provided or if the said allotment or any part thereof is sublet or in case the licensee do not within twelve months after the issue of this licence and thenceforward during the continuance of this licence without intermission (except as hereinbefore mentioned) personally occupy the said allotment or in case substantial and permanent improvements certified in writing under the seal of the Board of Land and Works or under the hands of arbitrators as provided by the *Land Act* 1890 to be of the value of One pound for every acre and fractional part of an acre of the allotment have not been made on the said allotment by the licensee before the end of the sixth year from the commencement of this licence or if it at any time be shown to the satisfaction of the Governor with the advice aforesaid (and that it has been so shown the production of a copy of the *Government Gazette* containing a notice purporting to be signed by the responsible Minister of the Crown for the time being administering the said Acts or Part I. Division III. of the *Land Act* 1890 so declaring or notifying or declaring or notifying that this licence has become forfeited and void shall be conclusive evidence) that the licensee became such licensee or that he held or continued to hold this licence in violation of or non-compliance with any of the provisions of the said Acts or that the licensee has committed a breach of or not fulfilled any of the conditions of this licence then and in any of such cases this licence shall be void and of no effect.

12. That ancillary and without prejudice to the provisions of the 45th and 125th sections of the *Land Act* 1890 it is hereby agreed that immediately upon this licence so becoming void and of no effect it shall be lawful for any bailiffs of Crown lands or for any other agents or officers authorized in that behalf without any demand whatever to enter upon the said allotment and the licensee and all persons claiming under him for ever to expel and remove therefrom without any legal process whatsoever and as effectually as any sheriff might do in case Her Majesty had obtained judgment in ejectment or in an action for the recovery of land and a writ of *habere facias possessionem* or writ of possession or other process had issued on such judgment directed to such sheriff in due form of law and that in case of such entry and any action being brought or other proceedings taken for or on account of the same by any person whatsoever the defendants or defendant to such action may plead leave and licence thereto and these presents shall be conclusive evidence of the leave and licence of the licensee and all persons claiming under him to any bailiff of Crown lands and all persons acting in the matters complained of in such action or other proceeding.

13. That the lands hereby licensed shall during the currency of this licence be deemed lands of the Crown within the meaning of section 17 of the *Land Act* 1891 and that upon the making of any Order in Council under the provisions in the said section contained the enhanced licence-fee therefor fixed by such Order in Council shall be payable in respect of such lands as though such licence-fee had been so fixed prior to the making of this licence.

14. That if the licensee during the said period of six years occupy the said allotment for not less than five years and fence and make the improvements of the nature and value hereinbefore mentioned on the said allotment during the said period of six years and prove to the satisfaction of the Board of Land and Works (to be certified under its seal) by such evidence as the said Board may require that he has complied with the said conditions and with all other conditions hereof he shall be entitled at any time within twelve months after six years from the commencement of this licence to demand and obtain from the Governor in Council a Crown grant upon payment of Fourteen shillings or of such other sum (if any) not being less than one-eighth part greater nor more than double the sum of Fourteen shillings as may be fixed by any Order in Council made in that behalf under and by virtue of the provisions of section 17 of the *Land Act* 1891 for each acre or fractional part of an acre or otherwise he may obtain a lease of the said allotment and such lease shall be for a term of fourteen years at a yearly rent of One shilling or of such other sum (if any) not being less than one-eighth part greater nor more than double the sum of One shilling as may be fixed by any Order in Council as aforesaid for each acre or fractional part of an acre so demised payable in equal parts half-yearly in advance and will contain the usual covenants for the payment of rent and a condition for re-entry on non-payment thereof and such other covenants conditions exceptions and reservations as the Governor in Council may direct.

15. That upon payment of the last sum due on account of the rent under any such lease or at any time during the term upon payment of the difference between the amount of rent actually paid and the entire sum of One pound or such other sum (if any) not being less than one-eighth part greater nor more than double the sum of One pound as may be fixed by any Order in Council as aforesaid for each acre or fractional part of an acre the lessee or his representatives shall be entitled to a grant in fee of the lands leased and every such grant shall be subject to such covenants conditions exceptions and reservations as the Governor in Council may direct.

16. If it be proved to the satisfaction of the responsible Minister of the Crown aforesaid by the licensee that owing to ill health he is unable to reside on the said allotment or that for any other reason it is expedient to do so the said Minister may in his discretion cause the said allotment to be put up for sale by auction.

17. In the case of the insolvency or death of the licensee during the currency of this licence it shall not be obligatory on the assignee or trustee in insolvency or on the executors or administrators of such licensee to comply with the said condition of occupation.

18. In the case of the insolvency or death of the licensee during the currency of this licence it shall be lawful for the assignee or trustee in insolvency or for the executors or administrators of such licensee to assign within the time limited in that behalf by the said Acts such licence to any person who is qualified for becoming a licensee under Part I. Division III. of the said Act and such person shall thereupon be with respect to such licence in the same position as though he had been the original licensee.

19. Except as herein otherwise expressly provided the word "licensee" shall include his executors and administrators and any person or persons in whom this licence may under the provisions of the said Acts become vested.

20. *The licensee for himself his executors and administrators further agrees with Her Majesty her heirs and successors in manner following that is to say In the event of the whole or any portion of the land hereby licensed being at any time or times required by the Victorian Railways Commissioners or by any other person or persons or corporation for the time being by any law in force in Victoria authorized to make construct manage or maintain any state railway or railways for the construction maintenance or management of any railway or railways or railway stations or for obtaining earth stone timber gravel or sand or any other materials or things or for railway water supply purposes or other works matters or conveniences in connexion with any railway or railway works already or hereafter authorized to be constructed maintained or managed or by the Governor for the construction of water supply works irrigation works reservoirs dams races water-courses or drains or for public roads or highways to be hereafter set out by the authority of the Governor he the said licensee his executors and administrators will within one month upon receiving notice in writing from the Railways Commissioners or other person or persons or corporation aforesaid or from a responsible Minister of the Crown authorized by Order in Council that the land is so required relinquish possession of the land so required and all claims thereto provided that such licensee his executors or administrators shall for a period of one month after the receipt by him or them of such notice be entitled to remove all buildings erections or fences upon the land so required but such right shall be forfeited if the same be not exercised and such buildings erections or fences removed within the time hereinbefore limited and that neither he nor they will make any claim for compensation whatsoever for the said buildings erections or fences or for any improvements or for any moneys expended upon the said lands or for the cost which he or they may incur in such removal nor will he or they make any claim for compensation for any loss of frontage to or access from any road or roads in consequence of the construction of any such railway station or other works matters or conveniences And the said Railways Commissioners or other person or persons or corporation aforesaid shall not be liable to construct any crossings or other accommodation works under cover or upon any railway that may be made through or adjacent to such land or any part thereof nor will the licensee his executors or administrators make any claim for compensation for any right or interest which he or they may possess in such land beyond a proportionate reduction in the licence-fee which shall in all cases be fixed by an officer appointed by the Governor nor in respect of the severance from the other lands occupied by him or them under this licence And it is expressly agreed between the parties hereto that this agreement is to be construed as a release by the said licensee his executors and administrators to Her Majesty her heirs and successors from all or any payment to him or them and from all claims thereto which might otherwise have been made in respect of resumption of any portion of the land hereby licensed for any railway or railway station or railway water supply purposes or other works matters or conveniences or for the purposes of the construction of water supply works irrigation works reservoirs dams races water-courses or drains or for public roads or highways under the before-contained conditions for resumption by or on behalf of Her Majesty her heirs and successors.*

21. That the term "Governor" in these presents shall mean the Governor or the Administrator of the Government of the Colony of Victoria for the time being unless such meaning shall be inconsistent with the context.

In witness whereof His Excellency Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies hath on behalf of Her Majesty the Queen caused this Indenture to be sealed with the seal of the said Colony and the licensee hath hereunto set his hand and seal.

Signed sealed and delivered by the } (L.S.)
 above-named }
 in the presence of— }

SCHEDULE 16.—(CHAP. VII. s. 3.)
 SECTION 42 "LAND ACT 1890."

FORM OF NOTICE OF INTENTION TO BE ABSENT FROM SELECTION.

Extent of land— Sir,—Being the holder of a licence under Section 42, Land Act 1890, to occupy the land specified in the margin hereof, I hereby notify that it is my intention to be absent from the allotment so licensed for a period not exceeding _____ commencing on _____ and terminating _____ on _____ both inclusive, and that my address during such absence will be at _____
 A. R. P. :
 Parish— on _____
 Allotment— during such absence will be at _____
 Section— And I request you to register such absence in accordance with the provisions of the Land Act 1890.
 No. of licence— Signature—
 Date of licence— Address—
 Date—
 Witness— _____

SCHEDULE 17.—(CHAP. VII. s. 4.)
 REGISTER OF NOTICES OF ABSENCE FROM SELECTIONS.

Parish and No. of Licence.	Name and Address during Absence.	Date of Registration.	Particulars of Absence.	
			From	To

SCHEDULE 18.—(CHAP. VII. s. 5.)

APPLICATION FOR NON-RESIDENCE LICENCE UNDER PART I DIVISION 3 OF THE "LAND ACT 1890."

* Here state fully the place of abode and the occupation of the applicant.

I, _____ of _____ hereby make application, under Part I. Division 3 of the Land Act 1890, for the allotment described hereunder; and I hereby request that (if necessary) an authorized surveyor be instructed to make a survey for me and on my account of the said allotment, and to supply plan of same; and I undertake to pay all duly authorized fees for the making of the said survey and plan, or for any modification thereof, and to accept a licence subject to the terms, covenants, and conditions which may lawfully be imposed.

I, _____ of _____ hereby declare that I have not taken up a pre-emptive right; † that I have selected under this and previous Land Acts _____ acres; that no selection made by me under this or any previous Land Act or Acts has been forfeited or cancelled for the evasion of the provisions of any such Land Act or Acts; and that the area I now desire to obtain would not, if added to the area already selected by me under this or any previous Land Act or Acts, exceed 320 acres; ‡ If the applicant be a female, insert (as the case may be) the words "that I am not under eighteen years of age; †" And that with respect to this application I am not an agent, or a servant of, or a trustee for any other person; that I have not entered into nor promised to enter into any agreement to permit any other person to acquire by purchase or otherwise the allotment in respect of which this application is made, or any part thereof, or my interest therein, or the usufruct thereof; that I intend to improve the allotment for my own use and benefit solely; that, if my application be granted, it is my intention to comply with the provisions of the 49th section of the Land Act 1890 respecting improvements to be effected upon land held under non-residence licences; and that the statements made by me in reply to the questions hereto subjoined are true and correct in every particular.

N.B.—State here at what money order office or receipt and pay office you wish to pay the survey charge for the allotment herein applied for.

Questions and Statements referred to in the Declaration.

Questions.	Statements in Reply.
1. What is your occupation, and where have you resided during the last twelve months?	
2. Do you own any lands in fee-simple? If so, state the number of acres, situation, and purpose to which it has been applied	
3. Have you at any time obtained any land under lease or licence from the Crown? If so, Under what section and Act? Where situated? What area? What use did you make of it?	

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Signature—

Occupation—

Address—

Declared at _____ in the colony of Victoria, }
 this _____ day of _____ 189 _____ before me, }
 one of Her Majesty's Justices of the Peace in and }
 for the colony of Victoria, bailiwick of _____ }

Situation and Area of Allotment applied for, if previously surveyed.	Description of the Land applied for, if previously unsurveyed, or forming part only of a surveyed allotment.	Report by Land Officer.
County— Parish— Allotment— Section— A. B. P. Extent—		Date and hour of receipt of application } Report— Date of transmission of order to survey to authorized surveyor } Land Officer at _____

I hereby certify that this declaration was read to the declarant in my presence this _____ day of _____ 189 _____

One of Her Majesty's Justices of the Peace in and for the colony of Victoria, bailiwick of _____

SCHEDULE 19B.—(CHAP. VII. s. 6.)

13.6.92. NON-RESIDENCE LICENCE UNDER SECTIONS 49 AND 50 OF THE "LAND ACT 1890" AS AMENDED BY THE "LAND ACT 1891."

THIS Indenture made this first day of _____ in the year of our Lord One thousand eight hundred and _____ between His Excellency _____ Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies in the name and on behalf of Her Most Gracious Majesty Queen Victoria of the one part and _____ of _____ in the colony of Victoria (hereafter called "the licensee") of the other part Whereas the licensee has applied for this licence and has paid a half-year's fee therefor in advance And whereas the Governor with the advice of the Executive Council has approved of and directed the conditions and provisions hereinafter contained to be inserted in this licence framed in accordance with the Regulations made in pursuance of the provisions of the Land Acts Now this Indenture witnesseth that in consideration of the payment aforesaid of the fee for this licence hereby reserved and of the agreements by the licensee hereinafter contained the Governor with the advice aforesaid and in exercise of the power given by the Land Acts doth hereby grant unto the licensee licence and liberty to enter upon improve and occupy the surface and down to a depth of _____ feet below the surface of all that agricultural allotment situate in the parish of _____ county of _____ in the colony of Victoria containing _____ acres more or less and delineated on the plan prepared in accordance with the provisions of the 30th section of the Land Act 1890 and thereon numbered _____ in the said parish and also delineated on the plan drawn in the margin of these presents and thereon coloured yellow for the term of six years from the day of the date of this licence *Excepting and reserving unto Her Majesty her heirs and successors all gold and silver and auriferous and argentiferous earth or stone and all copper tin antimony coal and all other metals and minerals and mineral ores whatsoever and all mines seams veins lodes and deposits containing gold silver copper tin antimony coal and all other metals and minerals and mineral ores in upon and under the land hereby licensed together with liberty for Her Majesty her heirs and successors and her and their agents servants lessees licensees and assigns at any time or times during the said term to enter upon the said land and to search and mine therein for gold silver copper tin antimony coal and all other metals and minerals and mineral ores or to remove therefrom any gold silver auriferous and argentiferous earth or stone copper tin antimony coal and all other metals and minerals and mineral ores and for the purposes aforesaid to sink shafts make drives and do any other things which may be necessary or usual in mining and also excepting and reserving to Her Majesty her heirs and successors and the holder of a miner's right or a licence to search for metals and minerals or of a gold mining or mineral lease and their agents and servants tenants and workmen liberty and right of ingress egress and regress at all times through over and across the premises hereby licensed with or without horses cattle and other animals carts waggons and carriages to or from any claim or mine and to any public road or track subject to such regulations to be made by the Governor with the advice of the Executive Council as may for the time being be in force* The

land comprised in this licence is also subject both during the currency of this licence and after the licensee shall have acquired the fee-simple or leasehold thereof to the right of any person being the holder of a miner's right or a licence to search for metals and minerals or of a gold mining or mineral lease being allowed by the licensee his executors administrators and assigns to enter upon the area hereby licensed and search for gold silver copper tin antimony coal and other metals and minerals and mineral ores and to mine therein and thereon and to erect and occupy mining plant and machinery thereon in the same manner and under the same conditions and provisions as those on which such person had at the time of the passing of the Land Act 1890 the right to mine for gold and silver in and upon Crown lands provided that compensation shall be paid to the licensee by such persons for surface damage to be done to such lands by reason of mining thereon such compensation to be determined as by law required and the payment thereof to be a condition precedent to such right of entry and this licence is subject to the conditions that the licensee shall at all times during the currency hereof permit every such person to exercise the right aforesaid Yielding and paying therefor during the said term a yearly fee for this licence of Two shillings per annum for each and every acre or fractional part of an acre contained in the said allotment and such further fee (if any) fixed by any Order in Council made in that behalf under and by virtue of the provisions of section 17 of the Land Act 1891 the said yearly fee to be paid in advance by equal half-yearly payments on the first day of _____ and the first day of _____ in every year clear of all deductions the first of the said half-yearly payments having been made in advance the next of the said half-yearly payments to be made on the first day of _____ next and the last of the said half-yearly payments to be made on the first day of _____ next preceding the expiration of the term of this licence The licensee for himself his heirs executors and administrators hereby agrees with the Governor as follows:—

1. To pay the said licence-fee in moieties in advance at the times and in the manner hereinbefore appointed for payment thereof clear of all deductions.
2. To pay all existing and future rates assessments and taxes for the time being payable by landlord or tenant in respect of the premises.
3. That he will not during the currency of this licence assign the licence nor transfer his right title and interest therein or in the allotment hereinbefore described and herein comprised or any part thereof nor sub-let the said allotment or any part thereof.
4. To at once and to the satisfaction of the Board of Land and Works commence and continue to destroy and within two years after the issue of this licence to have destroyed to the satisfaction of the said Board the animals and birds by the said Acts included in the term "vermin" or which the Governor with the advice of the Executive Council may by proclamation in the Government Gazette declare to be vermin for the purposes of the said Acts upon such land and to keep the same free from such animals and birds to the satisfaction of the said Board during the currency of this licence.
5. That he will enclose within six years from the issue of this licence if not sooner called upon under the provisions of the Fences Act 1890 the land herein comprised with a fence of such kind as shall come within the meaning assigned to the word "fence" by the Land Act 1890 and keep the same in repair during the continuance of this licence.
6. That he will make and erect on the said allotment before the end of the third year from the commencement of this licence substantial and permanent improvements of the value of One pound for every acre and fractional part of an acre of the allotment and before the end of the sixth year from the said commencement of this licence substantial and permanent improvements of the value of One additional pound for every acre or fractional part of an acre of the allotment.
7. That he will at all times during the continuance of this licence *bonâ fide* comply with all and will not violate any of the provisions of the said Acts.

8. That the Governor with the advice of the Executive Council or the Board of Land and Works for and on behalf of Her Majesty her heirs and successors may at any time during the currency of this licence resume possession of all or any part or parts of the lands comprised in the said allotment which may be required for reserves for public purposes or for the purpose of water supply irrigation works races dams and ditches or for railways roads canals or for tramways or other internal communication or for mining purposes provided that any moneys which may have been paid by the licensee to the Crown in respect of the land so resumed or expended by him thereupon shall be repaid to him together with such other moneys as compensation for such resumption as to the Governor with the advice of the Executive Council seems fit. The preceding provision shall be construed as independent of and concurrent with the powers conferred by the 68th section of the *Land Act* 1890 and of the powers conferred by the last provision of this licence.

9. In case possession of any part or parts of the said lands be resumed as aforesaid or as hereinafter mentioned the agreements and conditions herein contained with reference to the whole shall continue in force and apply to such part as shall be left in the possession of the licensee.

10. That if and whenever any part of the said fees for this licence be in arrear whether the same have been demanded or not or if and whenever there shall be a breach of any of the agreements positive or negative by the licensee herein contained or if this licence be assigned whether by operation of law or otherwise save as in the said Acts is otherwise expressly provided or if the said allotment or any part thereof is sub-let or in case substantial and permanent improvements certified in writing under the seal of the Board of Land and Works or under the hands of arbitrators as provided by the said Act to be of the value of One pound for every acre and fractional part of an acre of the allotment have not been made on the said allotment by the licensee before the end of the third year from the commencement of this licence or in case substantial and permanent improvements certified as hereinbefore mentioned to be of the value of One additional pound for every acre and fractional part of an acre of the allotment have not been made on the said allotment by the licensee before the end of the sixth year from the commencement of this licence or if it at any time be shown to the satisfaction of the Governor with the advice aforesaid (and that it has been so shown the production of a copy of the *Government Gazette* containing a notice purporting to be signed by the responsible Minister of the Crown for the time being administering the Land Acts or Part I. Division 3 of the *Land Act* 1890 so declaring or notifying or declaring or notifying that this licence has become forfeited and void shall be conclusive evidence) that the licensee became such licensee or that he held or continued to hold this licence in violation of or non-compliance with any of the provisions of the Land Acts or that the licensee has committed a breach of or not fulfilled any of the conditions of this licence then and in any of such cases this licence shall be void and of no effect.

11. That ancillary and without prejudice to the provisions of the 45th and 125th sections of the *Land Act* 1890 it is hereby agreed that immediately upon this licence so becoming void and of no effect it shall be lawful for any bailiff of Crown lands or for any other agents or officers authorized in that behalf without any demand whatever to enter upon the said allotment and the licensee and all persons claiming under him for ever to expel and remove therefrom without any legal process whatsoever and as effectually as any sheriff might do in case Her Majesty had obtained judgment in ejectment or in an action for the recovery of land and a writ of *habere facias possessionem* or writ of possession or other process had issued on such judgment directed to such sheriff in due form of law and that in case of such entry and any action being brought or other proceedings taken for or on account of the same by any person whatsoever the defendants or defendant to such action may plead leave and licence thereto and these presents shall be conclusive evidence of the leave and licence of the licensee and all persons claiming under him to any bailiff of Crown lands and all persons acting in the matters complained of in such action or other proceeding.

12. That the lands hereby licensed shall during the currency of this licence be deemed lands of the Crown within the meaning of section 17 of the *Land Act* 1891 and that upon the making of any Order in Council under the provisions of the said section contained the enhanced licence-fee therefor fixed by such Order in Council shall be payable in respect of such lands as though such licence-fee had been so fixed prior to the making of this licence.

13. That if the licensee fence and make the improvements of the nature and value hereinbefore mentioned on the said allotment during the said respective periods of three and six years and prove to the satisfaction of the Board of Land and Works (to be certified under its seal) by such evidence as the said Board may require that he has complied with the said conditions and with all other conditions hereof he shall be entitled at any time after the period of the currency of the licence or during the term of the lease hereinafter mentioned to demand and obtain from the Governor in Council a Crown grant upon payment of Two pounds or such other sum (if any) not being less than one-eighth part greater nor more than double the sum of Two pounds as may be fixed by any Order in Council made in that behalf under and by virtue of the provisions of section 17 of the *Land Act* 1891 for each acre or fractional part of an acre or otherwise he may obtain a lease of the said allotment and such lease shall be for a term of fourteen years at a rent of Two shillings or of such other sum (if any) not being less than one-eighth part greater nor more than double the sum of Two shillings as may be fixed by any Order in Council as aforesaid per annum for each acre or fractional part of an acre so demised payable in equal parts half-yearly in advance and will contain the usual covenants for the payment of rent and a condition for re-entry on non-payment thereof and such other covenants conditions exceptions and reservations as the Governor in Council may direct.

14. That upon payment of the last sum due on account of the rent under any such lease or at any time during the term upon payment of the difference between the amount of rent actually paid and the entire sum of Two pounds or such other sum (if any) not being less than one-eighth part greater nor more than double the sum of Two pounds as may be fixed by any Order in Council as aforesaid for each acre or fractional part of an acre the lessee or his representatives shall be entitled to a grant in fee of the lands leased and every such grant shall be subject to such covenants conditions exceptions and reservations as the Governor in Council may direct.

15. In the case of the insolvency or death of the licensee during the currency of this licence it shall be lawful for the assignee or trustee in insolvency or for the executors or administrators of such licensee to assign within the time limited in that behalf by the said Acts such licence to any person who is qualified for becoming a licensee under Part I. Division 3 of the *Land Act* 1890 and such person shall thereupon be with respect to such licence in the same position as though he had been the original licensee.

16. Except as herein otherwise expressly provided the word "licensee" shall include his executors and administrators and any person or persons in whom this licence may under the provisions of the said Acts become vested.

17. The licensee for himself his executors and administrators further agrees with Her Majesty her heirs and successors in manner following that is to say In the event of the whole or any portion of the land hereby licensed being at any time or times required by the Victorian Railways Commissioners or by any other person or persons or corporation for the time being by any law in force in Victoria authorized to make construct manage or maintain any state railway or railways for the construction maintenance or management of any railway or railways or railway stations or for obtaining earth stone timber gravel or sand or any other materials or things or for railway water supply purposes or other works matters or conveniences in connection with any railway or railway works already or hereafter authorized to be constructed maintained or managed or by the Governor for the construction of water supply works irrigation works reservoirs dams races water-courses or drains or for public roads or highways to be hereafter set out by the authority of the Governor he the said licensee his executors and administrators will within one month upon receiving notice in writing from the Railways Commissioners or other person or persons or corporation aforesaid or from a responsible Minister of the Crown authorized by Order in Council that the land is so required relinquish possession of the land so required and all claim thereto provided that such licensee his executors or administrators shall for a period of one month after the receipt by him or them of such notice be entitled to remove all buildings erections or fences upon the land so required but such right shall be forfeited if the same be not exercised and such buildings erections or fences removed within the time hereinbefore limited and that neither he nor they will make any claim for compensation whatsoever for the said buildings erections or fences or for any improvements or for any moneys expended upon the said lands or for the cost which he or they may incur in such removal nor will he or they make any claim for compensation for any loss of frontage to or access from any road or roads in consequence of the construction of any such railway railway station or other works matters or conveniences And the said Railways Commissioners or other person or persons or corporation aforesaid shall not be liable to construct any crossings or other accommodation works under or upon any railway that may be made through or adjacent to such land or any part thereof nor will the licensee his executors or administrators make any claim for compensation for any right or interest which he or they may possess in such land beyond a proportionate reduction in the licence-fee which shall in all cases be fixed by an officer appointed by the Governor nor in respect of the severance from the other lands occupied by him or them under this licence And it is expressly agreed between the parties hereto that this agreement is to be construed as a release by the said licensee his executors and administrators to Her Majesty her heirs and successors from all or any payment to him or them and from all claims thereto which might otherwise have been made in respect of resumption of any portion of the land hereby licensed for any railway or railway station or railway water supply purposes or other works matters or conveniences or for the purposes of the construction of water supply works irrigation works reservoirs dams races water-courses or drains or for public roads or highways under the before contained conditions for resumption by or on behalf of Her Majesty her heirs and successors.

18. That the term "Governor" in these presents shall mean the Governor or the Administrator of the Government of Victoria for the time being by and with the advice and consent of the Executive Council thereof unless such meaning shall be inconsistent with the context.

In witness whereof His Excellency Governor and
 Commander-in-Chief in and over the Colony of Victoria and its
 Dependencies hath on behalf of Her Majesty the Queen caused this
 Indenture to be sealed with the seal of the said colony, and the licensee
 hath hereunto set his hand and seal. (I.S.)
 Signed sealed and delivered by the }
 above-named }
 in the presence of—

SCHEDULE 20.—(CHAP. VII. s. 13.)

APPLICATION TO PURCHASE.—SECTION 55, "LAND ACT 1890."

SIR,
 Address—
 Date—
 Being the *lessee of an allotment under the Land Act and
 licensee of an allotment under the Land Act and
 having established and cultivated a *vineyard, hop-garden, orchard, embracing
 acres within the boundaries of the said allotment, I hereby apply for
 a Crown grant for the land so cultivated as *vineyard, hop-garden, orchard,
 and not exceeding 20 acres; and, upon approval of this application, I am
 prepared to pay the difference between the amount of rent actually paid and the
 entire sum payable in respect of the said 20 acres.

For particulars of cultivation, &c., see within.
 I have the honour to be, Sir,
 Your most obedient servant,

The Honorable the President of
 The Board of Land and Works,
 * Here strike out the words not required.

Particulars of Cultivation.				
Number of Acres Cultivated.	Cost per Acre.	Nature of Crop.	Yield per Acre.	Cost.
Vineyard.				£ s. d.
Hop-garden.				
Orchard.				
All other Improvements.				
Description.				
Total Cost				£

SCHEDULE 21.—(CHAP. VII. s. 14.)

APPLICATION TO REGISTER A LICENCE LIEN.

Parish—
 Address—
 Date
 Sir,—Being the holder of a licence, No. _____, under section _____ of the *Land Act* to occupy the land specified in the margin hereof, having held such licence for the period of two years, and having effected improvements to the value of £ _____, as per schedule hereto, I hereby make application to register a "licence lien" on the said improvements in favour of _____ of _____ for the sum of £ _____

I have the honour to be, Sir,

Your most obedient servant,

The Honorable the President of
 The Board of Land and Works.

DECLARATION BY LICENSEE.

I _____ of _____ being the holder of a licence to occupy the above-mentioned allotment declare as follows:—

1. That I have paid £ _____ s. _____ d., being all fees due on the said licence to this date.
2. That I have not at any time assigned or sublet the said allotment or any part thereof, or transferred my interest or any part of my interest therein.
3. That within twelve months from the issue of the said licence I commenced to reside and have continued so to reside in my own proper person upon the said allotment.
4. That I have complied with all the other conditions of the said licence.
5. That I make this application in conformity with the provisions of the *Land Act 1890*, and not in violation of any of them.
6. That the statement made and the answers given by me in reply to the questions in the "Further Particulars" hereto subjoined are true and correct in every particular.

List of Improvements above referred to.

	Value.
Fencing	£ _____
Cultivation	_____
Buildings attached to soil, farm, or other	_____
Water storage	_____
All other improvements	_____

FURTHER PARTICULARS TO BE FURNISHED BY LICENSEE WHEN MAKING APPLICATION FOR THE REGISTRATION OF A LICENCE LIEN UNDER SECTION 57 OF THE "LAND ACT 1890."

Fencing.

Description thereof.	No. of Chains.	Cost per Chain.	Total Cost.
Is the land all enclosed? ... (See paragraph marked * post.) ...			£ _____ s. _____ d.
Post and 3-rail, split stuff ...			
Post and 2-rail, ditto ...			
Post, rail, and wire ...			
Post and wire ...			
Stone wall ...			
Stub or picket ...			
Log ...			
Chock and log ...			
Have you arranged with occupiers of adjoining lands for payment of any portion of the above fences?			
Who are the occupiers of the adjoining lands?			

Cultivation. †

Number of Acres Ploughed and Cultivated.	Cost per Acre.	Nature of Crop.	Yield per Acre.
First year ...			
Second year only, not including the first ...			
Third year only, not including the first and second ...			
How many acres in all, without showing the same land over again? }			

† In filling up the column headed "Cultivation" it should be understood that only the cost of cultivating new land for the first time will be allowed for; repeated cultivation of the same piece of ground should not be included. Ploughing alone, without cropping the land, is not deemed to be an improvement.

FURTHER PARTICULARS—continued.

Buildings.

Description.	Dimensions.	Materials.	Total Cost.
			£ s. d.
<i>Water Storage.</i>			
Description.	Dimensions, &c.		Total Cost.
Dam			
Reservoir			
Well			
<i>All Other Improvements.</i>			
Particulars of Nature and Cost.			
Total Cost of Improvements £			

How many rooms does your dwelling-house contain? ...
 Is it permanently attached to the soil of this allotment? ...
 Have you resided here continuously? ...
 Have you any other place of abode? If so, where? ...
 Where does your family reside? ...
 Have you or do you follow any other, if so, what business or employment? ...
 Do you own any land in fee simple? If so, state the number of acres, situation, and purpose to which it has been applied ...
 Do you hold any land under another licence or lease from the Crown? If so, state the number of acres, situation, and purposes to which it has been applied ...
 If in either of the above two last-mentioned cases the land has been cultivated, state the particulars thereof as fully as hereinbefore required, and also the distance in each case from this allotment ...
 If the condition of residence has not been complied with, state the reason why not ...
 If the condition of cultivation has not been complied with, state the reason why not ...
 * If the land is not enclosed as per licensed boundaries, state the reason why not ...

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Signature—
 Occupation—
 Address—

Declared at _____ in the colony of Victoria, this
 day of _____ 189 , before me _____ Bailiwick
 Justice of the Peace in and for the _____
 of the colony of Victoria.

† The magistrate's signature is only required here in cases where the applicant is a marksman and can neither read nor write.
 † I hereby certify that this declaration was read to the declarant in my presence this _____ day of _____ 189 _____
 Justice of the Peace in and for the _____ Bailiwick
 of the colony of Victoria.

SCHEDULE 22.—(CHAP. VII. s. 20.)

FORM WHICH MAY BE USED AS A LICENSEE'S LIEN ON HIS IMPROVEMENTS.

Parish— _____ of _____ being the holder of a licence, No. _____, under _____ of the *Land Act* to occupy the (agricultural) allotment specified in the margin hereof, in consideration of £ _____ which I have this day received from _____ of _____ do hereby give the said _____ a preferable lien (to the extent of the said sum and the interest hereinafter mentioned) on all my improvements on the said allotment; and it is hereby agreed that the said _____ shall be entitled to interest at the rate of _____ per centum per annum on the sum of £ _____ advanced as aforesaid, and that the said sum of £ _____ shall be repaid on the _____ day of _____ 189 _____, and the interest aforesaid shall be payable half-yearly from the date hereof.

Dated this _____ day of _____ A.D. 189 _____
 Witness— _____ Signed— _____

SCHEDULE 23.—(CHAP. VII. s. 26.)

THE "LAND ACT 1890," SECTION 57.—APPLICATION TO TRANSFER A LICENCE LIEN.

Address—
Date—

To the Honorable the Minister of Lands.

I Sir, of being the holder of a registered licence lien on the improvements effected on the licensed holding of being licence No. situate in the parish of containing acres, and all rents and fees due on such holding having been paid to date, make application to transfer, and I hereby transfer, all my right, title, and interest, in the said licence lien to of I forward herewith licence No. and lien for indorsement of transfer. I have the honour to be, Sir, Your most obedient servant,

Witness—

ACCEPTANCE OF TRANSFER OF LICENCE LIEN BY PROPOSED TRANSFERREE.

I of hereby accept the transfer of the undermentioned licence lien, subject to approval of application to register the same.

Date-- 189 Signature

Witness—

NOTE.—The fee for registration of transfer of a licence lien is One pound, which must be paid at the time of making the application.

SCHEDULE 24.—(CHAP. VII. s. 26.)

THE "LAND ACT 1890."—SECTION 57.

Address—
Date—

To the Honorable the Minister of Lands.

I Sir, of being the holder of a licence No. under section of the Land Act containing acres in the parish of upon which I have executed a licence lien in favour of of for £ hereby acknowledge that I am still indebted to the said in the total amount set forth in such lien. I have the honour to be, Sir, Your most obedient servant,

Witness—

SCHEDULE 25.—(CHAP. VII. s. 28.)

This lien has been transferred to of and said transfer has been registered in the Crown Lands Office, Melbourne.

Date-- 189 Secretary for Lands.

SCHEDULE 26.—(CHAP. VII. s. 16.)

LICENCE LIEN.—SECTION 57, "LAND ACT 1890."

A lien on the improvements made on the land represented in this licence for the sum of pounds in favour of of has this day been registered in the Crown Lands Office, Melbourne.

Date-- 189 Secretary for Lands.

SCHEDULE 27.—(CHAP. VII. s. 17.)

ENCUMBRANCES.

Description.	Names of the Parties thereto.	Amount.
Licence Lien--		

SCHEDULE 28.—(CHAP. VII. s. 18.)

Date—
Place—

I of being registered as the holder of a licence lien for the sum of pounds on the improvements made on the licensed holding of being acres roods perches in the parish of hereby notify that the said lien has been discharged and desire that the registration may be cancelled.

Signature—
Address—

Witness to signature—

July 6, 1893.

3018

SCHEDULE 29.—(CHAP. VII. S. 11.)

APPLICATION BY LICENSEE UNDER SECTION 42 OF THE "LAND ACT 1890"
FOR CONVERSION UNDER SECTION 50.

Address—
Date—

Extent of land—

A. R. P.
Parish—
Allotment—
Section—
Date of licence—

Sir,—Being the holder of a licence under section 42 of the *Land Act 1890* to occupy the land specified in the margin hereof, and desiring to avail myself of the provisions of section 50 of the said Act, I hereby apply that my present licence may be converted into a non-residence licence under section 49; and should such conversion be granted I undertake to carry out all the conditions imposed on licensees under section 49 of the *Land Act 1890*.

I have the honour to be, Sir,
Your obedient servant,

To the Honorable the President of
The Board of Land and Works, Melbourne.

DECLARATION BY LICENSEE.

I of being the holder of a licence to occupy the above-mentioned allotment, declare as follows:—

1. That I have paid £ s. d., being all fees due on the said licence.
2. That I have not at any time assigned or sublet the said allotment or any part thereof, or transferred my interest or any part of my interest therein.
3. That I have complied with all the conditions of the said licence.
4. That I make this application in conformity with the provisions of the *Land Act 1890*, and not in violation of any of them.
5. That the statements made and the answers given by me in reply to the questions in the "Further Particulars" hereto subjoined are true and correct in every particular.

List of Improvements above referred to.

	Value.
Fencing	£
Buildings attached to soil, farm, or other ...	
Water storage	
All other improvements	

FURTHER PARTICULARS TO BE FURNISHED BY LICENSEE UNDER SECTION 42 OF THE "LAND ACT 1890" WHEN MAKING APPLICATION FOR CONVERSION UNDER SECTION 50.

Fencing.

Description thereof.	No. of Chains.	Cost per Chain.	Total Cost.
Is the land all enclosed as per licensed boundaries? (See paragraph marked * post.) ...			£ s. d.
Post and 3-rail, split stuff			
Post and 2-rail ditto			
Post, rail, and wire			
Post and wire			
Stone wall			
Stub or picket			
Leg			
Chock and log			
Have you arranged with occupiers of adjoining lands for payments of any portion of the above fences?			
Who are the occupiers of the adjoining lands?			

Buildings.

Description.	Dimensions.	Materials.	Total Cost.
			£ s. d.

Water Storage.

Description.	Dimensions.
Dam	
Reservoir	
Well	

All other Improvements.

Particulars of Nature and Cost.

Total cost of Improvements	£
-----------------------------------	---

FURTHER PARTICULARS—continued.

How long have you resided on this land continuously }
 during the currency of your licence? ... }
 Where does your family reside? ... }
 Have you or do you follow any other, if so, what }
 business or employment? ... }
 Do you own any land in fee simple? If so, state the }
 number of acres, situation, and purpose to which }
 it has been applied? ... }
 (1) Do you hold, or have you at any time held, any }
 land under another licence or lease from the }
 Crown? (2) Do you still hold it? If not, state why }
 you parted with it, and to whom? (3) If still }
 held, state the number of acres, situation, and }
 purpose to which it has been applied ... }
 If in either of the above two last-mentioned cases }
 the land still held by you has been cultivated, }
 state the particulars thereof as fully as herein- }
 before required, and also the distance in each case }
 from this allotment ... }
 If the condition of residence has not been complied }
 with, state the reason why ... }
 *If the land is not enclosed as per licensed boundaries, }
 state the reason why ... }

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Signature—
 Occupation—
 Address—
 Declared at _____ in the colony of Victoria, this _____ day of _____ 189____, before me _____ Justice of the Peace in and for the _____ Bailiwick of the colony of Victoria.

† The magistrate's signature is only required here in cases where the applicant is a marksman, and can neither read nor write. † I hereby certify that this declaration was read to the declarant in my presence this _____ day of _____ Justice of the Peace in and for the _____ Bailiwick of the colony of Victoria.

NOTE.—District surveyors, land officers, and other officers connected with the Lands Department are directed to assist selectors in filling up this application and declaration. No fee is to be offered or accepted for such assistance. The form of application, when filled up, to be handed to the nearest land officer or Crown lands bailiff, who will forward it to the Secretary for Lands.

SCHEDULE 30.—(CHAP. VII. s. 11.)

APPLICATION BY HOLDER OF NON-RESIDENCE LICENCE FOR CONVERSION UNDER SECTION 50 OF THE "LAND ACT 1890."

Address—
 Date—
 Extent of land— Sir,—Being the holder of a non-residence licence under section 49 of the *Land Act 1890* for the land specified in the margin hereof, and desiring to avail myself of the provisions of section 50 of the said Act, I hereby apply that my present licence may be converted into an ordinary licence under section 42, and should such conversion be granted, I undertake to carry out all the conditions imposed on licensees under section 42 of the *Land Act 1890*.
 A. R. P. :
 Parish—
 Allotment—
 Section—
 Date of licence—

I have the honour to be, Sir,
 Your most obedient servant,

To the Honorable the President of
 The Board of Land and Works, Melbourne.

DECLARATION BY LICENSEE.

I _____ of _____, being the holder of a non-residence licence for the above-mentioned allotment, declare as follows:—
 1. That I have paid £ _____ s. _____ d., being all fees due on the said licence.
 2. That I have not at any time assigned or sublet the said allotment or any part thereof, or transferred my interest or any part of my interest therein.
 3. That I have complied with all the conditions of the said licence.
 4. That I make this application in conformity with the provisions of the *Land Act 1890*, and not in violation of any of them.
 5. That the statements made and the answers given by me in reply to the questions in the "Further Particulars" hereto subjoined are true and correct in every particular.

List of Improvements above referred to.

	Value.
Fencing	£ _____
Buildings attached to soil, farm, or other	... £ _____
Water storage	... £ _____
All other improvements	... £ _____

FURTHER PARTICULARS TO BE FURNISHED BY NON-RESIDENCE LICENSEE WHEN MAKING APPLICATION FOR CONVERSION UNDER SECTION 50 "LAND ACT 1890."

Fencing.

Description thereof.	No. of Chains.	Cost per Chain.	Total Cost.
Is the land all enclosed as per licensed boundaries? (See paragraph marked * post.)			£ s. d.
Post and 3-rail, split stuff
Post and 2-rail, ditto
Post, rail, and wire
Post and wire
Stone wall
Stub or picket
Log
Chock and log

FURTHER PARTICULARS--continued.

Description thereof.		—	Total Cost.
Have you arranged with occupiers of adjoining lands for payment of any portion of the above fences?			£ s. d.
Who are the occupiers of the adjoining lands?			
<i>Buildings.</i>			
Description.	Dimensions.	Materials.	
<i>Water Storage.</i>			
Description.	Dimensions, &c.		
Dam			
Reservoir			
Well			
<i>All other Improvements.</i>			
Particulars of Nature and Cost.			
Total cost of Improvements			£

How many rooms does your dwelling-house contain? ...
 Is it permanently attached to the soil of this allotment?
 How long have you resided on this land continuously }
 during the currency of your licence? }
 Have you any other place of abode? If so, where? ...
 What distance is it from the land the subject of this }
 application? }
 How long have you continuously resided thereon during }
 the time of your licence for the land referred to in this }
 application for lease? }
 Where does your family reside?
 Have you or do you follow any other, if so, what business }
 or employment; }
 Do you own any land in fee simple? If so, state the }
 number of acres, situation, and purpose to which it has }
 been applied }
 (1) Do you hold, or have you at any time held, any land }
 under another licence or lease from the Crown? (2) Do }
 you still hold it? If not, state why you parted with it, }
 and to whom? (3) If still held state the number of }
 acres, situation, and purpose to which it has been }
 applied }
 If in either of the above two last-mentioned cases the }
 land still held by you has been cultivated, state the }
 particulars thereof as fully as hereinbefore required, }
 and also the distance in each case from this allotment }
 * If the land is not enclosed as per licensed boundaries, }
 state the reason why }

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Signature—
 Occupation—
 Address—

Declared at _____ in the colony of Victoria, this
 day of _____ 189 before me, _____ Bailiwick.
 Justice of the Peace in and for the
 of the colony of Victoria.

† The magistrates signature is only required here in cases where the applicant is a marksman, and can neither read nor write.
 † I hereby certify that this declaration was read to the declarant in my presence this _____ day of _____ 189
 Justices of the Peace in and for the _____ Bailiwick
 of the colony of Victoria.

NOTE.—District surveyors, land officers, and other officers connected with the Lands Department are directed to assist selectors in filling up this application and declaration. No fee is to be offered or accepted for such assistance.
 The form of application, when filled up, to be handed to the nearest land officer or Crown lands bailiff, who will forward it to the Secretary for Lands.

SCHEDULE 31.—(CHAP. VII. s. 12.)

APPLICATION BY A LICENSEE TO REVERT TO "THE LAND ACT 1869."

Address—

Date—

Extent of Land— Sir,—Being the holder of a licence No originally
 A. R. P. granted under section 19 to *The Land Act 1869*, to occupy
 the land specified in the margin hereof and having had the
 Parish— terms and conditions of the said licence altered so as to
 Allotment— accord with the provisions of *The Land Act 1873*, I hereby
 Section— make application that the terms and conditions imposed
 Date of Licence— by the licence as originally granted may be reverted to.

I have the honour to be, Sir,
 Your most obedient servant,

To the Honorable the President of the
 Board of Land and Works, Melbourne.

DECLARATION BY LICENSEE.

NOTE.—If the licensee is not in a position to declare to clauses 3, 4, and 5, he is at liberty to strike them out, and to explain fully the cause of his non-compliance with the conditions therein specified.

- I of being the holder of a licence to occupy the above-mentioned allotment, declare as follows:—
1. That I have paid £ s. d., being all fees due on the said licence.
 2. That I have not at any time assigned or sublet the said allotment or any part thereof, or transferred my interest or any part of my interest therein.
 3. That within years from the issue of the said licence I enclosed the said allotment with a good and substantial fence.
 4. That during the currency of the said licence I cultivated at least one acre out of every ten in the said allotment.
 5. That within months from the issue of the said licence, and thenceforward during the continuance thereof, I resided in my own proper person for a period of not less than upon the said allotment.
 6. That before the end of the year from the commencement of the said licence I made upon the said allotment permanent and substantial improvements of the value of One pound for every acre and fractional part of an acre contained therein.
 7. That I have complied with all the other conditions of the said licence.
 8. That I make this application in conformity with the provision of the *Land Act 1890*, and not in violation of any of them.
 9. That the statements made and the answers given by me in reply to the questions in the "Further Particulars" hereto subjoined are true and correct in every particular.

List of Improvements above referred to.

	Value.
Fencing	£
Cultivation	
Buildings, attached to soil, farm, or other ...	
Water storage	
All other improvements	

FURTHER PARTICULARS TO BE FURNISHED BY LICENSEE WHEN MAKING APPLICATION TO REVERT TO THE "LAND ACT 1890."

Fencing.

Description thereof.	No. of Chains.	Cost per Chain.	Total Cost.
Is the land all enclosed as per licensed boundaries?			£ s. d.
(See paragraph marked * post.)			
Post and 3-rail, split stuff			
Post and 2-rail, ditto			
Post, rail, and wire			
Post and wire			
Stone wall			
Stub or picket			
Log			
Check and log			
Have you arranged with occupiers of adjoining lands for payment of any portion of the above fences? ...			
Who are the occupiers of the adjoining lands?			

Cultivation.†

No. of Acres Ploughed and Cultivated.	Cost per Acre.	Nature of Crop.	Yield per Acre.
First year			
Second year only, not including the first			
Third year only, not including the first and second			
Fourth year only, not including the previous years			
Fifth year only, not including the previous years			
Sixth year only, not including the previous years			
How many acres in all, without showing the same land over again?			

† In filling up the column headed "Cultivation" it should be understood that only the cost of cultivating new land for the first time will be allowed for: repeated cultivation of the same piece of ground should not be included. Ploughing alone, without cropping the land, is not a compliance with the cultivation condition.

SCHEDULE 32.—(CHAP. VII. s. 30.)

APPLICATION FOR LEASE OR CROWN GRANT BY LICENSEE OF AN AGRICULTURAL ALLOTMENT UNDER THE "LAND ACT 1890."

Address—

Post Town—

Date—

Extent of Land— Sir,
 A. R. P. Being the holder of a licence, No. under Section 42 of the *Land Act* 1890, to occupy the land specified in the margin hereof, and having occupied the said land for a period of at least years, and having complied with the conditions of such licence, I hereby apply for a *Lease of the said land, and for the certificate of the Board of Land and Works for the improvements thereon; and I send herewith, in support of such application, my declaration that I now make the said application in conformity with and not in violation of any of the provisions of the said Act.

* If a Lease be applied for, the word grant should be struck out and *vice versa*.

I have the honour to be, Sir,
 Your most obedient servant,

To the Honorable the President of the Board of Land and Works, Melbourne.

DECLARATION BY LICENSEE.

NOTE.—If the licensee is not in a position to declare to clauses 3, 4, and 5, he is at liberty to strike them out, and to explain fully the cause of his non-compliance with the conditions therein specified.

I of being the holder of a licence to occupy the above-mentioned allotment, declare as follows:—

1. That I have paid £ s. d., being all fees due on the said licence.
2. That I have not at any time assigned or sublet the said allotment or any part thereof, or transferred my interest or any part of my interest therein.
3. That within years from the issue of the said licence I enclosed the said allotment with a good and substantial fence.
4. That within months from the issue of the said licence, and thenceforward during the continuance thereof, I resided in my own proper person for a period not less than upon the said allotment.
5. That before the end of the year from the commencement of the said licence I made upon the said allotment permanent and substantial improvements of the value of One pound for every acre and fractional part of an acre contained therein.
6. That I have complied with all the other conditions of the said licence.
7. That I make this application in conformity with the provisions of the *Land Act* 1890, and not in violation of any of them.
8. That the statements made and the answers given by me in reply to the questions in the "Further Particulars" hereto subjoined are true and correct in every particular.

List of Improvements above referred to.

	Value.
Fencing	£
Buildings attached to soil, farm, or other ...	
Water storage	
All other improvements	

FURTHER PARTICULARS TO BE FURNISHED BY LICENSEE WHEN MAKING APPLICATION FOR CROWN GRANT OR LEASE UNDER SECTION 44 "LAND ACT 1890."

Fencing:—	Description thereof.	No of Chains.	Cost per Chain.	Total Cost.
	Is the land all enclosed as per licensed boundaries? (See paragraph marked * <i>post.</i>)			£ s. d.
	Post and 3-rails, split stuff			
	Post and 2-rails, ditto			
	Post, rail, and wire			
	Post and wire			
	Stone wall			
	Stub or picket			
	Log			
	Chock and log			
	Have you arranged with occupiers of adjoining lands for payment of any portion of the above fences?			
	Who are the occupiers of the adjoining lands?			
Buildings:—	Description.	Dimensions.	Materials.	Total Cost.
				£ s. d.

FURTHER PARTICULARS—continued.

Water stor- age:—	Description.	Dimensions, &c.	Total Cost.
			£ s. d.
	Dam		
	Reservoir		
	Well		
All other im- provements:	Particulars of Nature and Cost.		
	Total Cost of Improvements		£
How many rooms does your dwelling-house contain?			
Is it permanently attached to the soil of this allotment?			
How long have you resided on this land continuously during the currency of your licence?			
Have you any other place of abode? If so, where?			
What distance is it from the land the subject of this application?			
How long have you continuously resided thereon during the time of your licence for the land referred to in this application for lease?			
Where does your family reside? ... Have you or do you follow any other, if so, what business or employment?			
Do you own any land in fee simple? If so, state the number of acres, situation, and purpose to which it has been applied			
(1) Do you hold, or have you at any time held, any land under another licence or lease from the Crown? (2) Do you still hold it? If not, state why you parted with it, and to whom. (3) If still held, state the number of acres, situation, and purpose to which it has been applied			
If in either of the above two last-mentioned cases the land still held by you has been cultivated, state the particulars thereof as fully as hereinbefore required, and also the distance in each case from this allotment			
Have you assigned this selection for the benefit of your creditors, or have you become insolvent since the date of your licence for the land referred to herein			
* If the land is not enclosed as per licensed boundaries, state the reason why			

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Signature—

Occupation—

Address—

Declared at _____ in the colony of Victoria, this _____ day of
189 _____ before me, _____ Justice of the Peace in and for the _____ Bailiwick
of the colony of Victoria.

† The magistrate's signature is only required here in cases where the applicant is a markeman, and can neither read nor write. † I hereby certify that this declaration was read to the declarant in my presence this _____ day of 189 _____ Justice of the Peace in and for the _____ Bailiwick of the colony of Victoria.

NOTE.—District surveyors, land officers, and other officers connected with the Lands Department are directed to assist selectors in filling up this application and declaration. No fee is to be offered or accepted for such assistance.

The form of application, when filled up, to be handed to the nearest land officer or Crown lands bailiff, who will forward it to the Secretary for Lands.

SCHEDULE 33.—(CHAP. VII. s. 31.)

No. of Certificate.

CERTIFICATE OF IMPROVEMENTS.

The *Land Act* 1890.—Section 44.Office of the Board of Land and Works,
Melbourne.

This is to certify that substantial and permanent improvements to the value of One pound for every acre or fractional part of an acre contained in allotment of section in the parish of containing acres roads perches, held under licence by since 189 have been made on the said allotment, and that the said has proved to the satisfaction of the Board that he has complied with all other conditions of the said licence.

The common seal of the Board of Land and Works was hereunto affixed this day of 189 in the presence of the undersigned two members of the said Board.

President.
Member.

SCHEDULE 34.—(CHAP. VII. s. 32.)

APPLICATION FOR CERTIFICATE OF THE BOARD OF LAND AND WORKS BY NON-RESIDENCE LICENSEE UNDER SECTION 49 OF THE "LAND ACT 1890."

Address—

Post Town—

Date—

Extent of land— Sir,—Being the holder of a licence No. under section 49, A. R. P. of the *Land Act* 1890, to occupy the land specified in the margin hereof, and having held the said land for a period of Parish— at least* three years, and having complied with the conditions of such licence as far as required for the* first term of three years, I hereby apply for the certificate of the Board of Land and Works for the improvements thereon; and I send herewith in support of such application my declaration that I now make the said application in conformity with and not in violation of any provisions of the said Act.

I have the honour to be, Sir,
Your most obedient servant,

To the Honorable the President of the
Board of Land and Works, Melbourne.

DECLARATION BY LICENSEE.

I of , being the holder of a licence to occupy the above-mentioned allotment, declare as follows:—

1. That I have paid £ s. d., being all fees due on the said licence.
2. That I have not at any time assigned or sublet the said allotment or any part thereof, or transferred my interest or any part of my interest therein.
3. That before the end of the* third sixth year from the commencement of the said licence I made upon the said allotment permanent and substantial improvements of the value of * One pound Two pounds for every acre and fractional part of an acre contained therein.
4. That I make this application in conformity with the provisions of the *Land Act* 1890, and not in violation of any of them.
5. That the statements made and the answers given by me in reply to the questions in the "Further Particulars" hereto subjoined are true and correct in every particular.

List of Improvements above referred to.

	Value.
Fencing	£
Cultivation	
Buildings attached to soil, farm, or other ...	
Water storage	
All other improvements	

FURTHER PARTICULARS TO BE FURNISHED BY NON-RESIDENCE LICENSEE WHEN MAKING APPLICATION, AT THE EXPIRATION OF* THREE SIX YEARS OF THE TERM, FOR THE CERTIFICATE OF THE BOARD OF LAND AND WORKS.

Fencing.

Description thereof.	No. of Chains.	Cost per Chain.	Total Cost.
Is the land all enclosed? ...			£ s. d.
Post and 3-rail, split stuff ...			
Post and 2-rail, ditto ...			
Post, rail, and wire ...			
Post and wire ...			
Stone wall ...			
Stub or picket ...			
Log ...			
Chock and log ...			

* The applicant is directed, when making an application for a certificate after the first three years' occupancy, to strike out the words "six," "second," and "Two pounds," and vice versa when applying at the end of the sixth year.

July 6, 1893.

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FURTHER PARTICULARS—continued.
Fencing—continued.

Description thereof.	—	Total Cost.
Have you arranged with occupiers of adjoining lands for payment of any portion of the above fences?		£ s. d.
Who are the occupiers of the adjoining lands?		

Cultivation.*

Number of Acres Ploughed and Cultivated.	Cost per Acre.	Nature of Crop.	Yield per Acre.	Total Cost.
First year				£ s. d.
Second year only, not including the first				
Third year only, not including the first and second				
Fourth year only, not including the first, second, and third				
Fifth year only, not including the first, second, third, and fourth				
Sixth year only, not including the first, second, third, fourth, and fifth				
How many acres in all, without showing the same land over again?				

Buildings.

Description.	Dimensions.	Materials.

Water Storage.

Description.	Dimensions, &c.
Dam	
Reservoir	
Well	

All other Improvements.

Particulars of Nature and Cost.

Total Cost of Improvements	£
-----------------------------------	---

And I make this solemn declaration, conscientiously believing the same to be true and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Signature—

Occupation—

Address—

Declared at _____, in the colony of Victoria, this _____ day of _____, 189 before me, _____ Justice of the Peace in and for the _____ Bailiwick of the colony of Victoria.

† The magistrate's signature is only required here in cases where the applicant is a markman, and can neither read nor write. † I heroby certify that this declaration was read to the declarant in my presence this _____ day of _____, 189 of _____ Justice of the Peace in and for the _____ Bailiwick of the colony of Victoria.

NOTE.—District surveyors, land officers, and other officers connected with the Lands Department are directed to assist selectors in filling up this application and declaration. No fee is to be offered or accepted for such assistance.

The form of application, when filled up, to be handed to the nearest land officer or Crown lands bailiff, who will forward it to the Secretary for Lands.

* In filling up the column headed "Cultivation," it should be understood that only the cost of cultivating new land for the first time will be allowed for; repeated cultivation of the same piece of ground should not be included. Ploughing alone, without cropping the land, is not deemed to be an improvement.

SCHEDULE 35.—(CHAP. VII. s. 32.)

No. of Certificate—

Non-Residence Licence.

CERTIFICATE OF IMPROVEMENTS.

The *Land Act* 1890.—Section 49.Office of the Board of Land and Works,
Melbourne.

This is to certify that substantial and permanent improvements to the value of One pound for every acre and fractional part of an acre contained in allotment of section in the parish of containing acres roads perches held under a non-residence licence by since 189 have been made on the said allotment, before the end of the third year of the currency thereof [and before the end of the sixth year of such currency, of the value of One additional pound] and that the said has proved to the satisfaction of the Board that he has complied with the conditions of the said licence.

The words in brackets to be struck out when the certificate is for improvements after the first three years.

The common seal of the Board of Land and Works was hereunto affixed this day of 189 in the presence of the undersigned two members of the said Board.

President.
Member.

SCHEDULE 36.—(CHAP. VII. s. 33.)

FORM OF APPOINTMENT OF ARBITRATOR BY BOARD OF LAND AND WORKS UNDER SECTION 46 OF THE "LAND ACT 1890."

In the matter of the *Land Act* 1890, and of the improvements made on allotment by of in the colony of Victoria, the licensee of such allotment, under the 42nd section of the *Land Act* 1890, which licence is dated on the day of 189

Whereas the Board of Lands and Works is not satisfied that substantial and permanent improvements to the value of One pound for every acre and fractional part of an acre have been made on the above allotment before the end of the third year from the date of the said licence: And whereas the said is desirous of having the said improvements valued by arbitration in the manner provided by the said Act: Now therefore the Board of Land and Works doth hereby appoint of in the said colony, as the arbitrator on its part and behalf, with all the powers conferred by the said Act, to value the said improvements.

The common seal of the Board of Land and Works was hereunto affixed this day of 189, in the presence of
(L.S.)

President.
Member.

SCHEDULE 37.—(CHAP. VII. s. 33.)

FORM OF APPOINTMENT OF ARBITRATOR BY LICENSEE UNDER SECTION 36 OF THE "LAND ACT 1890."

In the matter of the *Land Act* 1890 and of the improvements made on allotment by of in the colony of Victoria, the licensee of such allotment under the section of the said Act, which licence is dated the day of 189

Whereas the Board of Land and Works is not satisfied that substantial and permanent improvements of the value of One pound for every acre and fractional part of an acre have been made on the above allotment before the end of the third year from the date of the said licence: And whereas the said is desirous of having the said improvements valued by arbitration in the manner provided by the said Act: Now therefore the said doth hereby appoint of in the said colony, as the arbitrator on his part and behalf, with all the powers conferred by the said Act, to value the said improvements.

As witness his hand this day of 189
Witness—

SCHEDULE 38.—(CHAP. VII. s. 33.)

FORM OF APPOINTMENT UNDER SECTION 46 OF THE "LAND ACT 1890" OF A THIRD ARBITRATOR, WHEN BOARD AND LICENSEE CANNOT AGREE.

In the matter of the *Land Act* 1890 and of the improvements made on allotment by in the colony of Victoria, the licensee under the 42nd section of the *Land Act* 1890, and which licence is dated the day of 189

We, of in the colony of Victoria, the arbitrator appointed by and on behalf of the Board of Land and Works, and of in the said colony, the arbitrator appointed by the above-named do by this writing under our hands, signed by us, nominate and appoint of in the said colony, to be the third arbitrator to value the improvements on the above allotment, pursuant to the above Act.

As witness our hands this day of 189
Witness—

July 6, 1893.

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SCHEDULE 39A.—(CHAP. VII. s. 34.)

13.6.92 LEASE OF AN AGRICULTURAL ALLOTMENT UNDER SECTIONS 44 AND 49 OF THE "LAND ACT 1890" AS AMENDED BY THE "LAND ACT 1891."

Entered in the Register Book, vol. fol.

Registrar of Titles.

THIS Indenture made between His Excellency Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies in the name and on behalf of Her Most Gracious Majesty Queen Victoria of the one part and (hereinafter called the "lessee") of the other part: Witnesseth that in consideration of the rent hereby reserved and the covenants and conditions herein contained and on the part of the lessee his executors administrators and assigns to be observed and performed Her Majesty doth by these presents grant and demise unto the lessee the surface and down to a depth of feet below the surface of all that piece of land in the colony of Victoria containing and shown with the measurements and abutments thereof in the map or diagram drawn in the margin of these presents and in such map or diagram coloured yellow to hold the said piece of land unto the lessee his executors administrators and approved assigns from the day of in the year of our Lord One thousand eight hundred and for the term of years yielding and paying for the same unto Her Majesty the Queen Her heirs and successors during the said term the rent of shilling per annum for every acre and fractional part of an acre of the said land together with such further rent (if any) fixed by any Order in Council made in that behalf under and by virtue of the provisions of section 17 of the *Land Act 1891* such rent to be always paid by equal half-yearly payments in advance on the first day of January and the first day of July in each year and the next payment thereof to be made on the day of next Reserving and excepting unto Her Majesty her heirs and successors the right of resumption for the public purposes and in accordance with the provisions and conditions hereinafter expressed and contained such parts of the said land as shall from time to time be required by the Governor in Council for the formation and construction of public roads highways or bridges and also such parts of the said land as shall from time to time be required by the Board of Land and Works for the construction of railways railway stations or railway works already or hereafter authorized to be constructed and also such parts of the said land as shall from time to time be required for the execution construction completion or extension of any waterworks or irrigation works now made or in the course of construction or hereafter to be made under the authority of any present or future laws such parts of the said land when the same may be required for any of the said purposes to be set out by description in a proclamation in the *Government Gazette* and also described in a notice in writing to the lessee his executors administrators or transferees by the Governor acting by and with the advice and consent of the Executive Council such notice to the lessee his executors administrators and transferees to be sent through the post office addressed to the occupier of the land Excepting also unto Her Majesty her heirs and successors all gold and silver and auriferous and argentiferous earth or stone and all copper tin antimony coal and all other metals and mineral ores whatsoever and all mines seams veins lodes and deposits containing gold silver copper tin antimony coal and all other metals and minerals and mineral ores in upon and under the demised land together with liberty to Her Majesty her heirs and successors and her and their agents servants lessees licensees and assigns at any time or times hereafter during the said term to enter upon the said land and to search and mine therein for gold silver copper tin antimony coal and all other metals and minerals and mineral ores and to extract and remove therefrom any gold silver and any auriferous and argentiferous earth or stone copper tin antimony coal and all other metals and minerals and mineral ores and for the purpose aforesaid to sink shafts erect machinery carry on any works and do any other things which may be necessary or usual in mining Provided that the said land is and shall be subject to the right of any person being the holder of a miner's right or of a licence to search for metals and minerals or of a mining or mineral lease to enter thereon and to mine for gold silver copper tin antimony coal and all other metals and minerals and mineral ores and to erect and occupy mining plant or machinery thereon in the same manner and under the same conditions and provisions as those to which such person had at the time of the passing of the *Land Act 1890* the right to mine for gold and silver in and upon Crown lands provided that compensation shall be paid to the lessee his executors administrators assigns and transferees by such person for surface damage to be done to such lands by reason of mining thereon such compensation to be determined as provided by law and the payment thereof to be a condition precedent to such right of entry. And provided also that the said land may be resumed under section 68 of the said Act. And the lessee for himself his heirs executors administrators and assigns doth hereby covenant with her said Majesty her heirs and successors that he the lessee his executors administrators or assigns will observe perform and be bound by the several covenants conditions provisos agreements acts matters and things hereinafter contained (that is to say):—

1. That he or they will during the said term pay unto Her Majesty her heirs and successors the rent hereby reserved by equal half-yearly payments in advance on the days hereinbefore appointed for the payment thereof.

2. That he or they will not at any time during the continuance of the term hereby granted without a licence from the Governor search in the land hereby demised for or take therefrom any metal or mineral or mineral ore.

3. That he or they will observe perform fulfil and be bound by the stipulations conditions covenants and provisos contained in the schedule hereto.

4. That these presents are upon this express condition that if at any time and as often as during the said term any part or parts of the said land are required by the Governor in Council for the formation and construction

of roads or bridges proposed by the Public Works Department or other public body or officer authorized in that behalf or are required by the Board of Land and Works for the construction of railways railway stations or railway works already or hereafter authorized to be constructed or are required by the Governor in Council or by any corporation person or persons acting in behalf of the Government of Victoria or by any public water trust or irrigation trust or body constituted under the present or future laws for the purpose of the making execution construction completion or extension of any such railway waterworks or irrigation works which they it or he may already or hereafter be authorized to make carry on execute construct complete or extend it shall be lawful for the Governor in Council by proclamation in the *Government Gazette* and by notice in writing to the lessee his executors administrators or transferees or to the occupier of the said land sent through the post office and addressed to the occupier of the said land to set out the part or parts of the said land which shall be so required for any of the said purposes and so soon as

July 6, 1893.

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SCHEDULE 42.—(CHAP. VIII. s. 1.)

FORM OF APPLICATION FOR A LICENCE TO OCCUPY LAND UNDER THE 65TH SECTION OF THE "LAND ACT 1890."

In pursuance of the Land Act 1890, I, the undersigned, being of the full age of eighteen years, do hereby make application for a licence under the 65th section thereof to occupy the land marked out by me on the day of and specified hereunder; and I request that (if necessary) an authorized surveyor be instructed to make a survey for me and on my account of the said allotment and to supply a plan of same; and I undertake to pay all duly authorized fees for the making of the said survey and plan, or for any modification thereof, and to accept a licence subject to a condition that should the said land or any part thereof be required for the use of any projected railway, or for mining purposes, I shall relinquish possession of the land in respect of which such licence may be issued, or any part thereof that may be required for any such purposes, subject to such conditions regarding compensation as may be prescribed by Regulations.

Signature in full—

Occupation—

Address, post town—

If owner of land in fee simple, state extent ...
If now or previously the holder of a licence under the Land Act 1890, state particulars ...
If a selector under previous Land Acts, state particulars ...
Have you at any time selected or applied for land under section 65 of the Land Act 1890? ...

Table with 3 columns: Situation and Extent of Land applied for, Description, containing the lengths and bearings of the boundary lines of the site applied for, and its connexion with a fixed point in a Government survey as shown on plan herewith, Land Officer's Report. Rows include County of, Parish of, Allotment, Section, Area— A. R. F., and Land Officer.

NOTE.—This application will not be received by the Land Officer unless accompanied by a "certificate of Registration," which can be obtained by any Receiver of Revenue on payment of a fee of One pound (£1).

SCHEDULE 43A.—(CHAP. VIII. s. 3.)

Land Act 1890, Section 65. (Land Act 1891, Section 11.)

13.6.92

RESIDENCE AND CULTIVATION LICENCE ON AURIFEROUS LANDS.

KNOW ALL MEN that I, the Governor of Victoria, in pursuance of the provisions of the Land Act 1890, as amended by the Land Act 1891, and in consideration of the sum of pounds shillings paid by of to the Receiver and Paymaster at , or other officer authorized to receive the same, and subject to the terms and conditions specified on the back hereof, do hereby give to the said full licence and authority so far as regards the surface, and down to a depth of feet below the surface, to reside on or cultivate all that piece or parcel of auriferous Crown land more particularly described in the schedule hereto, which land is within the areas described in the Second Schedule to the Land Act 1890, and is not comprised within any city or town, for one year from the date hereof, unless the same be forfeited in accordance with the said conditions.

Dated this day of A.D. 189

SCHEDULE. About acres. Allotment , section , parish of , county of

Conditions.

- 1. This licence only gives to the licensee the right to use the surface of the land and down to a depth of feet below the surface, and only for the purposes for which the licence has been granted, and for no other purpose whatsoever.
2. The licensee will not be permitted to assign or sublet the land or any part thereof, or to part with the possession thereof, or of his interest therein, without the consent of the Minister of the Crown for the time being administering Part I., Division 4, of the Land Act 1890 (hereinafter called the Minister) first had and obtained.
3. The licensee is required to reside on the land during the continuance of this licence, or within a period of four months from the date hereof to enclose the same with a good and substantial fence, and cultivate at least one-fifth portion thereof.
4. Nothing contained in this licence shall prevent the person or persons seized of the right, title, and interest in any claim or claims which were taken up under miners' rights prior to the date of this licence from entering upon any portion of the land the subject of this licence and holding and occupying the same for mining purposes, without paying any compensation whatsoever; and all such claimholders and their workmen, with or without carts or vehicles, shall at all times have free ingress, egress, and regress to, out of, and upon the said land to and from such claim or claims.

5. It shall be lawful for the Governor or Administrator of the Government of Victoria, with the advice of the Executive Council, from time to time and at all times during the continuance of this licence, to resume any portion of the land hereby licensed, to be set out by the said Governor or Administrator, with the advice aforesaid, if the same be required for any of the purposes for which land may be reserved under the 10th section of the *Land Act 1890* or for mining purposes, on paying to the licensee such compensation as the Minister may think fit in respect of such land so resumed, but the licensee shall not be entitled to receive or be paid any compensation for severance.

6. The licence may be forfeited if the licensee commit a breach of, or neglect to comply with, any of these conditions.

7. The publication of a notice in the *Government Gazette* purporting to declare that the Governor or Administrator, with the advice aforesaid, has forfeited this licence shall be conclusive evidence that the licence is forfeited.

8. Notwithstanding anything contained in the fourth and fifth conditions of this licence, any holder of a miner's right or of a licence to search for metals or minerals or of a gold mining or mineral lease shall have the right and shall be allowed to enter upon the land and search for gold, silver, copper, tin, antimony, coal, and other metals and minerals and mineral ores, and to mine thereon, and to erect and occupy mining plant and machinery within the area without making compensation to the licensee for surface or other damage: Provided always that such portions of the land as shall be occupied by buildings shall be secure from such intrusion, unless with the consent of the licensee.

9. If the land comprised in this licence is fenced, wholly or partly, the licensee shall post, and keep posted at conspicuous places, notices to the effect that the land is licensed under section 65 of the *Land Act 1890*, and may be entered upon at any time for mining purposes, and shall also paint in red colour the corner posts and gate posts in connexion with such fencing from one (1) foot from the ground to the top of the posts as a further indication that the land is available to the miner.

SCHEDULE 44.—(CHAP. VIII. s. 6.)

FORM OF INDORSEMENT ON ISSUE OF NEW LICENCE UNDER SECTION 65, "LAND ACT 1890."

His Excellency the Governor has granted a new licence to the person and for the land and subject to the conditions described in the document to which this is affixed for one year ending 189 , and no longer (see *Government Gazette*, dated 189 , page), and the sum of pounds shillings and pence has been received as fees for the same. A separate receipt for this amount has also been given. Dated at this day of 189 Receiver of Revenue.

SCHEDULE 45A.—(CHAP. VIII. s. 13.)

FORM OF APPLICATION FOR A LICENCE TO OCCUPY WORKED-OUT AURIFEROUS LAND UNDER SECTION 22 OF THE "LAND ACT 1891."

In pursuance of the *Land Act 1891*, I, the undersigned, being of the full age of eighteen years, do hereby make application for a licence under the 22nd section thereof to occupy acres of worked-out auriferous land, marked out by me on the day of 189 , and specified hereunder; and I undertake to pay all duly authorized fees for the making of any survey and plan that may be necessary, or for any modification thereof, and to accept a licence for seven years, or for any less term, subject to such conditions and covenants as the Governor in Council may think fit to insert therein with respect to resumption for any public purpose, amount of and time of payment of rent, residence or non-residence, making of improvements thereon, and with respect to any other matters whatsoever.

Signature in full—

Occupation—

Address, post town—

If owner of land in fee simple, state extent

If now or previously the holder of a licence under the *Land Act 1890*, state particulars

If a selector under previous Land Acts, state particulars

Have you at any time selected or applied for land under section 65 of the Land Acts 1884 or 1890?

Do you propose to reside on the licensed land?

Situation and extent of Land applied for.	Description of the position of the land applied for, and its connexion with a surveyed allotment.	Land Officer's Report.
County of		
Parish of		
Allotment		
Section		
Area—		
A. R. P.		Land Officer.

NOTE.—This application will not be received by the Land Officer unless accompanied by a "Certificate of Registration," which can be obtained from any Receiver of Revenue on payment of a fee of One pound (£1).

July 6, 1893.

3032

Section 22 of the *Land Act 1891*.

SCHEDULE 46A.—(CHAP. VIII. s. 16.)

LICENCE TO OCCUPY FOR RESIDENCE, BUSINESS, OR CULTIVATION PURPOSES
WORKED-OUT AURIFEROUS LANDS.

KNOW ALL MEN that I, the Governor of Victoria, in pursuance of the provisions of the *Land Act 1891*, and in consideration of the annual licence-fee of _____ pounds _____ shillings to be paid yearly in advance on the first day of _____ in each year during the continuance of this licence (the sum of £ _____ s. _____ d., the first of such payments, having been made by _____ to the Receiver and Paymaster at _____ or other officer authorized to receive the same), and subject to the terms and conditions specified on the back hereof, do hereby give to the said _____ full licence and authority to reside on and carry on business on or cultivate all that piece or parcel of worked-out auriferous Crown land more particularly described in the schedule hereto, which land is within the areas described in the Second Schedule to the *Land Act 1890*, and is not comprised within any city or town, and has been declared to be worked-out auriferous land by Order in Council published in the *Government Gazette*, for _____ years from the date hereof, unless the same be forfeited in accordance with the said conditions.

Dated this _____ day of _____ A.D. 189 _____

SCHEDULE.

Allotment _____ About _____ acres.
of _____, section _____, parish of _____, county _____

Conditions.

1. This licence is conditional on the licensee paying his rent in the manner and at the time provided by the licence.
2. This licence only gives to the licensee the right to use the land for the purposes for which the licence has been granted, and for no other purpose whatsoever.
3. The land the subject of this licence extends to a depth of fifty feet from the surface, and no further.
4. The licensee may, with the consent of the Minister of the Crown for the time being administering the *Land Act 1891*, hereinafter called the Minister, first had and obtained, assign or give a lien over the land or any part thereof, but not more than one licence shall be held by one and the same person, whether obtained by assignment, operation of law, or otherwise.
5. The licensee is required within a period of four months from the date hereof to enclose the land with a good and substantial fence and to reside on or to erect a place of business and occupy same on the land during the continuance of this licence, or to keep in cultivation at least one-fifth portion thereof during the first year, and a further one-fifth portion during the second, third, fourth, and fifth years respectively.
6. Nothing contained in this licence shall prevent the person or persons seized of the right, title, and interest in any claim or claims which were taken up under miners' rights prior to the date of this licence from entering upon any portion of the land the subject of this licence and holding and occupying the same for mining purposes without paying any compensation whatsoever; and all such claimholders and their workmen, with or without carts or vehicles, shall at all times have free ingress, egress, and regress to, out of, and upon the said land to and from such claim or claims.
7. It shall be lawful for the Governor or Administrator of the Government of Victoria, with the advice of the Executive Council, from time to time and at all times during the continuance of this licence, to resume any portion of the land hereby licensed, to be set out by the Governor or Administrator, with the advice aforesaid, if the same shall be required for any of the purposes for which land may be reserved under the 10th section of the *Land Act 1891*, or for mining purposes, on paying to the licensee such compensation as the Minister may think fit in respect of such land so resumed, but the licensee shall not be entitled to receive or be paid any compensation for severance.
8. The licence may be forfeited if the licensee commit a breach of or neglect to comply with any of these conditions.
9. The publication of a notice in the *Government Gazette* purporting to declare that the Governor or Administrator, with the advice aforesaid, has forfeited this licence, shall be conclusive evidence that the licence is forfeited.
10. Notwithstanding anything contained in the sixth and seventh conditions of this licence, any holder of a miner's right, or of a licence to search for metals and minerals, or of a gold mining or mineral lease shall have the right and shall be allowed to enter upon the land and search for gold, silver, copper, tin, antimony, coal, and other metals and minerals and mineral ores, and to mine thereon, and to erect and occupy mining plant and machinery within the area, without making compensation to the licensee for surface or other damage, unless the land so entered upon be improved by filling in holes, levelling, or planting of fruit trees or vines, in which case the person entering for mining purposes shall pay to the licensee such compensation for surface damage as may be mutually agreed upon. In the event of a disagreement the amount to be determined by arbitration under the provisions of the *Lands Compensation Act 1890*. Provided always that such portions of the land as shall be occupied by buildings shall be secure from such intrusion, unless with the consent of the licensee.
11. Notwithstanding anything contained in the sixth, seventh, and tenth conditions of this licence, this licence is on this further condition, that in the event of the Board of Land and Works, or any other body or person for the time being authorized by any Act of the Legislature of Victoria to construct, maintain, or manage any railway or works in connexion therewith out of moneys appropriated by Parliament for that purpose at any time or times, taking possession and appropriating or using or prejudicially affecting the whole or any part of the land hereby licensed for the purposes of the execution, construction, completion, or extension of any such railway or for any works and conveniences in connexion therewith under or by virtue of the *Lands Compensation Act 1890*, or of any other Act or Acts for the time being in force authorizing the taking, acquiring, or using of any lands, tenements, or hereditaments for railway purposes, neither the licensee nor any person or persons claiming from under or through such licensee shall have any claim for or be paid any compensation whatever for or in respect of his, her, or their interest

July 6, 1893.

in any of the licensed land so taken, used, or prejudicially affected, or for any damage that may be sustained by him, her, or them by reason of the execution of the railway works or the severance of any land occupied by him, her, or them from any other land so occupied, or from any road, way, stream, water-course, or other convenience theretofore possessed or enjoyed by him, her, or them; nor shall he she or they have any claim to have constructed or maintained any gates, crossings, or other accommodation works under, over, or upon any railway that may be made through or adjacent to the land hereby licensed. Provided that with respect to any buildings, fences, fixtures, or other improvements upon any land in respect of which a notice to treat under the *Lands Compensation Act 1890* or other Act as aforesaid has been given the licensee or his assigns at any time before such land has been set out, ascertained, and taken possession of and finally appropriated for the purposes of the railway works or undertakings by the Board or other body or person as aforesaid may remove all or any of such buildings, fixtures, fences, or other improvements.

12. If the licensee shall during the currency of this licence fence and reside on, occupy as a place of business, or cultivate the land as specified in the previous conditions during the said period of seven years, and shall prove to the satisfaction of the Board (to be certified under its seal), by such evidence as the Board may require, that he has complied with the said conditions and with all other conditions of this licence, he shall be entitled at any time within twelve months after seven years from the commencement of this licence to demand and obtain from the Governor a Crown grant upon payment of for each acre or fractional part of an acre of the said allotment, or of such other sum (if any) not being less than one-eighth part greater nor more than double the sum of per acre or fractional part thereof as may be fixed by any Order in Council made in that behalf under and by virtue of the provisions of section 17 of the *Land Act 1891*; and every such grant shall be subject to such covenants, conditions, exceptions, and reservations as the Governor may direct.

13. This licence is on this further condition, that the land the subject of this licence shall during the currency hereof be deemed lands of the Crown within the meaning of Section 17 of the *Land Act 1891*, and that upon the making of any Order in Council under the provisions in the said section contained the enhanced licence-fee fixed by such Order in Council shall be payable in respect of the land hereby licensed, as though such licence-fee had been so fixed prior to the making of this licence.

SCHEDULE 47.—(CHAP. VIII. s. 18.)

APPLICATION UNDER SECTION 67 OF THE "LAND ACT 1890" FOR A GRAZING LICENCE TO OCCUPY AURIFEROUS LAND.

Sir, Date—

I hereby make application for a licence to occupy, for grazing purposes, the surface of the undermentioned auriferous lands, viz.:—

County.	Parish.	Extent.

I have the honour to be, Sir,

Your most obedient servant,

Signature in full—

Occupation—

Address—

To the Honorable
The President of the Board of Land and Works.

SCHEDULE 48.—(CHAP. VIII. s. 18.)

Rent per annum, £ s. d. No.

GRAZING LICENCE UNDER 67TH SECTION "LAND ACT 1890."

KNOW ALL MEN that I, the Governor of Victoria, in pursuance of the *Land Act 1890*, and in consideration of the annual rent of fixed in accordance with the *Land Act 1890*, duly paid by the person hereinafter mentioned, do hereby give to of licence and liberty to occupy for grazing purposes the surface of the auriferous Crown land specified in the schedule hereto, and which land forms part of the land described in the Second Schedule to the said Act, and is not at the date hereof required for mining purposes.

This licence is to continue in force for one year from the date hereof, but may be renewed annually, at the option of the licensee, for a period of four years from the expiration hereof, and is issued subject to the conditions on the back hereof.

Dated the day of 189

Schedule.

All these Crown lands containing acre or thereabouts

Conditions.

(1) Nothing in the foregoing licence shall be deemed in any manner to affect the right of any person to enter upon the land specified in the said licence for the purpose of searching for, digging, taking, and carrying away of gold, silver, and other minerals, or to dig, take, and carry away the same, and to erect and occupy mining plant and machinery thereon.

(2) Any person duly licensed under section 99 of the *Land Act 1890* to cut and take away any live or dead timber on Crown lands, and any person specially licensed in that behalf by the Governor in Council, may at all times enter upon the said land and therefrom cut and take away live or dead timber.

(3) Such licence shall not be deemed to prevent the said land from being licensed under Part I., Division 4, of the *Land Act 1890*, or of being proclaimed a common, or of being occupied by virtue of any miner's right or business licence.

(4) The issue of this licence shall not prevent the land comprised therein, or any part or parts thereof, being dealt with under any of the provisions of the *Land Act 1890*, or being resumed by the Governor or Administrator of the Government of Victoria, with the advice of the Executive Council, for any of the purposes for which land may be reserved under the 10th section of the *Land Act 1890*, such land to be set out by the said Governor or Administrator with the advice aforesaid.

(5) No licensee shall in case of any resumption be entitled to any compensation other than the return of such portion of the rent paid by him as the responsible Minister of the Crown for the time being administering the *Land Act 1890* may think fit. This licence is also subject to the rights of the holders of miners' rights or of mining leases.

(6) No land comprised in roads from time to time surveyed and marked out within the boundaries of the land comprised in this licence shall be deemed within its operation.

(7) This licence entitles the holder thereof, during the period for which it is granted, to use the land therein comprised for grazing purposes only, but does not confer any right to build thereon or to cultivate any portion thereof.

4.5.91 (8) If the land comprised in this licence is fenced, wholly or partly, the licensee shall post and keep posted at conspicuous places, notices to the effect that the land is licensed under section 67 of the *Land Act 1890* and may be entered upon at any time for mining purposes and shall also paint in red colour the corner posts and gate posts in connexion with such fencing from one foot from the ground to the top of the posts as a further indication that the land is available to the miner.

(9) If the licensee desires a renewal of this licence, notice to that effect must be given to the said Minister one calendar month prior to the expiration thereof or of any renewal thereof.

(10) The interest in this licence, or any part thereof, shall not be transferred or parted with without the consent of the said Minister and the payment of a fee of £1.

(11) This licence is to be used under and in accordance with the regulations made or to be made under the provisions of the said Act.

(12) The licence may be forfeited if the licensee commit a breach of or neglect to comply with any of these conditions.

(13) The publication of a notice in the *Government Gazette* purporting to declare that the Governor or Administrator, with the advice aforesaid, has forfeited this licence shall be conclusive evidence that the licence is forfeited.

4.5.91 (14) The ring-barking of the timber upon the land by the licensee is expressly forbidden, nor is he entitled to destroy or cut and take away any such timber; and should he be found destroying, felling, or removing live or dead timber without a licence authorizing him so to do he will be prosecuted according to law.

SCHEDULE 49.—(CHAP. VIII. s. 20.)

SECTION 67, "LAND ACT 1890."

This licence has been renewed for a period of twelve months from the
 189 , to the 189 , *vide Govern-*
ment Gazette of 189 , page
 Crown Lands Office, Melbourne,
 Date 189 . Officer authorized to grant Renewals.

SCHEDULE 50A.—(CHAP. IX. s. 1.)

18.6.92.

ARTICLES AND CONDITIONS OF SALE.

ARTICLES and conditions of sale by public auction at the
 commencing at o'clock, by (being a person
 authorized by the Board of Land and Works), of the following portions of
 land advertised by the notification in the *Government Gazette* of
 the day of 18 . in conformity with the pro-
 visions of the *Land Act 1890*, as amended by the *Land Act 1891*, of which
 those more particularly necessary to be noticed are hereinafter mentioned,
viz.—

1. The land hereinafter described will be put up for sale at the prices respectively stated and annexed to the descriptions thereof, and the bidder of that sum, or the highest bidder above it, will be declared the purchaser, provided he shall immediately pay down a deposit of twenty-five per cent. of the amount of the purchase money, and pay also the charge for survey, and sign a description hereunto annexed of the lot of which he shall become the purchaser, thereby binding himself to the observance of the above and following articles and conditions.

2. The residue of the purchase money shall be paid in twelve equal instalments on the last day of each successive period of three months from this date, or be, if the purchaser choose, payable at any earlier time or times being one of such last days of any such period of three months as aforesaid; and such residue of the purchase money shall bear interest at the rate of Six pounds per centum per annum, to be computed with respect to each instalment for the period which has elapsed between the time of sale and the time of the payment of such instalment; and on failure of the payment of any instalment with interest at the time at which the same becomes due, the deposit and instalment or instalments and interest already paid shall be forfeited, and the contract shall thereupon be void, and the land may be again offered for sale.

3. Immediately after the biddings on each lot are concluded, and before another lot is put up, the name of the purchaser will be entered in the list of the descriptions of the lots annexed to these presents, and the purchaser will be required to affix his signature to the description of the lot so purchased by him. If previous to such signature any question or dispute as to the last and best bidder shall arise between the sellers and bidders, or amongst the bidders themselves, the lot in question shall be put up again. Subsequent to such signature no dispute whatever can be admitted, nor can any alteration of name or transfer from the actual purchaser to another person be allowed. No bid made after the fall of the auctioneer's hammer shall be received. In cases of question or dispute the decision of the officer conducting the sale on behalf of the Government will be final and conclusive.

4. Deeds of grant will be completed and issued in each case as soon as practicable after payment in full of the purchase money, and will be delivered to the grantee by the Registrar of Titles on payment in full of the regulated

fee. Each lot will be granted to the purchaser by deed poll, under the hand of His Excellency the Governor and the Great Seal of the Colony, to be held in fee simple, and will only convey the surface of the land and down to a depth of feet below the surface.

5. The grant will contain a reservation to Her Majesty of all metals and minerals and mineral ores in, on, or under the land, with the necessary reservation of power to work and win the same.

6. All offers, sales, and grants relative to these lands will be effected in reference to the public chart, each portion being described by length of lines run with a chain, upon the bearing of a compass needle, which needle is variously affected by magnetic attraction in the neighbourhood of the Colony of Victoria, and the land will accordingly be sold as *more or less*. Any future claim for compensation as to any alleged difference in the area will not therefore be entertained.

7. If the officer acting on behalf of the Government shall find reason to believe that any lot will not obtain its just value, or shall otherwise think fit to withdraw the same from the sale, he shall have full power to do so at any time previous to its being actually sold.

8. Persons having affixed their signatures to the list of the descriptions of the lots annexed to these presents, in token of their having become purchasers (or agents for purchasers) of the lots to which their signatures are respectively so affixed, will be held to have previously obtained all necessary information, and shall not be entitled to allege ignorance or any other cause for their not fulfilling all and every obligation incumbent upon them by these articles and conditions.

9. It shall be lawful for the Governor in Council, at any time within thirty (30) days from the date of sale to annul the sale of any lot or lots, and to repay to the purchaser the amount of his purchase money (or so much thereof as shall have been paid by him), without interest, cost, or damages of any description, in full satisfaction of all claims and demands whatsoever, by such purchaser, and the publication of a notice in the *Government Gazette*, to the effect that the Governor in Council has as aforesaid annulled any such sale shall be conclusive evidence that such sale has been completely and effectually annulled.

List of the Descriptions of the Lots, and Declarations relative thereto.

We, the undersigned, do hereby acknowledge that we are the purchasers (or agents for purchasers) of the lots to which our names are respectively signed, and we do each of us severally for ourselves (or on behalf of our constituents) undertake to make payment to the Receiver and Paymaster at of the residue of the purchase money of the said lots respectively, in the manner prescribed in Condition 2 above, and to fulfil all and each of the foregoing Articles and Conditions; and failing our doing so, we do hereby acknowledge that we have forfeited all and every claim to the said lot or lots, and to the deposit of twenty-five per cent. of the price thereof which we have paid.

In witness whereof we have, this day of 18, severally signed our names at the foot of the description of each lot respectively purchased by us.

SCHEDULE 51A.—(CHAP. IX. s. 4.)

FORM OF CROWN GRANT IN FEE UNDER "LAND ACT 1890," AS AMENDED BY 13.6.92. THE "LAND ACT 1891."

Entered in the Register Book,
Vol. Fol.

Registrar of Titles.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to all to whom these presents shall come, greeting—

WHEREAS in conformity with the laws relating to the sale and occupation of Crown lands in our colony of Victoria the person hereinafter named ha in consideration of the sum of which sum has been duly paid to us become entitled to a grant in fee simple of the surface and down to the depth of feet below the surface of the land hereinafter described Now know ye that in consideration of the sum so paid and in pursuance of the *Land Act 1890* as amended by the *Land Act 1891* we do hereby grant unto h heirs and assigns so much and such parts as lie above the depth of feet below the surface of All that piece of land in the said colony containing delineated with the measurements and abutments thereof in the map drawn in the margin of these presents and therein coloured yellow Provided however that the grantee shall be entitled to sink wells for water and to the use and enjoyment of any spring or springs of water upon or within the boundaries of the said land for any and for all purposes as though he held the land without limitation as to depth Excepting however unto us our heirs and successors all gold and silver and auriferous and argentiferous earth or stone and all mines containing gold silver copper tin antimony coal and all other metals and minerals and mineral ores whatsoever and all mines seams lodes and deposits containing gold silver copper tin antimony coal and other metals and minerals and mineral ores in upon and under and within the boundaries of the land hereby granted And also reserving to us our heirs and successors free liberty and authority for us our heirs and successors and our and their agents and servants at any time or times hereafter to enter upon the said land and to search and mine therein for gold silver copper tin antimony coal and all other metals and minerals and mineral ores and to extract and remove therefrom any gold silver and any auriferous and argentiferous earth or stone copper tin antimony coal and other metals and minerals and mineral ores and to search for and work dispose of and carry away the gold silver copper tin antimony coal metals minerals and their ores and the mines metals and minerals in the land lying in upon and under the land hereby granted and for the purposes aforesaid to sink shafts make drives erect machinery and to carry on any works and do any other things which may be necessary or usual in mining and with all other incidents that are necessary to be used for the getting of the said gold silver copper tin antimony coal and other metals and minerals and mineral ores and the working of all mines seams lodes and deposits containing gold silver copper tin antimony coal and other metals and minerals and mineral ores in upon or under the land hereby granted To hold unto the said h heirs and assigns for ever Provided always that the said land is and shall be subject to be resumed for mining purposes under section 68 of the *Land Act 1890* And provided also that the said land is and

shall be subject to the right of any person being the holder of a miner's right or of a licence to search for metals or minerals or of a mining or mineral lease to enter therein and to mine for gold silver copper tin antimony coal and other metals and minerals and mineral ores and to erect and to occupy mining plant or machinery thereon in the same manner and under the same conditions and provisions as those to which the holder of a miner's right or of a mining or mineral lease had at the time of the passing of the *Land Act 1890* the right to mine for gold and silver in and upon Crown lands Provided that compensation shall be paid to the said

h heirs executors administrators assigns and transferees by such person for surface damage to be done to such lands and measurements by reason of mining thereon such compensation to be approximately determined as provided by the 121st section of the said Act given on this plan. The measurements and the payment thereof to be a condition precedent to such are in links. right of entry.

Dated the _____ day of _____ in the year of our Lord One thousand eight hundred and _____ being the day the person herein named became entitled to this grant.

In testimony whereof we have caused this our grant to be sealed at Melbourne with the seal of the said colony Witness our trusty and well-beloved _____ Governor and Commander-in-Chief in and over the said Colony of Victoria and its Dependencies.

(L.S.)

Memorials of Instruments.

Nature of Instrument.	Time of its Production for Registration.	Names of the Parties to it.	Number or Symbol thereon.
	The day of 18 at o'clock in the noon.		

SCHEDULE 52.—(CHAP. IX. s. 5.)



VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to all to whom these presents shall come, Greeting—

WHEREAS in conformity with the laws relating to the sale and occupation of Crown Lands in our colony of Victoria the person hereinafter named has in consideration of the sum of _____ which sum has been duly paid to us become entitled to a grant in fee simple of the land hereinafter described Now know ye that in consideration of the sum so paid and in pursuance of the *Land Act 1890* We do hereby grant unto

h heirs and assigns All that piece of land in the said colony containing

delineated with the measurements and abutments thereof in the map drawn in the margin of these presents and therein coloured yellow Excepting however unto us our heirs and successors all gold and silver and auriferous and argentiferous earth or stone and all other metals and minerals and mineral ores and all mines containing gold silver and all other metals and minerals and mineral ores whatsoever within the boundaries of the said land And also reserving to us our heirs and successors free liberty and authority for us our heirs and successors and our and their agents and servants at any time or times hereafter to enter upon the said land and to search and mine therein for gold and to extract and remove therefrom any gold and any auriferous earth or stone and for the purposes aforesaid to sink shafts erect machinery carry on any works and do any other things which may be necessary or usual in mining To hold unto the said

h heirs and assigns for ever Provided always that the said land is and shall be subject to be resumed for mining purposes under section 68 of the said Act And provided also that the said land is and shall be subject to the right of any person being the holder of a miner's right or of a mining lease to enter therein and to mine for gold and silver and to erect and to occupy mining plant or machinery thereon in the same manner and under the same conditions and provisions as those to which such person had at the time of the passing of the said Act the right to mine for gold and silver in and upon Crown lands Provided that compensation shall be paid to the said

h heirs executors administrators assigns and transferees by such person for surface damage to be done to such lands by reason of mining thereon such compensation to be determined as provided by the 121st section of the said Act and the payment thereof to be a condition precedent to such right of entry.

Dated the _____ day of _____ in the year of our Lord One thousand eight hundred and _____ being the day the person herein named became entitled to this grant.

NOTE.—The bearings and measurements are approximately given on this plan. The measurements are in links. In testimony whereof we have caused this our grant to be sealed at Melbourne with the seal of the said colony Witness our trusty and well-beloved _____ Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies.

(L.S.)

SCHEDULE 52A.—(CHAP. X. S. 1.)

FORM OF LEASE FOR SWAMP LANDS.

11.7.92.

THIS Indenture made the _____ day _____ One thousand eight hundred and ninety _____ Between His Excellency _____ Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies in the name and on behalf of Her Most Gracious Majesty Queen Victoria of the one part and _____ of _____ in the said colony (hereinafter called the "lessee") of the other part Whereas the Governor with the advice of the Executive Council has thought fit to grant a lease of the land hereinafter described and demised (such land forming part of the swamp lands in the said colony drained and reclaimed under the provisions of *Land Act 18* _____) unto the said lessee who has been declared the highest bidder for and the purchaser of the right to such lease for a period of twenty-one years from the day of the date hereof at the rent of _____ per annum payable quarterly in advance And whereas the lessee has paid a quarter's rent in advance Now this Indenture witnesseth that in consideration of the payment aforesaid and of the yearly rent covenants and agreements hereinafter reserved and contained on the part of the said lessee his executors administrators and permitted assigns to be paid and performed Her Majesty doth by these presents grant and demise unto the lessee his executors administrators and permitted assigns all that piece or parcel of land being part of the land drained and reclaimed from the _____ Swamp and being allotment _____ of section _____ parish of _____ containing _____ more or less and also delineated on the plan drawn on the margin of these presents with the appurtenances Excepting and reserving to Her Majesty her heirs and successors all gold auriferous earth and stone and all mines containing gold in or under the said demised premises together with liberty for Her Majesty her heirs and successors and her and their agents and servants at any time or times during the said term to enter upon the said land and to search and mine therein for gold and to remove therefrom any gold and auriferous earth or stone and for the purposes aforesaid to sink shafts and do any other things which may be necessary or usual in mining And also reserving and excepting unto Her Majesty her heirs and successors the right of resumption of such parts of the said land as shall from time to time be required by the Governor in Council for the formation of public roads highways or bridges and also such parts of the said land as shall from time to time be required for the construction of railways railway works or stations already or hereafter authorized to be constructed To have and to hold the premises hereby demised with their appurtenances unto the said _____ his executors administrators and permitted assigns for the term of twenty-one years from the day of the date of these presents Yielding and paying therefor during the said term the yearly rent of _____ by four equal quarterly payments in advance of _____ on the _____ day of _____ the _____ day of _____ the _____ day of _____ and the _____ day of _____ in each year clear of all deductions the first of such quarterly payments having been already made as aforesaid And the said lessee doth hereby for himself his heirs executors and administrators covenant with her Majesty her heirs and successors that he the said lessee his executors administrators or permitted assigns will during the said term pay the said rent in manner aforesaid clear of all deductions And shall and will during the said term pay and discharge all and all manner of taxes rates duties charges assessments and impositions whatsoever whether the same be payable by landlord or tenant or partly by each in respect of the land hereby demised And also will not assign sublet subdivide or part with the possession of the said land without the consent in writing of the Board of Land and Works being previously had and obtained And further that he the said lessee his executors administrators and permitted assigns shall and will at all times during the said term keep open and free from obstruction and to the satisfaction of the Board of Land and Works all canals ditches drains cuts channels water-courses sewers and works now existing and being or which shall at any time during the continuance of this demise exist and be upon abutting or bounding the said land hereby demised or any part thereof and that he and they shall not nor will do or cause or permit to be done upon the said land or any part thereof any act deed or thing whereby such canals ditches drains cuts channels water-courses sewers and works may be injured or endangered And further that he and they shall and will forthwith fence off to the satisfaction of the Board of Land and Works all such canals ditches drains cuts channels water-courses sewers and works on each side thereof with a substantial fence and prevent all sheep and cattle from having access to the banks thereof and shall to the like satisfaction similarly fence the land hereby demised on any side frontage or portion thereof which is not bounded by any such canal ditch drain cut channel water-course sewer or work and all such fences keep in good and substantial repair and to the like satisfaction during the whole of the said term And that he and they shall not nor will water his or their sheep or cattle on the land hereby demised at the said canals ditches drains cuts channels water-courses sewers or works except by means of one or more side cuttings leading therefrom to be made by and at the expense of the lessee his heirs executors or administrators Provided always that if any such canal ditch drain cut channel water-course or sewer now forms or at any time hereafter during the continuance of this demise shall form and be the boundary between the land hereby demised and any other swamp land demised to any other lessee as swamp land within the meaning of *Land Act 18* _____ it shall not be obligatory on the lessee his executors administrators or permitted assigns so long as such other swamp land is the subject of a demise to any other person or persons to clear out keep open or fence off under any preceding covenant of this Indenture more than that portion of such boundary canal ditch drain cut channel or water-course on which the land hereby demised abuts or of which it forms the boundary to the centre thereof And the said lessee doth hereby for himself his heirs executors administrators and permitted assigns further covenant with Her Majesty her heirs and successors that he and they shall and will at the expiration or sooner determination of the said term hereby granted peaceably deliver up to Her Majesty or her successors the premises hereby demised together with all houses fences and improvements that now are or may be made erected or constructed thereon in good and sufficient order and repair and also shall and will permit any person appointed by the Board of Land and Works in that behalf to enter on the land hereby demised to ascertain if the conditions and covenants of this lease are being performed by the lessee his executors administrators or permitted assigns Provided always and it is hereby agreed and declared and these presents are upon this condition that if and whenever there shall be a breach of or non-compliance with any of the covenants by the lessee herein contained and the Governor with the advice aforesaid shall determine that this lease shall be avoided (and the production of the minute of proceedings of the Executive Council whereat such determination was arrived at shall be conclusive evidence thereof) or if the land hereby demised or any part thereof is assigned whether by operation of law

or otherwise except as hereinbefore is mentioned or as in *Land Act 18* otherwise expressly provided then these presents and the term hereby created shall be void and of no effect and immediately thereupon it shall be lawful for any bailiff of Crown lands or for any other agents or officers authorized in that behalf by Her Majesty or by the Governor with the advice aforesaid without any demand whatsoever to enter upon the land hereby demised and the lessee his executors administrators and assigns and all persons claiming under him or them for ever to expel and remove therefrom without any legal process whatever and as effectually as any sheriff might do in case Her Majesty had obtained judgment in ejectment for recovery of possession of the said land or in an action for the recovery of land and a writ of *habere facias possessionem* or writ of possession or other process had issued on such judgment directed to such sheriff in due form of law and that in case of such entry and any action being brought or other proceeding taken for or on account of the same by any person whosoever the defendants or defendant to such action may plead leave and licence in bar thereof and these presents shall be conclusive evidence of the leave and licence of the lessee his executors or administrators and all persons claiming under him or them to any bailiff of Crown lands and all persons acting in the matters complained of in such action or other proceeding. And lastly it is hereby agreed and declared that notwithstanding anything hereinbefore contained it shall be lawful for the Governor with the consent aforesaid to resume for any purpose not hereinbefore stated possession of the whole or any part of the land hereby demised on payment of or tender to the lessee his executors administrators or permitted assigns or other the person lawfully in occupation of the land hereby demised full compensation for all improvements made by the lessee his executors administrators or permitted assigns upon the land hereby demised and thereupon these presents shall in the case of the resumption of the whole of the land hereby demised absolutely cease and determine and in the case of a resumption of part of such land shall as to such part and the obligation to pay rent as to such part shall absolutely cease and determine and the value of such compensation and the amount of the reduced rent as the case may be shall be absolutely fixed and determined by the Board of Land and Works whose award shall be final and conclusive. And it is hereby agreed and declared that the term Governor in these presents shall mean the Governor or the Administrator of the Government for the time being of the colony of Victoria unless such meaning shall be inconsistent with the context.

In witness whereof Her Majesty hath caused this Demise to be sealed at Melbourne with the seal of the said Colony and His Excellency Governor and Commander-in-Chief in and over the said Colony of Victoria, and its Dependencies has hereunto set his hand and the lessee hereunto set his hand and seal

Signed sealed and delivered by the
above-named
in the presence of—

SCHEDULE 53.—(CHAP. XI. s. 1.)

CONDITIONS OF LICENCE FOR A SITE FOR A SAW-MILL IN A STATE FOREST OR TIMBER RESERVE.

1. No building shall be erected outside of the boundaries of the licensed site.
2. No goats shall be kept by licensee or by person or persons in his employment within the State forest or Timber reserve wherein the mill is situated.
3. Licensee shall forward half-yearly to the Minister a statutory declaration of the number of men employed by him under licences in felling and transporting timber for feeding his mill, and that no unlicensed men have been so employed by him.

SCHEDULE 54.—(CHAP. XI. s. 3.)

CONDITIONS OF LICENCE TO FELL EUCALYPTUS TIMBER IN A STATE FOREST OR TIMBER RESERVE FOR SUPPLY OF SAW-MILL.

1. The fee shall be £5 per annum, payable quarterly in advance.
2. No live tree which at a height of two feet from the surface of the ground is of less diameter than twenty-four inches shall be cut down.
3. No tree shall be felled so as to obstruct any track in use for transport of timber or stores.
4. Within a period of one month from the felling of any tree, the portion thereof not required for slabs, palings, shingles, posts, rails, props, or manufacturing purposes shall be so disposed of by the licensee as not to encumber the ground.
5. This licence is personal, and must be produced by the holder thereof when asked so to do by any bailiff of Crown lands or police constable.
6. This licence is not available for any area over which an exclusive right to cut timber shall have been granted.

SCHEDULE 55.—(CHAP. XI. s. 3; XIII. s. 14.)

CONDITIONS OF LICENCE TO FELL EUCALYPTUS TIMBER ON CROWN LANDS, NOT BEING A STATE FOREST OR TIMBER RESERVE, FOR THE SUPPLY OF A SAW-MILL.

1. The fee shall be Two pounds ten shillings per annum, payable quarterly in advance.
2. No live tree which at a height of two feet from the surface of the ground is of less diameter than twenty-four inches shall be cut down.
3. No tree shall be felled so as to obstruct any track in use for transport of timber or stores.
4. Within a period of one month from the felling of any tree, the portion thereof not required for slabs, palings, shingles, posts, rails, props, or manufacturing purposes shall be so disposed of by the licensee as not to encumber the ground.
5. This licence is personal, and must be produced by the holder thereof when asked so to do by any bailiff of Crown lands or police constable.
6. This licence is not available for any area over which an exclusive right to cut timber shall have been granted, nor for any area leased under section 32 of the Land Acts 1884 or 1890, except by the express permission of the Minister of Lands.

SCHEDULE 56.—(CHAP. XI. s. 6.)

CONDITIONS OF LICENCE TO CUT, SPLIT, AND TAKE AWAY IRONBARK AND OTHER KINDS OF EUCALYPTUS TIMBER EXCEPT REDGUM FROM STATE FORESTS AND TIMBER RESERVES.

1. No live tree which at a height of two feet from the ground is less than twenty-four inches in diameter shall be cut down.
2. Not more than three trees shall be felled prior to the cutting and splitting up of such trees.
3. No logs shall be cut for supply of saw-mills.
4. No live tree shall be used merely for the purpose of obtaining bark therefrom.
5. No tree shall be felled so as to obstruct any path in use for transport of timber or stores.
6. Within the period of one month from the felling of any tree, the portion thereof not required for slabs, palings, shingles, posts, rails, props, or manufacturing purposes shall be so disposed of by the licensee as not to encumber the ground.
7. This licence is personal, and must be produced by the holder thereof when asked so to do by any bailiff of Crown lands or police constable.
8. This licence is not available for any area over which an exclusive right to cut timber shall have been granted.
9. This licence does not empower the licensee to fell timber for the purpose of hewing railway sleepers.

SCHEDULE 57.—(CHAP. XI. s. 6.)

CONDITIONS OF LICENCE TO CUT, SPLIT, AND TAKE AWAY EUCALYPTUS TIMBER OTHER THAN REDGUM OR IRONBARK FROM STATE FORESTS AND TIMBER RESERVES.

1. No live tree which at a height of two feet from the surface of the ground is of less diameter than twenty-four inches shall be cut down.
In Condition No. 1, so far as relates to licences issued under Chapter XI, section 6, for cutting and taking away eucalyptus timber other than redgum or ironbark from State forests and Timber reserves within a radius of fifteen (15) miles from the Chiltern Post Office, the words "twenty-four inches" are hereby rescinded, and the words "eighteen inches" are substituted therefor. 10.11.01
2. Not more than three trees shall be felled prior to the cutting and splitting up of such trees.
3. No logs shall be cut for supply of saw-mills.
4. No live tree shall be used merely for the purpose of obtaining bark therefrom.
5. No tree shall be felled so as to obstruct any path in use for transport of timber or stores.
6. Within the period of one month from the felling of any tree, the portion thereof not required for slabs, palings, shingles, posts, rails, props, or manufacturing purposes shall be so disposed of by the licensee as not to encumber the ground.
7. This licence is personal, and must be produced by the holder thereof when asked so to do by any bailiff of Crown lands or police constable.
8. This licence is not available for any area over which an exclusive right to cut timber shall have been granted.
9. This licence does not empower the licensee to fell timber for the purpose of hewing railway sleepers.

SCHEDULE 58.—(CHAP. XI. s. 7.)

CONDITIONS OF LICENCE TO CUT EUCALYPTUS TIMBER IN A STATE FOREST OR TIMBER RESERVE FOR PURPOSES OTHER THAN SAW-MILL OR SPLITTING.

1. Payment of fees shall be made by licensee in advance.
2. No tree of less than twenty-four inches diameter at a height of two feet from the ground shall be felled.
3. No tree shall be felled so as to obstruct any track in use for transport of timber.
4. Trees shall only be felled in such forest or part thereof as described in licence.
5. Every tree felled shall have the name or initials of the licensee legibly marked thereon.
6. No greater number of trees shall be felled than are necessary for supply of the quantity of timber specified in the licence.
7. The receipt for payment of fees shall be produced by the holder thereof when required by any bailiff of Crown lands.
8. No timber shall be removed from the forest until it has been examined and branded by the forester in charge or Crown lands bailiff mentioned in licence.
9. Within the period of one month from the felling of any tree, the portion thereof not required for slabs, palings, shingles, posts, rails, props, or manufacturing purposes shall be so disposed of by the licensee as not to encumber the ground.

SCHEDULE 59.—(CHAP. XI. s. 9.)

CONDITIONS OF LICENCE FOR FELLING UNDERGROWTH IN STATE FORESTS AND TIMBER RESERVES.

1. The licence-fee shall be payable in advance.
2. This licence is available only for the locality specified therein.
3. No fern trees shall be taken up or removed.
4. No blackwood or beech that measures less than four feet circumference, no pine, sassafras, or wattle that measures less than three feet circumference, and no other tree that measures less than two feet circumference shall be felled. The measurement in each of the foregoing cases shall be taken at eighteen inches from the ground.
5. No tree shall be felled at a greater height than eighteen inches above the ground, and no undergrowth at a greater height than twelve inches above the ground.
6. No tree or undergrowth shall be felled so as to obstruct any track in use for the transport of timber or stores.

7. No tree shall be felled merely for the purpose of obtaining bark or firewood therefrom.
8. Every log and every stack of timber or undergrowth shall have the name of the licensee or owner legibly marked thereon.
9. The interest of the Crown in any timber, undergrowth, or bark felled or procured under the provisions of this licence shall not cease until such timber, undergrowth, or bark shall have been removed from the forest; and if any timber, undergrowth, or bark felled or procured by the licensee be transported or removed by any other person, such other person also shall hold a similar licence.
10. Timber or undergrowth felled and not removed during the currency or within fourteen days of the expiry of this licence shall be deemed to be the property of the Crown.
11. If the licensee do any act which, if it were done without licence, would be punishable as trespass, if he fail to produce his licence when asked so to do by any forester, bailiff of Crown lands, or police constable, he shall be conclusively deemed to be a person not licensed or otherwise authorized to do such act within the meaning of the 114th section of the *Land Act* 1890.
12. This licence may be transferred on payment of Five shillings at the office where the licence was paid.
13. This licence shall be liable to revocation at any time without any liability to satisfy any claim by the licensee for compensation.
14. This licence is not available for any area over which an exclusive right to cut timber has been granted.
15. Within the period of one month from the felling of any tree, the portion thereof not required for slabs, palings, shingles, posts, rails, props, or manufacturing purposes shall be so disposed of by the licensee as not to encumber the ground.

SCHEDULE 60.—(CHAP. XI. s. 11.)

Fee per quarter—£



No

VICTORIA.

Section 99 of the *Land Act* 1890.

STATE FORESTS.—TIMBER RESERVES.

KNOW ALL MEN that I, being in that behalf duly authorized by the Governor of the Colony of Victoria, do hereby, in pursuance of the *Land Act* 1890, give and grant to _____ of _____ in consideration of the payment of the sum of _____, and subject to the fulfilment of the conditions printed or written on the back hereof, full licence and authority to enter upon, on and after date hereof, and to occupy for three months, and no longer, the Crown lands described in the schedule hereto for the following purpose, that is to say:

Schedule.

All these Crown lands, situate within the State forest of _____ Timber reserve.

Licensing Agent.

Countersigned—

Issuer authorized by the Treasury.

This licence shall have no effect until countersigned by the Issuer authorized by the Treasury.

N.B.—Be careful to observe that this licence expires on the _____ day of _____ 189 .

SCHEDULE 61.—(CHAP. XI. s. 12.)

CONDITIONS OF LICENCE FOR EXCLUSIVE RIGHT TO CUT TIMBER IN STATE FORESTS AND TIMBER RESERVES.

1. No live tree which at a height of two feet from the surface of the ground is of less diameter than twenty-four inches shall be felled.
2. No greater number of trees shall be felled than is required for the current supply of the mill.
3. All trees felled and not delivered at the mill at the expiry of the licence shall revert to the Crown.
4. No tree on the block under licence shall be used merely for the purpose of obtaining bark therefrom.
5. The licensee shall protect saplings and young seedling indigenous trees, and neither he nor any other person shall depasture goats on the block under licence to him, or cultivate any part of such block.
6. Within the period of one month from the felling of any tree, the portion thereof not required for slabs, palings, shingles, posts, rails, props, or manufacturing purposes shall be so disposed of by the licensee as not to encumber the ground.
7. The licence-fee, amounting to _____ pounds _____ shillings and _____ pence, shall be paid in advance on _____ to the Receiver and Paymaster at _____ or to any other officer who may be authorized by the Board to collect the same.
8. The licence shall be produced by the holder thereof when asked so to do by any bailiff of Crown lands or police constable.
9. Non-compliance with or non-performance of any of the foregoing conditions shall render this licence null and void.
10. This licence shall be in force for _____ from the date hereof, and no longer, and shall be renewable by indorsement of the Secretary of Lands.
11. The saw-mill shall be erected only on such site within the area as shall be approved of by the forester or Crown lands bailiff in charge.
12. Not more than two (2) jinkers and four (4) fallers shall be employed on this area, except by the express permission of the Minister of Lands.

SCHEDULE 62.—(CHAP. XI. s. 24.)

FORM OF APPLICATION FOR RESIDENCE LICENCE WITHIN A STATE FOREST.
IN pursuance of the *Land Act 1890*, I, the undersigned, do hereby make application for a licence to occupy, for residence purposes, the land of which a plan, description, and report are hereunder given. And I declare that such plan, description, and report have been furnished to me at my request by an authorized surveyor.

Signature in full—
Occupation—
If owner of land in fee simple, state extent—
Address—Post town—
Date—

To the Secretary for Lands, Melbourne.

Situation and Extent of Land applied for.	Description.
County of Parish of State forest Area, a. r. p.	

SCHEDULE 63.—(CHAP. XI. s. 25.)

RESIDENCE LICENCE.

KNOW ALL MEN that I, being in that behalf duly authorized by the Governor of the Colony of Victoria, do hereby, in pursuance of the provisions of the *Land Act 1890*, give to _____ of _____ in consideration of the payment of Ten shillings to the Receiver and Paymaster at _____ or other officer authorized to receive the same, and subject to the terms and conditions hereunder specified, do hereby give to the said _____ full licence and authority to reside on or to cultivate all that piece or parcel of Crown land situated in _____ State forest, more particularly described in the schedule hereto, for one year from the date hereof, unless the same be annulled or revoked, in accordance with the conditions hereunder specified.

Dated this _____ day of _____ A.D. 189

_____ Schedule. _____ acres _____ roods _____ perches
allotment section _____ parish
county _____

CONDITIONS OF RESIDENCE LICENCES.—STATE FORESTS.

1. This licence only gives to the licensee the right to use the land for the purposes for which the licence has been granted, and for no other purpose whatsoever.
2. The licensee shall not, without the consent of the Minister first had and obtained, assign such land or any part thereof, or part with the possession thereof or his interest therein.
3. If in the opinion of the Minister the land in respect of which this licence is issued, or any part thereof, be required for railways, roads, telegraph lines, dams, reservoirs, races, catch-water drains, pipe tracks, stone quarries, or any other public purpose, the Governor, upon payment to the licensee of such compensation (if any) as the Minister may think fit, may, at any time during the currency of the licence, resume the whole or any part of such land, and thereupon the licence shall cease as to such land or the part resumed.
4. Any person may at any time, with the written permission of the Minister, enter for the purpose of mining and mine for gold, silver, tin, copper, iron, or the ores thereof, or for auriferous earth, or for coal or lignite, upon the land in respect of which this licence is issued or such part thereof as the Minister may by such writing allow, making such compensation to the licensee for the improvements (if any) effected thereon, and for the licence and other fees paid in respect thereof, as may be agreed upon between him and such licensee, or, in the event of a disagreement, as may be determined by the arbitration of three different persons, or any two of them, one arbitrator to be appointed by the licensee, one by the Minister, and one by the person to whom the permission to mine has been granted, the form of submission to arbitration to be determined by the Governor in Council in case of any differences; and if the licensee obstruct any such person so entering or mining as aforesaid the Governor may revoke his licence.
5. In case the licensee obstruct any holder of a miner's right so entering or mining as aforesaid this licence may be revoked.
6. The publication of a notice in the *Government Gazette* purporting to declare that the Governor has annulled or revoked this licence shall be conclusive evidence that the licence was annulled or revoked.

SCHEDULE 64.—(CHAP. XI. s. 26.)

FORM OF ENDORSEMENT ON ISSUE OF NEW LICENCE FOR RESIDENCE WITHIN A STATE FOREST, UNDER SECTION 87, "LAND ACT 1890."

A new licence has been granted to the person and for the land, and subject to the conditions described in the document to which this is affixed, for one year ending _____ 189 _____ and no longer (see *Government Gazette* dated _____ 189 _____ page _____), and the sum of Ten shillings has been received as fees for the same.

A separate receipt for this amount has also been given.

Dated at _____ this _____ day of _____ 189 _____
Receiver of Revenue.

SCHEDULE 65.—(CHAP. XII. s. 1.)

APPLICATION FOR A LEASE OF LAND UNDER PART I, DIVISION 8, OF THE "LAND ACT 1890."

In pursuance of the *Land Act 1890*, the undersigned, do hereby make application for a lease of the undermentioned land for the purposes and period set forth herein.

Signature in full—
Address—Post town—
Date—

The Honorable the President of
The Board of Land and Works, Melbourne.

APPLICATION FOR LEASE—continued.

Particulars of Land and Period of Lease applied for.	Particulars of proposed Works, and estimated Cost of the same.	* Technical Description of the Boundaries of Land applied for.
County of		
Parish of		
Area, a. r. p.		
Period of lease— years.		Authorized Surveyor.

* This must be supplied and signed by an authorized surveyor. Names and addresses of authorized surveyors may be ascertained at the Crown Lands Office, Melbourne, or at any of the District Land or Survey Offices.

SCHEDULE 66.—(CAP. XII. s. 7.)

THIS INDENTURE made the _____ day of _____ in the year of our Lord One thousand eight hundred and _____ Between His Excellency _____ Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies in the name and on behalf of Her Most Gracious Majesty Queen Victoria of the one part and (hereinafter called the "lessee") of the other part.

WHEREAS the lessee has applied for a lease of the land hereby demised and in granting the same under the powers contained in the Land Acts enabling him in this behalf the Governor of the Colony of Victoria by and with the advice and consent of the Executive Council thereof has thought fit that the lease shall be subject to the covenants and conditions and to the payment of the rent hereinafter contained and reserved and these presents contain a covenant that if the lessee _____ executors administrators or licensed assigns shall at any time during the term fail to use the demised land *bona fide* for the purpose for which it is demised the lease shall be voidable at the will of the Governor or Administrator of the Government of the Colony of Victoria by and with the advice of the Executive Council of the same hereinafter designated the Governor in Council Now it is hereby witnessed that in consideration of the rents reservations covenants proviso and agreements hereinafter contained on the part of the said lessee _____ executors administrators and assigns to be paid observed and performed Her Majesty doth by these presents grant and demise unto the lessee _____ executors administrators and licensed assigns All and singular the surface and down to a depth of _____ feet below the surface of the lands and hereditaments mentioned and described in the schedule hereunder written and shown with the measurements and abutments thereof in the map drawn in the margin of these presents and therein coloured yellow together with the appurtenances thereto belonging Reserving and excepting nevertheless unto Her Majesty her heirs and successors all gold and silver and auriferous and argentiferous earth or stone and all copper tin antimony coal and all other metals and mineral ores whatsoever and all mines seams veins lodes and deposits containing gold silver copper tin antimony coal and all other metals and minerals and mineral ores in upon and under the demised land together with liberty to Her Majesty her heirs and successors and her and their agents servants lessees licensees and assigns at any time or times hereafter during the said term to enter upon the said land and to search and mine therein for gold silver copper tin antimony coal and all other metals and minerals and mineral ores and to extract and remove therefrom any gold silver and any auriferous and argentiferous earth or stone copper tin antimony coal and all other metals and minerals and mineral ores and for the purpose aforesaid to sink shafts erect machinery carry on any works and do any other things which may be necessary or usual in mining Provided that the said land is and shall be subject to the right of any person being the holder of a miner's right or of a licence to search for metals and minerals or of a mining or mineral lease to enter thereon and to mine for gold silver copper tin antimony coal and all other metals and minerals and mineral ores and to erect and occupy mining plant or machinery thereon in the same manner and under the same conditions and provisions as those to which such person had at the time of the passing of the *Land Act 1892* the right to mine for gold and silver in and upon Crown lands provided that compensation shall be paid to the lessee his executors administrators assigns and transferees by such person for surface damage to be done to such lands by reason of mining thereon such compensation to be determined as provided by law and the payment thereof to be a condition precedent to such right of entry And also all sand clay gravel and indigenous timber and all earth and stone and other materials the produce of the said land which may be required at any time or times hereafter for the construction or repair of any public ways bridges canals or railroads or any fences embankments dams sewers or drains necessary for the same Together with the right of searching digging for working taking and removing all such materials and also with the right of full and free ingress egress and regress into out of and upon the said land at all reasonable times for such purposes And also reserving and excepting the use of all such parts of the said land as shall be required for making railways canals water-courses reservoirs dams or sewers over in upon or through the same with full and free liberty of ingress egress and regress into out of and upon the said land at all reasonable times for such purposes but nevertheless so as not to do or occasion by the carrying out of any of such purposes any unnecessary damage to the land hereby demised or any buildings or works thereon and making compensation for such damage as may be done or occasioned by the carrying out of the same And also reserving and excepting unto our subjects and people in the said colony the public use of all such parts of the said land as shall from time to time be proclaimed as or otherwise become either a main or district road or other public highway or thoroughfare To have and to hold the said land and premises unto the lessee _____ executors administrators and licensed assigns from the day of the date hereof for and during the full term of _____ years then next ensuing and fully to be completed and ended to the intent that the same land and premises shall be used as _____ and for no other purpose whatsoever Yielding and paying therefor yearly and every year during the said term the yearly rent of _____ by equal quarterly payments of _____ in advance on the _____ day of _____ the _____ day of _____ in each year the first payment to be made on the day of the date hereof and all such payments to be made without any deduction or abatement whatsoever And the

lessee for his heirs executors administrators and assigns do hereby covenant with Her Majesty her heirs and successors in manner following that is to say That the lessee executors administrators or assigns shall and will well and truly pay or cause to be paid the yearly rent hereby reserved upon the days and times hereinbefore appointed for the payment of the same free and clear from all deductions and abatements whatsoever And shall and will during the same term bear pay and discharge all and all manner of taxes rates duties charges assessments and impositions whatsoever whether the same be payable by landlord or tenant or partly by each in respect of the land and premises hereby demised and shall and will use the said land and premises hereby demised for the purpose aforesaid and for no other purpose whatsoever And also shall and will furnish when required during the said term to the Governor of the said colony or the Registrar-General for the time being such returns particulars and statistics of the operations theretofore carried on or to be carried on upon the said land and the results thereof as such Governor or Registrar-General may from time to time in that behalf require accompanied by a statutory declaration of the truth and correctness thereof And also that it shall be lawful for Her Majesty her heirs successors and assigns or her or their servants and agents or the servants and officers of the Board of Land and Works of the colony of Victoria at all proper and seasonable times during the said term without any interruption or disturbance from the lessee executors administrators or assigns agents workmen or servants to enter into and upon the said land works and premises hereby demised or any part thereof to view and examine the state and condition thereof And also shall and will make such arrangements for the prevention of nuisance and for the observance of decency and adopt such sanitary measures generally as the Governor in Council may from time to time approve of or require And also that if the lessee executors administrators or assigns shall fail at any time during the said term to use the said land and premises for the purpose aforesaid these presents shall be voidable and the said term may be determined as hereinafter provided And further that the lessee executors administrators or licensed assignee shall not nor will assign set over mortgage charge or otherwise part with or encumber this present Indenture of Lease or the premises hereby demised or any part or parts thereof unto any person or persons whomsoever without the consent in writing of the Governor of the said colony or other person or persons authorized for the time being to grant leases of Crown lands for the purpose for which the said land is hereby demised under his or their hand and seal or hands and seals first obtained And it is hereby declared that the lessee executors administrators or assigns shall not be entitled to any valuation or compensation for any improvements effected on the said land and premises or to any renewal of this lease Provided also and it is hereby expressly declared and agreed and these presents are upon this express condition that if the lessee executors administrators or assigns shall at any time during the continuance of this demise fail to use the demised land and premises *bona fide* for the purpose aforesaid or shall use the same for any other purpose or if and whenever any part of the rent hereinbefore reserved shall be in arrear for one week whether the same shall have been demanded or not or if and whenever there shall be a breach of any of the covenants conditions and provisos hereinbefore contained by the lessee executors administrators or assigns then and in such case it shall thereupon be lawful for the Governor in Council to declare this lease to be forfeited and then Her Majesty her heirs and successors or assigns by Her or their agents or officers authorized by the Governor in Council for that purpose or any bailiff of Crown lands may enter forthwith into and upon the said demised premises and repossess and enjoy the same as fully and effectually as if these presents had not been made and executed And it is hereby agreed and declared that in any such case it shall be lawful for Her Majesty her heirs successors or assigns and Her or their agents or officers authorized as aforesaid and any bailiff of Crown lands without any demand whatsoever to enter upon the said land hereby demised and the lessee and all persons claiming under for ever to expel and remove therefrom without any legal process whatsoever and as effectually as any sheriff might do in case Her Majesty her heirs successors or assigns had obtained judgment for recovery of possession thereof and a writ of possession or other process had issued on such judgment directed to such sheriff in due form of law and then in case of such entry and any action being brought or other proceedings taken for the same by any person whomsoever the defendants to such action may plead leave and licence in bar thereof and these presents shall be conclusive evidence that all events had happened and all conditions were fulfilled and all times elapsed necessary to entitle the Governor in Council to declare this lease forfeited and that this lease had been declared forfeited as hereinbefore provided and of the leave and licence of the lessee executors administrators or assigns and all persons claiming under or any of them to Her Majesty her heirs successors and assigns and to such agent or officer so authorized as aforesaid and to any bailiff of Crown lands and all persons acting therein by her or their or any of their order for the entry or trespass or other matters to be complained of in such action or other proceeding.

In testimony whereof Her Majesty hath caused this demise to be sealed with the seal of the said colony and his Excellency Governor and Commander-in-Chief in and over the said Colony of Victoria and its Dependencies at Melbourne has hereunto set his hand and the lessee hereunto set hand and seal the day and year first herein written.

SCHEDULE ABOVE REFERRED TO.

All that piece or parcel

SCHEDULE 67.—(CHAP. XIII. s. 1.)

CONDITIONS OF LICENCE FOR FELLING EUCALYPTUS TIMBER, EXCEPT REDGUM AND IRONBARK.

1. That payment of the licence fee be made by the licensee in advance at the commencement of each quarter.
2. No timber shall be cut or taken away with the exception of gum (not including redgum and ironbark), stringybark, box, messmate, or other kinds of eucalyptus.
3. Not more than three trees shall be felled before they are cut up.
4. One person only shall cut or take away timber under one licence, and the interest of the State in such timber shall not cease until it has been transported from the place wherein it has been cut to the nearest main road.
5. Licences shall be liable to revocation at any time by the Board of Land and Works without any liability to satisfy any claim by the said licensees for compensation.
6. This licence is personal, and must be produced by the licensee upon the request of any bailiff of Crown lands or any police constable.
7. This licence is not available for any area over which an exclusive right to cut timber shall have been granted.
8. Timber must not be cut under this licence for the supply of a saw-mill.

9. No tree shall be felled merely for the purpose of obtaining bark therefrom.
10. Within the period of one month from the felling of any tree, the portion thereof not required for slabs, palings, shingles, posts, rails, props, or manufacturing purposes shall be so disposed of by the licensee as not to encumber the ground.
11. This licence is not available for lands leased under section 32 of the Land Acts 1884 or 1890, except by express permission of the Minister of Lands.

SCHEDULE 68.—(CHAP. XIII. s. 2.)

CONDITIONS OF LICENCE FOR FELLING IRONBARK AND OTHER KINDS OF EUCALYPTUS, EXCEPT REDGUM TIMBER.

1. That payment of fee shall be made by the licensee in advance.
2. No timber shall be cut or taken away with the exception of ironbark, or other kinds of eucalyptus, not including redgum.
3. Not more than three trees shall be felled before they are cut up.
4. One person only shall cut or take away timber under this licence, and the interest of the State in such timber shall not cease until it has been transported from the place wherein it has been cut to the nearest main road.
5. This licence shall be liable to revocation at any time by the Board of Land and Works without any liability to satisfy any claims by the said licensee for compensation.
6. This licence is personal, and must be produced by the licensee upon the request of any bailiff of Crown lands or any police constable.
7. This licence is not available for any area over which an exclusive right to cut timber shall have been granted.
8. Timber cut under this licence shall not be removed to a saw-mill except on a licensed jinker or log carriage.
9. No tree shall be felled merely for the purpose of obtaining bark therefrom.
10. No live tree which at a height of two feet from the ground is less than twenty-four inches in diameter shall be cut down.
11. Within the period of one month from the felling of any tree the portion thereof not required for slabs, palings, shingles, posts, rails, props, or manufacturing purposes shall be so disposed of by the licensee as not to encumber the ground.
12. This licence is not available for lands leased under section 32 of the Land Acts 1884 or 1890, except by express permission of the Minister of Lands.

<p>SCHEDULE 68.—(CHAP. XIII. s. 8.)</p> <p>VICTORIA.</p> <p> R.</p> <p>Sec. No. 99, Land Act 1890.</p> <p>WATTLE-BARK LICENCE.</p> <p>Department of Lands and Survey,</p> <p>..... 189.....</p> <p>KNOW ALL MEN that I, being in that behalf duly authorized by the Governor of the Colony of Victoria, do hereby, in pursuance of the provisions of the Land Act 1890, give to</p> <p>of in consideration of the payment of the sum of One pound ten shillings, and subject to the fulfilment of the conditions printed or written on the back hereof,* full licence and authority, for a term of four months commencing on the 15th day of September, 189..... and ending on the 15th day of January next following, to fell Wattle trees for the purpose of obtaining bark therefrom, on the Crown lands within the Survey District, except the Crown lands mentioned in the schedule hereto.</p> <p>* Schedule of Crown lands for which this licence is not available,† of Port Phillip Bay or its arms.</p> <p>† This schedule will vary with the district.</p> <p>Licensing Agent.</p> <p>Countersigned.....</p> <p>Issuer authorized by the Treasury.</p> <p>This licence shall have no effect until countersigned by the Issuer authorized by the Treasury.</p> <p>N.B.—Be careful to observe that this licence expires on the 15th day of January, 189.....</p>	<p>VICTORIA.</p> <p>.....</p> <p>Fee £1 10s.</p> <p>Section 99, Land Act 1890.</p> <p>WATTLE-BARK LICENCE.</p> <p>Department of Lands and Survey,</p> <p>..... 189.....</p> <p>KNOW ALL MEN that I, being in that behalf duly authorized by the Governor of the Colony of Victoria, do hereby, in pursuance of the provisions of the Land Act 1890, give to</p> <p>of in consideration of the payment of the sum of One pound ten shillings, and subject to the fulfilment of the conditions printed or written on the back hereof,* full licence and authority, for a term of four months commencing on the 15th day of September, 189..... and ending on the 15th day of January next following, to fell Wattle trees for the purpose of obtaining bark therefrom, on the Crown lands within the Survey District, except the Crown lands mentioned in the schedule hereto.</p> <p>* Schedule of Crown lands for which this licence is not available,† of Port Phillip Bay or its arms.</p> <p>† This schedule will vary with the district.</p> <p>Licensing Agent.</p> <p>Countersigned.....</p> <p>Issuer authorized by the Treasury.</p> <p>This licence shall have no effect until countersigned by the Issuer authorized by the Treasury.</p> <p>N.B.—Be careful to observe that this licence expires on the 15th day of January, 189.....</p>	<p>VICTORIA.</p> <p>.....</p> <p>Fee £1 10s.</p> <p>Section 99, Land Act 1890.</p> <p>WATTLE-BARK LICENCE.</p> <p>Department of Lands and Survey,</p> <p>..... 189.....</p> <p>KNOW ALL MEN that I, being in that behalf duly authorized by the Governor of the Colony of Victoria, do hereby, in pursuance of the provisions of the Land Act 1890, give to</p> <p>of in consideration of the payment of the sum of One pound ten shillings, and subject to the fulfilment of the conditions printed or written on the back hereof,* full licence and authority, for a term of four months commencing on the 15th day of September, 189..... and ending on the 15th day of January next following, to fell Wattle trees for the purpose of obtaining bark therefrom, on the Crown lands within the Survey District, except the Crown lands mentioned in the schedule hereto.</p> <p>* Schedule of Crown lands for which this licence is not available,† of Port Phillip Bay or its arms.</p> <p>† This schedule will vary with the district.</p> <p>Licensing Agent.</p> <p>Countersigned.....</p> <p>Issuer authorized by the Treasury.</p> <p>This licence shall have no effect until countersigned by the Issuer authorized by the Treasury.</p> <p>N.B.—Be careful to observe that this licence expires on the 15th day of January, 189.....</p>
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* CONDITIONS.

1. The licence-fee shall be payable in advance.
2. This licence is available only for the Survey District specified therein.
3. No tree of less than five inches in diameter, when of the black or feather-leaf species, nor less than four inches when of the golden or broad-leaf species, shall be stripped of its bark. The measurement in each of the foregoing cases shall be taken at two feet from the ground.
4. No bark shall be stripped from a tree until after the same has been felled.
5. No tree shall be felled at a greater height than two feet from the ground.
6. The licensee will be required to thoroughly strip the bark from the trunk and branches of every tree felled, and to complete the stripping of one tree before commencing to fell another.
7. No tree shall be felled so as to obstruct any track.
8. The licensee only shall strip bark under the authority of this licence, and if any bark stripped by him be transported from Crown lands by any other person, such other person also shall hold a similar licence.
9. All bark stripped under the provisions of this licence shall remain the property of the Crown until the same shall have been removed from Crown lands.
10. This licence is personal, and must be produced by the holder thereof when asked so to do by any Crown lands bailiff or other officer appointed to enforce the regulations under which the same is issued.
11. If the licensee shall strip or remove bark from any tree on any Crown lands except in accordance with the conditions of this licence, he shall be deemed to have stripped or removed bark without a licence, and, on conviction thereof, under the provisions of the *Land Act 1890*, this licence for the season during which such conviction may have been made, shall, from and after the date of such conviction, become void and of no effect, nor shall any fresh licence be granted to him during such season.
12. This licence shall have no force or effect except within the Survey District and during the season for which the same has been granted, nor shall it be of any force or effect within any reserve specially made and proclaimed under the provisions of the *Land Act 1884* or the *Land Act 1890* for the preservation and growth of wattle trees.
13. This licence is not available for lands leased under section 32 of the *Land Act 1884* or 1860, except by express permission of the Minister of Lands.

SCHEDULE 70.—(CHAP. XIV. s. 1.)

SECTION 99.—MISCELLANEOUS LICENCES.

LICENCES WHICH CONFER THE EXCLUSIVE RIGHT TO ENTER ON CROWN LANDS.

Purpose of Licence.	Fee to be paid.	Right to be conferred by Licence.
For obtaining and removing guano	Not less than £10 per annum, payable quarterly in advance	To enter upon Crown lands not exceeding six acres in extent in a position approved by the Minister.
For obtaining and removing stones	Not less than £10 per annum, payable quarterly in advance, according to area and position of land and value of the stone	To enter upon Crown lands not exceeding two acres in extent in a position approved by the Minister, and subject to the following conditions:— Enclosure of site by a substantial three-rail fence, not removable by the licensee at the termination of his tenure thereof, but to belong to the Crown.
For obtaining and removing stone	Within Sandhurst Land Officer's district, and within Ballarat Land Officer's district.—Not less than £4 per annum, payable quarterly in advance, according to the area and position of the land and the value of the stone	If the site abut on a public road, the slope of excavation from edge of the road to the bottom of the quarry must not be steeper than 1 to 1.
For obtaining limestone and erecting lime-kilns	Not less than £25 per annum, payable quarterly in advance; if kiln site is a separate site, £2 per annum extra for it	To enter upon Crown lands not exceeding three acres in extent in a position approved by the Minister. Wood for fuel for the kilns shall not be obtained on Crown lands unless a "Timber licence" be taken out by each person employed by the licensee to procure the wood.
	£12 10s. per annum	To enter on Crown lands within the parish of Merrimu, as provided above, for the year 1893 only. 20.3.93.
For obtaining brick-earth and erecting brick-kilns	Not less than £10 per annum, payable quarterly in advance	To enter upon Crown lands not exceeding three acres in extent in a position approved by the Minister, and subject to the condition that the site be enclosed by a substantial three-rail fence, not removable by the licensee at the termination of his tenure of the site. Trees on such site may be cut down and made use of for the kilns by the licensee, but no wood beyond the boundaries of the site shall be removed from Crown lands for use at the brick-kilns unless a "Timber licence" be taken out by each person employed by the licensee in procuring wood.

LICENCES WHICH CONFER THE EXCLUSIVE RIGHT TO ENTER ON CROWN LANDS—*continued.*

Purpose of Licence.	Fee to be paid.	Right to be conferred by Licence.
For slaughter-houses	Not less than £10 per annum, payable quarterly in advance	To enter upon Crown lands not exceeding three acres in extent in a position approved by the Minister.
For building or repairing ships or boats	To be fixed by the Minister	To enter upon Crown lands not exceeding three acres in extent in a position approved by the Minister.
For landing-places, or for depositing materials	Ditto ditto	To enter upon Crown lands not exceeding three acres in extent in a position approved by the Minister.
For a factory	Ditto ditto	Wood for a factory, tannery, or for a saw-mill, or for a paper-mill shall not be cut from Crown lands beyond the boundaries of the site specified in the licence, unless a "Timber licence" be taken out by each person employed by the licensee in cutting and taking away wood for such mill.
For a tannery	Ditto ditto	
For a paper-mill	Ditto ditto	
For erection of pumps	£5 to £10 per annum, payable quarterly in advance	To enter upon Crown lands the position and area of which to be approved by the Minister.
For working mineral springs	Not less than £10 per annum, payable quarterly in advance	To enter upon Crown lands the position and extent of which to be determined by the Minister.
For bathing-places or for boat-jetties	To be fixed in each case by the Minister. But when the bathing-place or boat-jetty is in front of the purchased land of the licensee, a fee of 1s. per annum	To enter upon Crown lands the position and extent of which to be approved by the Minister.
For the manufacture of salt	Not less than £5 per annum, payable quarterly in advance	To enter upon Crown lands the position and extent of which to be approved by the Minister.
For an inn, store, smithy, bakery, or similar building in a thinly populated district	Not less than £5 per annum, payable quarterly in advance.	To enter upon Crown lands in a position approved by the Minister. The Crown lands to be so entered upon, when comprised in surveyed allotments, must be situated on the road frontage of such allotments.
For sites for toll or punt houses.	Not less than £10 per annum, payable quarterly in advance	To enter upon Crown lands not exceeding three acres in extent in a position approved by the Minister.
For fishermen's residences	£2 per annum if the site be within seven miles of the General Post Office, Melbourne; £1, per annum, if the site be beyond that distance, and within a town, village, or borough; 10s. if the site be from seven miles to thirty miles from Melbourne, and not in a town, village, or borough; and 5s. if the site be more than thirty miles from Melbourne, and not in a town, village, or borough	To enter upon unreserved Crown lands not exceeding in extent twenty perches in a position approved by the Minister, with use of adjacent unappropriated Crown lands for drying nets. The licensee to have the use of adjacent unappropriated Crown lands for drying nets, and to take dead wood for fuel for domestic purposes.
For licences to protect present reserves	To be fixed by the Minister	To protect the public reserve for the purposes for which it may be reserved, and consistently with the preservation of the public rights thereupon to make such use of it as may be described in the licence.
For gardens ...	Ditto ditto ...	To occupy Crown lands not exceeding in area three acres, for residence and garden purposes only.

LICENCES WHICH CONFER THE EXCLUSIVE RIGHT TO ENTER ON CROWN LANDS—*continued.*

Purpose of Licence.	Fee to be paid.	Right to be conferred by Licence.
For creamery...	To be fixed by Minister, not less than £3 for one acre	To occupy Crown lands not exceeding two acres, but if the minimum fee be charged the area must not exceed one (1) acre.
For collecting ballast	£12 per annum, payable quarterly in advance	To enter upon Crown lands not exceeding in extent one rood in a position approved by the Minister.
For any other purpose not included in above	To be fixed by the Minister	For such purposes and at such places as shall be approved by the Minister, and inserted in such licence.

SCHEDULE 71.—(CHAP. XIV. s. 1.)

LICENCES WHICH DO NOT CONFER ANY EXCLUSIVE RIGHT TO ENTER ON CROWN LANDS.

Purpose of Licence.	Fee to be paid.	Right to be conferred by Licence.
For removal of stone	5s. per week, payable in advance Within city of Sandhurst and borough of Eaglehawk, £1 per quarter, payable in advance	To enter upon such Crown lands as may be allowed by the Minister to be made use of for the purpose of taking away stone therefrom, which must not be excavated to a greater depth than twenty inches below the natural surface of the ground; and no blasting operations shall be permitted under this licence, which is available for one person only, using one cart.
For removal of stone from open quarries not held under licence	Within the Horsham land officer's district, £1 per month	To enter upon such Crown lands as may be allowed by the Minister to be made use of for this purpose. Such licence to be available for one person only. The licensee to remove all "stripping" at least half-a-chain from the opening of the quarry, and at the expiration of his licence to leave the face of the quarry in a good and proper condition.
For removal of sand from unappropriated Crown lands within Sandridge Bend	2s. 6d. per load	<ol style="list-style-type: none"> 1. No sand shall be removed under any pretence for purposes of reclamation or filling up. 2. Sand for building purposes shall be removed from within the bounds only of the ground specially set apart for the purpose. 3. No sand shall be removed except between the hours of 7 a.m. and Noon on Saturdays, or between the hours of 7 a.m. and 4 p.m. on other week days. 4. Every person removing sand for building purposes shall, prior to entering the ground, pay to the caretaker Two shillings and sixpence (2s. 6d.) for each load of sand required; and, on payment of the sum specified, shall obtain from the caretaker a "sand permit" for each load. 5. Every person shall surrender to the employé in charge of the pit, prior to loading, the "sand permit" issued to the former by the caretaker. 6. Every person shall receive from such employé, after the loading is completed, half of the "sand permit" so surrendered. 7. Every person shall, on departure from the ground, produce to the caretaker or his deputy such half of the "sand permit." 8. Any person found removing sand without a permit from the ground set apart for sand carters, and all persons found removing sand from the unappropriated Crown lands at Sandridge Bend beyond those bounds, with or without a permit, shall be summoned by any Crown lands bailiff or police constable to appear before justices of the peace to answer for such offence. 9. The caretaker shall decline to issue a "sand permit" to any person neglecting or refusing to observe the foregoing requirements.
Regulation made 29.9.90		

LICENCES WHICH DO NOT CONFER ANY EXCLUSIVE RIGHT TO ENTER ON
CROWN LANDS—*continued.*

Purpose of Licence.	Fee to be paid.	Right to be conferred by Licence.
For digging and taking away— Sand ...	5s. per week, payable in advance	To enter upon such Crown lands as may be allowed by the Minister to be made use of for this purpose. Such licence available for one person only, using one cart.
Salt ...	Ditto, ditto ...	Ditto.
Loam ...	Ditto, ditto ...	Ditto.
Shells ...	Do., do.	But the licence shall be null and void if the licensee traffic in any way with the shell or seaweed dug or taken away Ditto, under the provisions of the licence, or dispose of such shell or seaweed in any way other than as manure upon the licensee's own land when the licence is for this purpose only.
Seaweed ...	Do., do.	
	(But if the shells or seaweed be required for purposes of manure on the licensee's own land only, licence fee to be 1s. per annum)	
Gravel ...	Ditto, ditto ...	Ditto.
For digging and taking away gravel from the Gravel Reserve, Wodonga Flats	15s. per week ...	Ditto.
8.5.93. For digging and taking away gravel within the parish of Moora	2s. 6d. per week.	Ditto.
For digging and taking away sand or gravel within the city of Sandhurst or shire of Strathfieldsaye	2s. 6d. per week ...	To enter upon such Crown lands as may be allowed by the Minister to be made use of for this purpose. Such licence available for one person only, using one cart.
For digging and taking away sand, loam, and gravel within the parishes of Heathcote and Rochester, the shire of Marong, or the borough of Eaglehawk	2s. 6d. per week, payable in advance	To enter upon such Crown lands as may be allowed by the Minister to be made use of for this purpose. Such licence available for one person only, using one cart.
14.11.02. For digging and taking away sand	Within the town of Numurkah, 2s. 6d. per week, payable in advance	To enter upon such Crown lands as may be allowed by the Minister to be made use of for this purpose. Such licence available for one person only, using one cart.
For any other purpose	To be fixed by the Minister	To be stated in licence.

CONDITIONS OF ABOVE LICENCES.

The conditions of such licences shall be as follows, so far as circumstances will permit:—

- a. The payment of the fee shall be made by the licensee in advance.
 - b. The licence shall be available for one person and one dray only, and shall be produced by the licensee upon the request of any bailiff of Crown lands or police constable.
 - c. The licensee shall be liable to revocation at any time by the Minister, without any liability to satisfy any claim by the said licensee for compensation.
 - d. If the licence be for the purpose of obtaining shell or seaweed, then it is issued to the licensee subject to the provision that the licence shall be null and void if the licensee traffic in any way with the shell or seaweed dug or taken away under the provisions of the licence, or dispose of such shell or seaweed in any way other than as manure upon the licensee's own land only.
 - e. If the licence be for the purpose of obtaining and removing surface stone, the land specified in the licence shall not be excavated to a greater depth than twenty inches below the natural surface of the ground, and no blasting operations will be permitted.
 - f. If the licence be for the purpose of obtaining sand or loam, it is issued subject to the condition that such sand or loam shall not be dug or taken away from the beds or banks of rivers, creeks, lakes, or lagoons.
- 14.4.02. The condition specified hereunder shall be inserted in all licences issued under section 99 of the *Land Act 1890* aforesaid, for the purpose of obtaining limestone within the Warrnambool Land Officer's district, that is to say:—

CONDITION.

That all excavations made by the licensee within the boundaries of his licensed area be filled up by him to the satisfaction of the Crown lands bailiff.

SCHEDULE 72.—(CHAP. XI. s. 2; XIII. s. 13; XIV. ss. 3, 6.)

I, the undersigned hereby make application for a licence under the *Land Act* 1890, to occupy the land marked out by me, and hereunder described, for the purpose of and I request that (if necessary) an authorized surveyor be instructed to make a survey for me and on my account of the said allotment, and to supply a plan of same; and I undertake to pay all duly authorized fees for the making of the said survey and plan, or for any such notification thereof; and if the issue of such licence be notified in the *Government Gazette* as approved, I hereby agree to accept such licence from the date specified in such notification as the date thereof, and to pay all licence-fees due or that may become due with respect to such licence or with respect to this my application therefor, and to accept a licence subject to the terms, covenants, and conditions which may be lawfully imposed.

Signature of applicant—

Occupation—

Address—

Date of signature—

Situation and Extent of Land applied for.	Description of the Land, containing the lengths and bearings of the boundary lines and their connexion with a fixed point in a Government Survey, as shown on plan accompanying this application.
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SCHEDULE 73A.—(CHAP. XIV. s. 4.)

13.6.02.

Corr. No.

Number of licence—



This number should be quoted in any correspondence relating to this licence.

Fee per annum, payable as follows:—

VICTORIA.
Schedule of Payments.

£	s.	d.	Initials of Receiver.	Date of Receipt.	Department of
					Lands and Survey,
					Melbourne, 189

When making the last payment the licensee must state whether he wishes the licence renewed, and for what period.

SECTION 99, THE "LAND ACT 1890." (SECTION 11, THE "LAND ACT 1891.")

This licence, together with the receipt for the current quarter's fee, must be produced at all times when demanded, and must be produced to the Receiver whenever money is being tendered on account thereof.

KNOW ALL MEN that I, the undersigned, being in that behalf duly authorized by the Governor of the Colony of Victoria, do hereby, in pursuance of the *Land Act* 1890, give and grant to of in consideration of the payment of the annual sum of of pounds shillings pence, in instalments as specified in the schedule prefixed hereto in advance, to the Receiver of Revenue at subject to the fulfilment of the conditions printed or written on the back hereof full licence and authority, so far as regards the surface, to enter upon on and after date hereof, and to occupy until and no longer, the Crown lands more particularly described or delineated in the schedule hereto, for the following purpose, that is to say:—

Schedule.

Description.	Number of Office Plan—	Diagram.
All the Crown land situate at in the parish of containing acres roods perches, or thereabouts, as per diagram annexed, subject to any modification of boundaries of the site that may be deemed necessary at any time during the currency of this licence.		

Signature—

N.B.—Be careful to observe that this licence expires on the day of 189

If a renewal is desired, the licensee should signify the same when making the last payment hereon.

CONDITIONS UNDER WHICH THIS LICENCE IS ISSUED.

1. This licence only gives the licensee the right to use the surface of the land, and, so far as is consistent with the purposes hereof, down to a depth of feet below the surface, and only for the purpose for which it is granted. The land shall not be sublet.
2. This licence shall be produced by the licensee upon the request of any bailiff of Crown lands or police constable or officer.
3. When the holder of the licence does any act which, if it were done without licence, would be punishable as trespass, if he fail to produce his licence when asked to do so by any bailiff of Crown lands or any police constable or officer, he shall be conclusively deemed to be a person not licensed or otherwise authorized to do such act within the meaning of the 114th section of the *Land Act 1890*.
4. The non-observance or non-compliance with, or the non-performance of, any of the obligations or conditions specified in this licence shall render this licence null and void, and the Minister may thereupon cause the land in respect to which this licence has been granted to be re-entered upon and dealt with as unoccupied Crown land.
5. If, during the period for which this licence is issued, the Governor deem the resumption of the whole or any part of the land described in this licence necessary for public purposes, the Governor may resume possession of the land, or of part thereof, without giving compensation to the licensee for so doing, at the expiration of three months after the licensee has been served with a notice under the seal of Board of Land and Works of the intention to resume possession of the land, or of part thereof.
6. In all proceedings for any alleged breach of the conditions of this licence, or of the regulations under which it is issued, the burthen of proof of compliance therewith shall rest with the licensee.
7. Subject also to the conditions in the several cases hereunder specified, and to the special conditions (if any) prescribed by the Minister and written at the foot hereof.
8. *Any holder of a miner's right or of a licence to search for metals or minerals or of a gold mining or mineral lease shall have the right and shall be allowed to enter upon the land and search for gold, silver, copper, tin, antimony, coal, and other metals and minerals and mineral ores, and to mine thereon, and to erect and occupy mining plant or machinery within the area without making compensation to the licensee for surface or other damage, provided always that such portions of the land as shall be occupied by buildings shall be secure from such intrusion, unless with the consent of the licensee.*

CONDITIONS IN CERTAIN CASES.

- | | |
|---|---|
| If the licence be for obtaining and removing stone of any description, and brick or other earth | The site herein licensed must be enclosed by a substantial 3-rail fence, not removable by the licensee at the termination of his tenure hereof, but to belong to the Crown.
If the site abut on a public road, the slope of excavation from edge of the road to the bottom of the quarry must not be steeper than 1 to 1. Ground must not be broken within 6 feet of road. |
| If the licence be for fisherman's residences | The licensee herein mentioned is permitted the use of adjacent unappropriated Crown lands for drying nets and to take dead wood for fuel for domestic use. |
| If the licence be for brick-kilns | The site to be enclosed by a substantial 3-rail fence, not removable by the licensee at the termination of his tenure of the site. Trees on such site may be cut down and made use of for the kilns by the licensee, but no wood beyond the boundaries of the site shall be removed from Crown lands for use at the brick kilns unless a "wood licence" be taken out by each person employed by the licensee in procuring wood. |
| If the licence be for lime-kilns | Wood for fuel for the kilns shall not be obtained on Crown lands unless a "wood licence" be taken out by each person employed by the licensee to procure the wood. |
| If the licence be for a tannery, factory, saw-mill, or paper mill | Wood shall not be cut from Crown lands beyond the boundaries of the site specified in this licence, unless a "wood licence" be taken out by each person employed by the licensee in cutting and taking away wood for the use of the mill herein licensed. |
| If the licence be for a site for a saw-mill in a State forest | No buildings shall be erected outside of the boundaries of the site. No goats shall be kept by licensee or by persons in his employment in the reserve wherein the mill site is situated. Licensees shall forward, when called upon, to the Minister a statutory declaration of the number of men engaged under licences in felling and transporting timber for feeding mill, and that no unlicensed men have been so employed. |
| If the licence be for obtaining and removing surface stone, at the rate of £3 per quarter | The land specified in the licence shall not be excavated at a greater depth than 20 inches below the natural surface of the ground, and no blasting operations will be permitted. |
| If the licence be for a site for a rural inn | This licence only confers the right to occupy the land as a site for a rural inn. Fermented or spirituous liquors can only be sold thereat under the usual publican's licence authorized by the licensing bench of magistrates. |

SPECIAL CONDITION.

SCHEDULE 74.—(CHAP. XIII. s. 25; XIV. s. 4.)

Fee per —£ V.  R. No.

Section 99 of the *Land Act 1890*.

KNOW ALL MEN that I, being in that behalf duly authorized by the Governor of the Colony of Victoria, do hereby, in pursuance of the *Land Act 1890*, give and grant to _____ of _____ in consideration of the payment of the sum of _____, and subject to the fulfilment of the conditions printed or written on the back hereof, full licence and authority to enter upon, on and after date hereof, and to occupy for _____ and no longer, the Crown lands described in the schedule hereto for the following purpose, that is to say:—
To obtain and remove _____ therefrom.

Schedule.

All those Crown lands _____ Licensing Agent.

Countersigned—
Issuer authorized by the Treasury.

This licence shall have no effect until countersigned by the Issuer authorized by the Treasury.

N.B.—Be careful to observe that this licence expires on the day of _____ 189 _____

SCHEDULE 75.—(CHAP. XIV. s. 5.)

CONDITIONS OF LICENCE FOR LIME SITES NORTH OF AND ADJOINING THE BOTANICAL GARDENS AT GEELONG.

1. The portion of surface soil required to be removed shall be carefully preserved, and shall be placed apart by itself within the boundaries of the site, and all waste soil and debris shall be deposited in such places as may be directed by the Town Surveyor of Geelong.
2. The road may be diverted for the purpose of quarrying for limestone and relaid, with the concurrence and under the direction of the Town Surveyor aforesaid.
3. Kiln sites can only be obtained east of those now under licence.
4. Quarrying operations shall not be carried on within the boundaries of the land under licence in such a manner as will, in the opinion of the Town Surveyor, endanger the public safety.
5. Quarrying or other operations by the licensee must not in any way interfere with or obstruct the public safety.
6. The licensee shall, within one month, commence to quarry the limestone on the site for which he shall hold a licence, and convert the limestone so raised into good marketable lime, and shall, at the expiration of three months from the date of his licence, and during each and every week thereafter, while his licence or any renewal thereof is in force, make and produce from the stone so quarried 900 bags (if required) of good marketable roche lime per week from each site; provided that there shall always be on hand at the kiln ready for sale to the public, in the order in which applications may be made or lodged, not less than 500 bags of such lime to supply the demands of the public.
7. That each bag of lime shall contain not less than three bushels of well-burned, screened, marketable lime; and not more than Two shillings and threepence per bag shall be charged if delivery be required at the kiln, or into boats, as is now the practice in connexion with the Limeburner's Company at Geelong; and Three shillings per bag if delivery be required at the wharf in Melbourne. The bags shall be the property of the licensee, who will be entitled to charge One shilling per bag, which amount will be refunded, provided the bags be returned in good order within ten days.
8. That if at any time during the currency of a licence, or of any renewal thereof, the licensee has not worked and is not working the lime site fully and fairly according to his licence, or has wilfully failed and neglected to have on hand at the kilns not less than 500 bags of lime to supply the requirements of the public as aforesaid, or that the lime prepared by the licensee is not good marketable roche lime, pure in quality, and that the bags do not contain three bushels of lime as aforesaid, due allowance being made for waste by transit to Melbourne, or that more has been demanded for each bag of lime than Two shillings and threepence or Three shillings at the respective places of delivery as aforesaid; then and in such case, after the licensee shall have had an opportunity of showing cause against such forfeiture, in the manner provided by the 123 section of the *Land Act 1890*, the licence may be forfeited, and thereupon all moneys previously paid by the licensee, together with all erections, improvements, plant, and materials then on the lands mentioned in such licence, shall become and be the property of the Board of Land and Works; and the production of a copy or the *Government Gazette* containing a notice, purporting to be signed by the Minister of Lands, of the forfeiture of the licence shall be conclusive evidence that such licence has been lawfully determined and annulled.

SCHEDULE 76.—(CHAP. XV. s. 9.)

APPLICATION FOR A COMMON UNDER THE "LAND ACT 1890."

We, the undersigned, do hereby apply for the proclamation of a common under the *Land Act 1890* as hereunder described.

Date _____
Description of boundaries and approximate extent of the }
land for the proclamation of which as a common appli- }
cation is now made }
Distance and area of nearest common from that applied }
for }
Estimated grazing capability of common applied for in }
acres to one head of cattle } _____

SCHEDULE 79.—(CHAP. XV. s. 16.)

Abstract of the accounts of the managers of the above-named common for the year [or period] commencing on the day of 189 and ending on the day of 189 both days inclusive.

Dr.				Cr.			
Receipts.				Expenditure.			
	£	s.	d.		£	s.	d.
To Balance ...				By Salary of herdsman ...			
Fees for depasturing—							
Number.							
head of large cattle							
small cattle							
Fees received for special							
licences to—							
Slaughtermen ...				Balance ...			
Butchers ...							
	£				£		

We certify the above extract to be true and correct in every particular.

Managers.

I, the undersigned, having examined the accounts of the managers of the common, being duly authorized in that behalf, hereby certify that I find the same to be correct, and that the foregoing abstract is a true statement of the accounts of the said common.

Date—

Signature—

Office—

Address—

SCHEDULE 80.—(CHAP. XI. s. 22 ; XVI. s. 6)

Fee per annum, £ s. d. No.

GRAZING LICENCE UNDER 123RD SECTION "LAND ACT 1890."

Department of Lands and Survey,
Melbourne, Victoria, 189

KNOW ALL MEN that I [the Governor of Victoria] (being the person duly authorized in that behalf) in pursuance of the Land Act 1890, and in consideration of the sum of

duly paid by the person hereinafter mentioned, do hereby give to
* Describe kind of stock to enter with* of licence and liberty upon the park lands, reserves, or other Crown lands specified in the schedule hereto not being lands forming part of any common, or held under lease or licence or taken up or required for the purposes of the said Act, and therewith to depasture the same. This licence will continue in force until the day of and no longer, and is issued subject to the conditions on the back hereof.

Schedule.

All these Crown lands containing acre or thereabouts.

CONDITIONS.

1. The issue of this licence shall not prevent the land comprised therein or any part or parts thereof being sold, leased, licensed, alienated, or dealt with under any of the provisions of the Land Act 1890, except under the 123rd section thereof, or being resumed by order of the Governor or Administrator of the Government of Victoria, with the advice of the Executive Council, for any of the purposes for which land may be reserved under section 10 of the Land Act 1890 or for mining purposes.

2. In case the said land or any part thereof should be sold, leased, licensed, alienated, dealt with, or resumed as aforesaid, the licensee shall not be entitled to any compensation other than the return of such portion of the fee paid by him as the responsible Minister of the Crown for the time being administering the Land Act 1890 may think fit. This licence is also subject to the rights of the holders of miners' rights or of mining leases now issued or hereafter to be issued to enter upon the allotment hereby licensed, and to search for gold and to mine thereon, and to erect and occupy mining plant and machinery, without making any compensation to the licensee, his executors, administrators, or assigns, for surface or other damage.

3. Subject to these conditions the licensee shall be entitled to use the land for the purpose for which this licence has been granted until notice has been given in the Government Gazette that such land or any part thereof has been sold, leased, licensed, alienated, dealt with, or resumed as aforesaid, and immediately upon such notice being given all the interest of the licensee in the licensed land described in such notice shall cease and be determined, and any person entitled to occupy the licensed land or any part thereof may lawfully make entry upon and hold the same without the permission or sanction of the licensee or any one claiming under her, him, or them.

4. No land comprised in roads from time to time surveyed and marked out within the boundaries of the land comprised in this licence shall be deemed within its operation.

5. This licence entitles the holder thereof, during the period for which it is granted, to use the land therein comprised for depasturing purposes only, but does not confer any right to build thereon, or to cultivate, or to fence any portion thereof.

6. If the licensee desire a renewal of this licence notice to that effect must be given to the Minister aforesaid one month prior to the expiration thereof, but nothing herein contained shall be deemed to confer a right to any renewal.

7. The interest in this licence may not be transferred without the consent of the Minister aforesaid and the payment of a fee of £1.

8. No claim whatever shall be made or entertained by reason of this licence not being renewed or transferred.

9. This licence is to be used under and in accordance with the regulations made or to be made under the provisions of the said Act and for the time being in force.

10. The licence may be forfeited if the licensee commit a breach of or neglect to comply with these conditions.

11. The publication of a notice in the *Government Gazette* purporting to declare that the Governor or Administrator, with the advice aforesaid, has forfeited this licence shall be conclusive evidence that the licence is forfeited.

4.5.01. 12. The ring-barking of the timber upon the land by the licensee is expressly forbidden, nor is he entitled to destroy or cut and take away any such timber; and should he be found destroying, felling, or removing live or dead timber without a licence authorizing him so to do, he will be prosecuted according to law.

And the Honorable John McIntyre, Her Majesty's Commissioner of Crown Lands and Survey for Victoria, shall give the necessary directions herein accordingly.

THOS. BRISBANE,
Acting Clerk of the Executive Council.

Wattles Act 1890.

REGULATIONS.

At the Executive Council Chamber, Melbourne, the third day of July, 1893.

PRESENT:

His Excellency the Governor.

Mr. Patterson	Mr. McColl
Sir Bryan O'Loughlen	Mr. Wynne
Mr. Carter	Mr. Baker
Mr. McIntyre	Mr. Cooke.
Mr. Reid	

WHEREAS by the *Wattles Act 1890* (54 Vict. No. 1157) it is amongst other things enacted that, subject to the provisions therein contained, the Governor in Council may from time to time make regulations for the better carrying into effect of the aforesaid Act, and may at any time alter or repeal any such regulations: Now therefore His Excellency the Governor, acting by and with the advice of the Executive Council, doth hereby rescind all Regulations under the *Wattles Act 1890* except as to all matters done, rights acquired, and obligations incurred thereunder, and doth hereby make the Regulations following in lieu thereof:—

REGULATIONS.

1. Every application for a lease under Section 5 of the *Wattles Act 1890* shall be in the form prescribed in Schedule 1 hereto.
2. Lessees under Section 32 of *The Land Act 1884* or Section 32 of the *Land Act 1890*, who desire to surrender their leases and obtain in lieu thereof leases under Section 5 of the *Wattles Act 1890*, shall make application in the form prescribed in Schedule 2 hereto.
3. The form of notice in the *Government Gazette* and local newspapers of applications for Wattle Leases shall be as prescribed in Schedule 3 hereto.
4. Leases issued under Section 5 of the *Wattles Act 1890* shall be in the form prescribed in Schedule 4 hereto.
5. Any lessee desiring to transfer his leasehold shall make application to the Minister of Lands in the form prescribed in Schedule 5 hereto.
6. The provisions of Chapters II., III., V., and VI. of the Regulations under Part I. of the *Land Act 1890* shall apply generally to applications for leases under the *Wattles Act 1890*.

7. Every application under Section 9 of the *Wattles Act* 1890 by a lessee for a selection out of his Wattle Leasehold shall be in the form for the time being prescribed for Application for Agricultural Allotments under the *Land Act* 1890 as amended by the *Land Act* 1891.
8. The provisions of Chapter VII. of the Regulations under Part I. of the *Land Act* 1890 shall apply generally to applications by holders of Wattle Leases for selections out of their leaseholds.
9. Licences under Section 9 of the *Wattles Act* 1890 shall be in the form for the time being prescribed under Part I. of the *Land Act* 1890, as amended by the *Land Act* 1891, for Licences for Residence or Non-residence Purposes respectively and shall be subject to the Regulations relating thereto.

SCHEDULE 1.—SEC. 1.—WATTLE TREES CULTIVATION REGULATIONS.

APPLICATION FOR A LEASE FOR THE CULTIVATION OF WATTLE TREES UNDER SECTION 5 OF THE "WATTLES ACT 1890."

* Here state fully the I, _____ of _____ hereby make application under place of abode and the occupation of the applicant. Section 5 of the *Wattles Act* 1890, for a lease for the land described hereunder; and I hereby request that (if necessary) an authorized surveyor be instructed to make a survey, for me and on my account, of the said land, and to supply plan of same; and I undertake to pay all duly authorized fees for the making of the said survey and plan, or for any modification thereof, and to accept a lease subject to the terms, covenants, and conditions which may lawfully be imposed.

† Strike out the unnecessary words. I, _____ of _____ do hereby declare that † I have not at any time held a lease for the cultivation of wattle trees under this Act or that I hold under this Act _____ acres; and that the area I now desire to obtain would not, if added to the area already held by me under this Act, exceed 1,000 acres; that I am not under eighteen years of age; and that with respect to this application I am not an agent, or a servant of or a trustee for any other person; that I have not entered into or promised to enter into any agreement to permit any other person to acquire by purchase or otherwise the land in respect of which this application is made, or any part thereof, or my interest therein, or the usufruct thereof; that I intend to occupy the said land for my own use and benefit solely; that, if my application be granted, it is my intention to comply with the provisions of the 5th section of the *Wattles Act* 1890, and that the statements made by me in reply to the questions hereto subjoined are true and correct in every particular.

N.B.—State here at what Money Order Office or Receipt and Pay Office you wish to pay the survey charge for the allotment herein applied for.

QUESTIONS AND STATEMENTS REFERRED TO IN THE DECLARATION.

Questions.	Statements in Reply.
1. What is your occupation, and where have you resided during the last twelve months? ...	
2. Do you own any land in fee simple? If so, state the number of acres, situation, and purpose to which it has been applied ...	
3. Have you at any time obtained any land under lease or licence from the Crown? If so, Under what section and Act? ... Where situated? ... What area? ... What use did you make of it? ...	
4. Have you obtained a lease or leases under section 5 of the <i>Wattles Act</i> 1890? ... When? ... In what parish situated? ... Area? ...	

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Signature—
Occupation—
Address—

Declared at _____ 189 _____ before me, _____ in the colony of Victoria, this _____ day of _____ for the _____ Justice of the Peace in and Bailiwick of the colony of Victoria.

July 6, 1893.

3056

QUESTIONS AND STATEMENTS—continued.

Situation and Area of Allotment applied for, if previously surveyed.	Description of the Land applied for, if previously unsurveyed, or forming part only of a Surveyed Allotment.	Reported by Land Officer.
County— Parish— Allotment— Section— Extent— acres. roods. perches.		Date and hour of receipt of application. } Report— Date of transmission of order to surveyed surveyor. } at Land Officer

*The magistrate's signature is only required here in cases where the applicant is a marksman, and can neither read nor write.

* I hereby certify that this declaration was read to the declarant in my presence this _____ day of _____ 189____

Justice of the Peace in and for the Bailiwick of the colony of Victoria.

NOTE.—This application will not be received by the Land Officer unless accompanied by a "Certificate of Registration," which can be obtained of any Receiver of Revenue on payment of a fee of One pound.

SCHEDULE 2.—SEC. 2.—WATTLE TREES CULTIVATION REGULATIONS.

APPLICATION BY A LESSEE OF A GRAZING AREA UNDER PART III. OF "THE LAND ACT 1884," OR DIVISION 3 PART I. OF THE "LAND ACT 1890," TO SURRENDER HIS LEASE AND OBTAIN A WATTLE TREES CULTIVATION LEASE.

* Here state fully the I, _____ of* _____ being the holder of a Grazing Area Lease under { Division 3 Part I. of the Land Act 1890 } Part III. of The Land Act 1884 hereby make application to surrender such lease, and obtain in lieu thereof a lease under section 5 of the Wattle Act 1890, for the land described hereunder. I forward herewith my lease under { Division 3 Part I. of the Land Act 1890 } and surrender of same duly executed. { Part III. of The Land Act 1884 }

I, _____ hereby declare that + I have not at any time held a lease for the cultivation of wattle trees under this Act? That I hold under this Act _____ acres; and that the area I now desire to obtain would not, if added to the area already held by me under this Act exceed 1,000 acres; that I am not under eighteen years of age; And that with respect to this application I am not an agent, or a servant of or a trustee for any other person; that I have not entered into or promised to enter into any agreement to permit any other person to acquire by purchase or otherwise the land in respect of which this application is made, or any part thereof, or my interest therein, or the usufruct thereof; that I intend to occupy the said land for my own use and benefit solely; that if my application be granted, it is my intention to comply with the provisions of the 5th section of the Wattle Act 1890, and that the statements made by me in reply to the questions hereto subjoined are true and correct in every particular.

N.B.—State here at what Money Order Office or Receipt and Pay Office you wish to pay the survey charge for the allotment herein applied for.

QUESTIONS AND STATEMENTS REFERRED TO IN THE DECLARATION.

Questions.	Statements in Reply
1. What is your occupation, and where have you resided during the last twelve months?	
2. Do you own any land in fee simple? If so, state the number of acres, situation, and purpose to which it has been applied ...	
3. Have you at any time obtained any land under lease or licence from the Crown? If so— Under what section and Act? ... Where situated? ... What area? ... What use did you make of it? ...	
4. Have you obtained a lease or leases under section 5 of the Wattle Act 1890? ... When? ... In what parish is the holding situated? ... Area? ...	

July 6, 1893.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Signature—
Occupation—
Address—

Declared at _____ in the colony of Victoria, this _____ day of _____ 189 _____ before me _____ Justice of the Peace in and for the _____ Bailiwick of the colony of Victoria.

Situation and Area of Allotment applied for, if previously surveyed.	Description of the Land applied for, if previously unsurveyed, or forming part only of a Surveyed Allotment.	Report by Land Officer.
County— Parish— Allotment— Section— acres, roods, perches. Extent—		Date and hour of } Report— receipt of appli- } cation. } Date of transmis- } sion of order } to survey to } authorized sur- } veyor. } Land Officer. at

* The magistrate's signature is only required here in cases where the applicant is a markaman, and can neither read nor write.

* I hereby certify that this declaration was read to the declarant in my presence this _____ day of _____ 189 _____

Justice of the Peace in and for the _____ Bailiwick of the colony of Victoria

SCHEDULE 3.—SEC. 3.—WATTLE TREES CULTIVATION REGULATIONS.

THE "WATTLES ACT 1890," SECTION 4.

Regulation I, of _____ hereby give notice that I have made application to the Department of Lands and Survey for a lease under section 5 of the *Wattles Act 1890* for the land specified hereunder:—

County.	Parish.	Area.	Description.

SCHEDULE 4.—SEC. 4.

WATTLE TREES CULTIVATION REGULATIONS.—LEASE UNDER SECTION 5 OF "WATTLES ACT 1890" AS AMENDED BY THE "LAND ACT 1891." 3.6.92

(Section 13, *Land Act 1891*.)

THIS INDENTURE made the first day of _____ in the year of Our Lord One thousand eight hundred and _____ between His Excellency _____ Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies in the name and on behalf of Her Most Gracious Majesty Queen Victoria of the one part and _____ of _____ in the colony of Victoria (hereinafter called the "Lessee") of the other part.

Whereas the Governor by Order in Council dated the _____ day of _____ and made by virtue and in pursuance of the powers contained in the third section of the *Wattles Act 1890* has directed that certain unoccupied lands of the Crown of which the land hereinafter described forms part may be leased as in that Act provided. And whereas such Order in Council or a copy thereof together with a plan or plans of the land therein referred to has lain on the table of the Legislative Council and on that of the Legislative Assembly for the full period of thirty days. And whereas the Governor by another Order in Council dated the _____ day of _____ 189 _____ made in pursuance of the powers conferred on him in that behalf has directed that the depth down to which land of the Crown to be leased for the cultivation of wattles shall be _____ feet. And whereas the Governor with the advice of the Executive Council has agreed to grant a lease for the cultivation of wattle trees subject to the limitation as to depth as aforesaid of the land hereinafter described for the term of _____ years at the annual rent of £ _____ during the first seven years of such term £ _____ during the next seven years of such term and £ _____ during the remaining years of such term being the rent fixed and reserved in accordance with the provisions of the said third section of the *Wattles Act 1890* as amended by the *Land Act 1891* to the lessee subject to the provisions of the said Acts and to the terms conditions covenants and provisos hereinafter contained. And whereas the lessee has paid half-a-year's rent in advance. Now this Indenture witnesseth that in consideration of such payment aforesaid and of the rent hereby reserved and of the terms conditions covenants and provisos hereinafter contained by the lessee his executors administrators and assigns to be respectively paid observed and performed Her Majesty doth by these presents grant and demise unto the lessee his executors administrators and assigns the surface and down to the depth aforesaid of all that piece or parcel

of land situate and being in the parish of _____ county of _____ in the colony of Victoria containing _____ acres more or less being part of the land specified in the Order in Council aforesaid and delineated on the plan laid on the table of the Legislative Council and on that of the Legislative Assembly therewith in accordance with the provisions of the second section of the said Act and thereon numbered _____ in the said parish and also delineated on the plan drawn in the margin of these presents and therein coloured yellow together with the appurtenances Excepting and reserving unto Her Majesty her heirs and successors all gold and silver and auriferous and argentiferous earth or stone and all copper tin antimony coal and all other metals and minerals and mineral ores whatsoever and all mines seams veins lodes and deposits containing gold silver copper tin antimony coal and other metals and minerals and mineral ores in upon and under the said demised premises together with liberty for Her Majesty her heirs and successors and her and their agents servants lessees licensees and assigns at any time or times during the said term to enter upon the said land and to search and mine therein for gold silver copper tin antimony coal and other metals and minerals and mineral ores and to remove therefrom any gold silver auriferous and argentiferous earth or stone copper tin antimony coal and other metals and minerals and mineral ores and for the purposes aforesaid to sink shafts make drives and do any other things which may be necessary or usual in mining And also excepting and reserving to Her Majesty her heirs and successors and each and every other lessee of a wattle lease or of any grazing area and the holder of a miner's right or of a gold mining or mineral lease and her heirs and their agents and servants tenants and workmen liberty and right of ingress egress and regress at all times through over and across the premises hereby demised with or without horses cattle and other animals carts waggons and carriages to or from such wattle leasehold or grazing area or part thereof or to or from any claim or mine from and to any public road or track subject to such regulation to be made by the Governor with the advice of the Executive Council as may for the time being be in force And also excepting and reserving to Her Majesty her heirs and successors and her or their licensees liberty and right of ingress and egress and regress at all times through over and across the premises hereby demised with or without horses cattle and other animals carts waggons and carriages to or from any other Crown land from and to any public road or track subject to such regulations to be made by the Governor with the advice of the Executive Council as may for the time being be in force And also excepting and reserving unto Her Majesty her heirs and successors and all persons specially licensed in that behalf by the Governor in Council full and free liberty at all times to enter upon the said demised lands and therefrom to cut and take away live or dead timber To have and to hold the premises hereinbefore expressed to be hereby demised unto the lessee his executors administrators and assigns for the term of _____ years from the day of the date hereof Yielding and paying therefor during the said term the yearly rental of £ _____ during the first seven years of such term £ _____ during the next seven years of such term and _____ during the remaining years of such term by two equal half-yearly payments in advance on the first day of _____ and the first day of _____ in every year clear of all deductions the first of the said half-yearly payments having been made as aforesaid the next of the said half-yearly payments to be made on the first day of _____ next and the last of the said half-yearly payments to be made on the first day of _____ next preceding the expiration of the said term And the lessee doth hereby for himself his heirs executors administrators and assigns covenant and agree with Her Majesty her heirs and successors that he the lessee his executors administrators and assigns will during the said term observe perform and be bound by the several covenants conditions provisions agreements acts matters and things hereinafter contained (that is to say):—

NOTE.—The lengths of the boundaries are approximately given in this plan in links.

1. That he or they will pay the said rent hereinbefore reserved in advance at the times and in manner hereinbefore appointed for payment thereof clear of all deductions.

2. That he or they will during the said term pay all existing and future rates assessments and taxes for the time being payable either by landlord or tenant in respect of the said premises.

3. That he or they will not assign sublet subdivide or part with the possession of the land hereby demised or any portion thereof without the previous consent of the Board of Land and Works signified in writing.

4. That he or they will at once after the granting of this lease to the satisfaction of the Board of Land and Works commence and continue to destroy and will within one year after the granting of this lease have destroyed to the satisfaction of the Board of Land and Works the animals and birds by the *Land Act 1890* (hereinafter referred to as "the said Act") included in the term "vermin" or which the Governor with the advice of the Executive Council may by proclamation in the *Government Gazette* declare to be vermin for the purposes of the said Act upon such land and will keep the same free of such animals and birds Bathurst burr wild briar and gorse to the satisfaction of the Board of Land and Works during the currency of this lease.

5. That he or they will repair and keep in good condition and repair during the continuance of the term hereby granted all houses fences wells reservoirs tanks dams and all improvements of a permanent character situated on the premises hereby demised whether made erected or constructed by the said lessee his executors administrators or assigns or not reasonable wear and tear and damage by fire storm and tempest alone excepted and that the lessee his executors administrators or assigns will not remove fill up or render useless or cause to be removed filled up or rendered useless any of the same without first obtaining the permission of the Board of Land and Works signified in writing.

6. That he or they will not during the continuance of the term hereby granted ring or destroy or except for the purpose of fencing or building or domestic use on the land hereby demised cut down any timber in or upon the land hereby demised unless with the sanction of the Board of Land and Works signified in writing and then only under the supervision of an officer appointed in that behalf by the said Board.

7. That he or they will to the satisfaction of the said Board of Land and Works during each of the first six years except the first year from the granting of this lease sow or plant wattle trees or such other species of tannin-producing trees or plants as may be approved of by the said Board of Land and Works on one-fifth part at least of the land hereby demised and within six years will sow or plant wattle trees or some other tannin-producing trees or plants approved as aforesaid on the whole of the land demised.

8. That he or they will from time to time sow or plant to the satisfaction of the said Board of Land and Works in the place or stead of any wattles or tannin-producing trees which shall be stripped dead decayed or become unproductive during the said term other wattles or tannin-producing trees approved as aforesaid and otherwise at all times maintain the sowing or planting of such trees to the satisfaction of the said Board of Land and Works.

9. That he or they will if not sooner called upon under the provisions of the *Fences Act* 1890 within two years from the date of these presents enclose a third part and within three years two third parts and within four years the whole of the land hereby demised with a good and substantial sheep and cattle proof fence and will keep the same in good repair during the continuance of the term hereby granted to the satisfaction of the said Board of Land and Works.

10. That he or they will at the expiration or sooner determination of the said term hereby granted peaceably deliver up to Her Majesty her heirs or successors the premises hereby demised together with all houses fences wells reservoirs tanks dams and all improvements that now are or may be made erected or constructed thereon in such good or sufficient repair and condition as aforesaid and in all respects in such state and condition as shall be consistent with the due performance of the several covenants hereinbefore contained.

11. That he or they will permit any person appointed in that behalf by the Board of Land and Works at any time to enter upon the premises hereby demised to ascertain if the conditions and covenants of this lease are being performed by the lessee.

12. That every holder of a miner's right or of a licence to search for metals or minerals or of a gold mining or mineral lease shall have the right and that the lessee his executors administrators and assigns will at all times allow every such person to enter upon the area hereby demised and every part thereof to search for gold silver copper tin antimony coal and other metals and minerals and mineral ores and to mine thereon and to erect and occupy mining plant and machinery without making any compensation to the lessee his executors administrators or assigns for surface or other damage *except for surface damage done to improvements.*

13. That he and they will observe perform fulfil and be bound by the stipulations conditions covenants and provisos contained in the schedule hereto.

14. That these presents shall become absolutely void on any assignment thereof save under the provisions hereinbefore contained.

Provided always and it is hereby agreed and declared—

15. That Her Majesty her heirs and successors may at any time and from time to time during the said term resume possession of the whole or any part or parts of the land hereby demised which may in the opinion of the Governor with the advice aforesaid be required for the purposes of water supply irrigation works races dams and ditches or for public railways roads canals or for tramways or other internal communication through such lands or for mining purposes or timber reserves or for the purpose of obtaining or removing therefrom guano or other manure stone or earth or for sites of huts stores smithies bakeries or similar buildings or of bathing-houses bathing-places fishermen's residences drying grounds fellmongering establishments slaughter-houses lime-kilns bridges ferries toll or punt houses tanneries factories saw or paper mills quays docks landing-places or the deposit of materials ship building and repairing boat building and repairing or for the working of mineral springs or for the manufacture of salt or for the purpose of erecting pumps or for the purpose of cutting digging and taking away any live or dead timber gravel stone ballast limestone salt shell seaweed and loam brick or other earth upon payment to the lessee or his executors administrators or assigns for his improvements on the land so resumed the full value of houses fences (within the meaning aforesaid) wells reservoirs tanks dams wattle plantations and of all substantial and permanent improvement made erected or constructed by the lessee his executors administrators or assigns during the currency of this lease on the land so resumed.

16. That the sum paid in respect of such improvements by the Board of Land and Works shall not exceed the sum expended thereon by the lessee his executors administrators or assigns. And that such sum shall be determined in accordance with regulations in that behalf made by the Governor with the advice aforesaid or for the time being in force under the *Wattles Act* 1890 or any amendment thereof.

17. That Her Majesty her heirs and successors may at any time and from time to time during the term hereby granted in accordance with the Regulations to be made by the Governor with the advice aforesaid in that behalf resume as sites for townships or villages or for mining purposes and re-enter upon any lands forming part of the land hereby demised upon payment to the lessee his executors administrators or assigns of the full value of all houses fences (within the meaning aforesaid) wells reservoirs tanks dams and of all substantial and permanent improvements made erected or constructed by the lessee his executors administrators or assigns on the lands so resumed but nothing in this lease contained shall be construed to give a better tenure to the lessee his executors administrators or assigns in regard to the right of miners authorized by the responsible Minister of the Crown for the time being administering the *Land Act* 1890 or Part I. Division 3 thereof subject to any conditions he may think fit to impose to enter upon any portion specified by the said Minister of the land hereby demised in search of gold than was possessed by pastoral tenants under *The Land Act* 1869 with regard to the right of miners to enter upon the lands occupied by such pastoral tenants.

18. That neither of the preceding provisions shall prejudice or be construed as restricting the generality of the covenant on the part of the lessee herein before contained conferring on the holder of a miner's right or of a licence to search for metals or minerals or of a gold mining or mineral lease the right to enter upon the demised land and exercise the other rights in such covenant mentioned.

19. In case possession of any part or parts of the said land shall be resumed as aforesaid the covenants provisions and agreements herein contained with reference to the whole of the premises shall continue in force and apply to such part of the same as shall be left in the possession of the lessee his executors administrators or assigns aforesaid.

20. In the event of the lessee his executors administrators or assigns becoming under the provisions of section 9 of the *Wattles Act* 1890 the licensee of any portion of the land hereby demised and of his or their licence thereafter being annulled for any breach of the provisions of the *Land Acts* or of the condition of such licence or if in the event of his or their becoming such licensee and of there being a breach of or non-compliance with any of the covenants herein contained with respect to any portion of the land hereby demised not the subject of such licence or if the said lessee not being at the time of the breach of or non-compliance with any of the covenants herein contained a licensee as aforesaid under the provisions of such section of the *Wattles Act* 1890 and the Governor with the advice aforesaid determining that this lease shall in consequence be avoided (and the production of the *Government Gazette* notifying such determination shall be conclusive evidence thereof) or if the land hereby demised or any part thereof is assigned whether by operation of law or otherwise except as hereinbefore mentioned then these presents and the term hereby created shall be void and of no effect. And immediately thereupon it shall be lawful for any bailiff of Crown lands or for any other agents or officers authorized in that behalf by Her Majesty or by the Governor with the advice aforesaid without any demand whatsoever to enter upon the land hereby demised

and the lessee his executors administrators and assigns and all persons claiming under or through him or them for ever to expel and remove therefrom without any legal process whatsoever and as effectually as any sheriff might do in case Her Majesty had obtained judgment in ejectment for recovery of possession of the said land or in an action for the recovery of land and a writ of *habere facias possessionem* or writ of possession or other process had issued on such judgment directed to such sheriff in due form of law.

21. In case of such entry and any action being brought or other proceeding taken for or on account of the same by any person whatsoever the defendants or defendant to such action may plead leave and licence thereto and these presents shall be conclusive evidence of the leave and licence of the lessee his executors or administrators and all persons claiming under or through him or them to any bailiff of Crown lands and all persons acting in the matters complained of in such action or other proceedings.

22. In the event of any portion of the land hereby demised being at any time or times required by the Board of Land and Works or the Victorian Railways Commissioners for the construction of railways railway stations or railway works already or hereafter authorized to be constructed or by the Governor for the construction of water supply works irrigation works reservoirs dams races water-courses or drains or for public roads or highway to be hereafter set out by the Governor he the said lessee his executors administrators or assigns upon being allowed by the Board of Land and Works or the Victorian Railways Commissioners or the Governor (as the case may be) one month for the removal by him or them of any houses buildings or fences upon the land so required will within such month remove such houses buildings and fences and relinquish possession of the land so required and that neither he nor they will make any claim for compensation whatsoever for the said houses buildings fences or for any improvements upon the said land or for the cost which he or they may incur in such removal nor will he or they make any claim for compensation for any right or interest which he or they may possess in such lease or in such land beyond a proportionate reduction of rent which shall in all cases be fixed by an officer appointed by the Governor for such purpose nor in respect of the severance of such land from the other lands held under this lease. And it is hereby expressly agreed between the parties hereto that this covenant is to be construed as a release by the said lessee his executors administrators and assigns to Her Majesty her heirs and successors from all or any payment to him or them and from all claims thereto which might otherwise have been made in respect of resumption of any portion of the land hereby demised for railway purposes or for the purpose of the construction of water supply works irrigation works reservoirs dams races water-courses or drains or for public roads or highways under the before-contained conditions for resumption by or on behalf of Her Majesty her heirs and successors.

23. The term "Governor" in these presents shall mean the Governor or the Administrator of the Government of the Colony of Victoria for the time being unless such meaning shall be inconsistent with the context.

In witness whereof His Excellency Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies hath on behalf of Her Majesty the Queen caused this demise to be sealed with the seal of the said Colony and the Lessee hath hereunto set his hand and seal.

Signed sealed and delivered by the above-
 named } (l.s.)
 in the presence of—

Schedule within referred to.

SCHEDULE 5.—Sec. 5.—WATTLE TREES CULTIVATION REGULATIONS

"WATTLES ACT 1890."—SECTION 5, SUB-SECTION 2.

County—
 Parish—
 Allotment—
 Area—
 acres.

Sir,
 I of being the holder
 a Wattle Trees Cultivation Lease, as per margin, and having
 paid all rents and fees due thereon, and otherwise complied
 with all the covenants and conditions of the said lease,
 hereby apply to the Board of Land and Works for its
 sanction, in writing, to the transfer of the said lease
 to of
 One pound, being the fee for the Certificate of the Board's
 sanction, is forwarded herewith.

Address—
 Date—

I have the honour to be, Sir,
 Your most obedient Servant,

The President of the Board of Land and Works.

DECLARATION TO BE MADE BY LESSOR WHEN APPLYING TO TRANSFER.

I of in the colony of
 Victoria, do solemnly and sincerely declare that I have paid all rents
 and fees due to date in respect of my lease under section 5 of the
Wattles Act 1890, for allotment parish of
 that I have erected chains of fencing on the land of the
 value of per chain, and that I have cultivated
 wattle trees and effected other improvements upon the said land to
 the value of £ And I make this solemn declaration
 conscientiously believing the same to be true, and by virtue of the
 provisions of an Act of the Parliament of Victoria rendering persons
 making a false declaration punishable for wilful and corrupt perjury.

Declared before me, at
 in the colony aforesaid, this }
 day of in the year of our Lord }
 One thousand eight hundred and ninety-

Justice of the Peace.

July 6, 1893.

APPLICATION BY PROPOSED TRANSFEREE FOR THE TRANSFER TO HIM OF A LEASE FOR THE CULTIVATION OF WATTLE TREES UNDER SECTION 5 OF THE "WATTLES ACT 1890."

I, _____ of _____ hereby make application for the transfer to me of the Wattle Trees Cultivation Lease described below, and I undertake, in the event of the said transfer being sanctioned by the Board of Land and Works, to faithfully carry out all the covenants and conditions of the said lease.

Signature—

† Strike out the unnecessary words. I, _____ of _____ hereby declare that † I have not at any time held a lease for Wattle Trees Cultivation under this Act; or that I hold under this Act _____ acres; and that the area I now desire to obtain by transfer would not, if added to the area already held by me under this Act, exceed 1,000 acres; that I am not under eighteen years of age; And that with respect to this application I am not an agent, or a servant of or a trustee for any other person; that I have not entered into or promised to enter into any agreement to permit any other person to acquire by purchase or otherwise the leasehold in respect of which this application is made, or any part thereof, or my interest therein, or the usufruct thereof; that I intend to occupy the said leasehold for my own use and benefit solely; that if my application be granted, it is my intention to comply with the provisions of the 5th section of the *Wattles Act 1890*, and that the statements made by me in reply to the questions hereto subjoined are true and correct in every particular.

QUESTIONS AND STATEMENTS REFERRED TO IN THE DECLARATION.

Questions.	Statements in Reply.
1. What is your occupation, and where have you resided during the last twelve months?	
2. Do you own any land in fee simple? If so, state the number of acres, situation, and purpose to which it has been applied	
3. Have you at any time obtained any land under lease or licence from the Crown? If so, Under what section and Act? Where situated? What area? What use did you make of it?	
4. Have you obtained a lease or leases under section 5 of the <i>Wattles Act 1890</i> ? When? In what parish situated? Area?	

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Signature—
Occupation—
Address—

Declared at _____ in the colony of Victoria, this _____ day of _____ 189 _____ before me _____ Justice of the Peace in and for the _____ Bailiwick of the colony of Victoria.

County.	Parish.	Allotment.	Section.	Extent.

* The magistrate's signature is only required here in cases where the applicant is a marksman, and can neither read nor write. * I hereby certify that this declaration was read to the declarant in my presence this _____ day of _____ 189 _____ Justice of the Peace in and for the Bailiwick of the colony of Victoria.

And the Honorable John McIntyre, Her Majesty's Commissioner of Crown Lands and Survey for Victoria, shall give the necessary directions herein accordingly.

THOS. BRISBANE,
Acting Clerk of the Executive Council.

