



ANNO TRICESIMO TERTIO ET TRICESIMO QUARTO

VICTORIÆ REGINÆ.

A.D. 1870-71.

No. 17.

An Act to authorize the Leasing and Alienation of certain of the Waste Lands of the Crown on the Murray Flats, in the Province of South Australia.

[Assented to, 13th January, 1871.]

WHEREAS it is expedient to encourage the search for gold, and the full development of the gold-producing capabilities of the waste lands of the Crown, situate on the Murray Flats, in the Province of South Australia, by the issue of a lease, with a right of purchase, of a portion of such lands to persons who are desirous of mining for gold thereon—Be it therefore Enacted by the Governor 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:

Preamble.

1. Any person or persons desirous of mining for gold on the waste lands of the Crown described in the Schedule hereto, who shall pay to the Commissioner of Crown Lands the sum of One Hundred Pounds, such person or persons shall be entitled to a right of search over the whole of the said waste lands with a view of selecting thereout a block of ten thousand acres, and such person or persons shall also be entitled, at any time within nine calendar months from the time of depositing such sum, to make application to the Commissioner of Crown Lands for a lease of a portion of the said Crown lands not exceeding ten thousand acres: Provided that if more than one person tenders such deposit, the right to claim such lease shall belong to the person first tendering such sum for deposit

Application for lease to Commissioner of Crown Lands.

as

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as aforesaid; and, in the event of two or more such sums being simultaneously tendered, the right to claim such lease shall be decided by lot.

Demise by Governor.

2. Upon receipt of such application, it shall be lawful for the Governor to demise to such applicant or applicants a block of land containing not more than ten thousand acres, upon the terms, covenants, and conditions to be fixed and determined by the Governor, with the advice of the Executive Council, and to be named in the lease.

Situation and shape of block of land to be leased.

3. Such block of land shall be part of the waste lands of the Crown described in the Schedule hereto, and shall be in the form of a rectangular parallelogram, the length of the longest side of which shall not exceed twice the length of the shortest side.

Term and rent of lease.

4. The lease shall be for a period of five years, and at a peppercorn rent.

Condition as to expenditure by lessee.

5. Such lease shall be upon the condition and shall contain a covenant that the lessee or lessees shall expend not less than two thousand pounds in each year of the term of the demise in actual mining for gold on the lands leased, and such expenditure shall not include the cost of machinery, nor the expenses of management, direction, and supervision.

Lessee's power to determine lease.

6. The lessee or lessees shall have power to determine the lease at any time on giving three calendar months' notice in writing to the Commissioner of Crown Lands.

Lessee's right to purchase.

7. The lessee or lessees shall have the right to purchase the lands demised at any time during the term of the lease on payment of the sum of five shillings: Provided such lessee or lessees prove to the satisfaction of the Commissioner of Crown Lands that he or they have *bonâ fide* expended during the said term the sum of ten thousand pounds in actual mining for gold thereon, but such expenditure shall not include the cost of machinery nor expenses of management, direction, and supervision.

Grant of the fee simple by Governor.

8. Upon such payment and proof as aforesaid, it shall be lawful for the Governor to convey and grant the lands demised to such lessee or lessees in fee simple.

Reservation as to roads.

9. Provided that it shall be lawful for the Governor from time to time during the term of the said lease to resume any portion of the land demised for the purpose of making roads for public utility and convenience, and for the like purpose to exclude and reserve any portion of such land from the conveyance and grant aforesaid.

Power of Governor restricted to one block.

10. Nothing herein contained shall authorize the Governor to demise or grant in fee simple more than one block out of the lands described in the Schedule hereto.

11. Nothing

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11. Nothing in this Act shall be deemed to cancel any gold mining claim held under the regulations in force at the time of the passing of this Act, or the right of any person in respect of such claim. Gold claims not affected.

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

JAMES FERGUSSON, Governor.

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SCHEDULE.

Commencing at the north-eastern corner of Section 142, Hundred of Anna; thence true north for about three and a-half miles; thence true east for about two and three-quarter miles; thence true north for about six and a-half miles; thence true west for about six miles; thence true south for about six miles, to the north boundary of the Hundred of Anna; thence true west for about three and a-quarter miles, to a point true north of the north-western corner of Section 130, Hundred of Dutton; thence true south to corner of said Section; thence easterly and southerly along northern boundaries of Sections 130 and 161, and eastern boundaries of Sections 161, 167, 173, and 176, to a point true west of the north-western corner of Section 150, Hundred of Anna; thence true east to corner of said Section and along its northern boundary to the north-eastern corner of Section 142, the point of commencement.