



Re-enacted by
No. 17 of 1875
See No 2 of '67
No 25 of 70-71

ANNO TRICESIMO

VICTORIÆ REGINÆ.

A.D. 1866-7.

No. 21.

An Act to authorize the granting of Leases, with right of purchase, of certain Waste Lands of the Crown in South Australia.

[Assented to, 11th January, 1867.]

WHEREAS it is desirable to authorize leases, with right of purchase, to be granted of certain waste lands of the Crown, as more particularly described in the Schedule hereto, upon the terms and conditions hereinafter mentioned --- Be it therefore Enacted, by the Governor-in-Chief of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled, as follows:

1. This Act may be cited as the "The Scrub Lands Act, 1866." Short title.
2. The waste lands of the Crown, more particularly described in the Schedule hereto, shall, from time to time, as soon as conveniently may be, after the passing of this Act, be surveyed, and offered for sale by auction, according to the provisions of "The Waste Lands Act," No. 5 of 1857, in such quantities as may be considered desirable. Land in Schedule to be surveyed and offered for sale.
3. If at any such sale by auction any portion of the said lands described in the Schedule hereto shall not be sold, and shall continue unsold for the space of one calendar month next after the same shall have been so offered for sale by auction as aforesaid, then and in such case any portion of the said lands so remaining unsold as aforesaid may be disposed of under the provisions of this Act. If lands unsold for one month same may be disposed of under provisions of this Act.

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Act, anything contained in the said "The Waste Lands Act" to the contrary notwithstanding.

Governor may grant leases for twenty-one years.

4. It shall be lawful for the Governor to grant leases of any portions of the waste lands of the Crown described in the Schedule hereto remaining unsold for the space of one calendar month from the date when the same shall have been offered for sale by auction as mentioned in the last preceding section, which leases shall be for the term of twenty-one years, and shall entitle the lessee, his executors, administrators, or assigns to purchase the fee simple of the lands comprised in the lease at any time during such term, at the price of One Pound for each acre.

Leases to be offered at auction.

5. Whenever any portion of the waste lands of the Crown is to be leased under the provisions hereof, the lease thereof shall be offered for sale by public auction, and the person to whom such lease shall be granted shall be the person who at such auction shall offer the highest sum for the yearly rent of the lands intended to be comprised in such lease, and the times and places at which such auctions will be holden, and what lands are to be offered at each of such auctions shall be declared with all practicable certainty by notice in the *Government Gazette*, not less than one nor more than three calendar months before the day of holding such auction.

Rent not to be less than ten shillings per square mile.

6. The rent to be reserved in such leases shall be payable yearly, in advance, and no such lease shall be granted at a lower yearly rent than at the rate of Ten Shillings for every block or Section, and no such block or Section shall exceed one square mile of land therein comprised; and every lease granted under the provisions of this Act shall contain a covenant by the lessee to pay the rent therein reserved yearly, in advance, and also every year to clear wood and timber from one-twentieth part of the land demised, until the whole of the same is rendered available for agricultural purposes, as far as the nature of the land will permit; and every such lease shall contain a proviso for forfeiture in case of breach or non-observance of any of the covenants contained in such lease.

Governor to make regulations.

7. The Governor, with the advice and consent of the Executive Council, may, from time to time make, alter, and vary, all such regulations for prescribing such other terms, conditions, and covenants to be inserted in such leases, and respecting all matters and things necessary to give effect to the same, and generally for carrying this Act into effect, as to him may seem proper; and every such regulation when published in the *Government Gazette*, shall have the force of law: Provided that a copy of all regulations made under the authority of this Act, shall be laid before Parliament within fourteen days from the publication thereof, if the Parliament shall be then sitting, and if Parliament shall not be then sitting, then within fourteen days from its next sitting for the dispatch of business.

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8. All moneys received for the rent of such lands shall be paid to the Treasurer for the public uses of the Colony, and all moneys received for the purchase of any of the Waste Lands of the Crown under this Act shall be paid to the Treasurer, for the purposes mentioned in the third section of "The Waste Lands Appropriation Act, 1862."

Appropriation of
moneys.

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

D. DALY, Governor.

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THE SCHEDULE.

All that piece of land commencing at a point on the eastern boundary of the Hundred of Balaklava, about one mile south of Section No. 9, and running thence true west for a distance of about twelve miles sixty chains; thence about south $31^{\circ} 30'$ east for about six miles thirty-two chains, to the north-eastern corner of Annual Lease No. 110; thence east for about two and a-half miles to the eastern boundary of the Hundred of Inkerman; thence north, by the said Hundred boundary, for about one mile fifty-six chains; thence east to the eastern boundary of the Hundred of Balaklava; thence north, by the said Hundred boundary, to the point of commencement.

And also all that piece of land commencing at a point on the north boundary of the Hundred of Brinkley, about one mile west of Section No. 1090, and running thence westerly by north boundary of said Hundred, to its north-west corner; thence in a north-westerly direction, by the north boundary of the Hundred of Freeling, to the Bremer Trigonometrical Station; thence south for about six miles eight chains; thence east for about twelve miles fifty-six chains; thence north for about five miles, to the point of commencement.

And also all that piece of land commencing at a point on the eastern boundary of the Hundred of Monarto, about nine miles north of its south-east corner; thence west for two miles sixteen chains; thence south to intersect the south boundary of the Hundred of Monarto; thence easterly, by the south boundary of said Hundred, to its south-east corner; thence north, by the eastern boundary of the said Hundred, to the point of commencement.

And also that piece of land commencing at the south-western corner of the Hundred of Fisher, and running thence easterly by the south boundary of the said Hundred, a distance of about two miles eight chains; thence north about three miles twenty-six chains; thence west for about two miles twelve chains, to the boundary between the Hundreds of Fisher and Bagot; thence north, by the said Hundred boundary, for about five miles twelve chains; thence south $88^{\circ} 35'$ west for about one mile fifty-four chains; thence about south $1^{\circ} 0'$ west, to a point on the south boundary of the Hundred of Bagot, about one mile sixty-two chains west of its south-east corner; thence easterly, by the south boundary of the said Hundred, to the south-western corner of the Hundred of Fisher, the point of commencement.

And also all that piece of land commencing at the south-eastern corner of the Hundred of Angas, and running thence true east for a distance of five miles twenty-eight chains; thence about north $9^{\circ} 20'$ west for four miles thirty-six chains, to a point about one mile south of North Rhine River; thence in a north-westerly and westerly direction, following the bends of the said river at a distance of one mile south, until it intersects the eastern boundary of Lot 144; thence south, to a point on the south boundary of the Hundred of Angas, about three miles 13.36 chains west of its south-eastern corner; thence easterly, to the south-eastern corner of said Hundred, the point of commencement.

And also all that piece of land commencing at the south-eastern corner of the Hundred of Younghusband, and running thence north by the eastern boundary of the said Hundred for a distance of about one mile to its intersection with the south boundary of Annual Lease No. 16; thence in a westerly and south-westerly direction by the south and east boundaries of Leases No. 16 and 11 to intersect the south boundary of the Hundred of Younghusband; thence easterly by the south boundary of said Hundred to its south-eastern corner, the point of commencement.

And also all that piece of land commencing at the south-eastern corner of the Hundred of Burdett, and running thence west by the south boundary of the said Hundred for a distance of four miles; thence north for about two miles forty-six chains to intersect the south boundary of Annual Lease No. 49; thence about north 70° east for two miles four chains, thence about north $28^{\circ} 15'$ west for three miles thirty chains to the south angle of Annual Lease No. 11; thence in a north-easterly and northerly direction by the eastern boundary of said lease until it intersects the north boundary of the Hundred of Burdett; thence easterly by the north boundary of

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of the said Hundred to its north-eastern corner; thence south by the eastern boundary of the said Hundred to its south-eastern corner, the point of commencement.

And also all that piece of land commencing at the south-eastern corner of the Hundred of Bonney, and running thence north for about eight and three-quarter miles; thence about south $44^{\circ} 20'$ west to intersect the south boundary of the said Hundred at a point about eight and a-half miles west of its south-east corner; thence east by the south boundary of the said Hundred to its south-eastern corner, the point of commencement.

And also all that piece of land commencing at the north-eastern corner of the Hundred of Stuart, and running thence south by the eastern boundary of the said Hundred to its intersection with the north boundary of Annual Lease No. 48; thence west for a distance of about one mile to intersect the north-eastern boundary of Annual Lease No. 18; thence about north $33^{\circ} 15'$ west by the north-eastern boundary of said lease to its intersection with the north boundary of the Hundred of Stuart; thence easterly by the north boundary of the said Hundred to its north-eastern corner, the point of commencement.

And also all that piece of land commencing at the south-eastern corner of the Hundred of Cooper, and running thence north by the eastern boundary of said Hundred for a distance of about one mile thirty-two chains to its intersection with Annual Lease No. 17; thence south $78^{\circ} 0'$ west for about three miles; thence about south $3^{\circ} 30'$ west for two miles; thence south $24^{\circ} 40'$ west for about eight miles thirty chains; thence about south $33^{\circ} 10'$ east for four miles fifty chains; thence about south $56^{\circ} 50'$ west for two miles sixty chains; thence in a southerly direction by a line forming the eastern boundary of Annual Lease No. 16 at a distance of four miles from and parallel to the River Murray until it intersects the south boundary of the Hundred of Morphett; thence easterly by the south boundary of the said Hundred to its south-eastern corner; thence north by the eastern boundaries of the Hundreds of Morphett and Giles to the south-eastern corner of the Hundred of Cooper, the point of commencement.