LAND AND SETTLEMENT.

THE systems adopted for a settlement of Crown lands differ in every Colony, and the conditions for acquiring land are of a more or less liberal nature according to the circumstances in which each province is placed. In Victoria, Queensland, and Tasmania, which are the offshoots of New South Wales, the Land Acts bear a considerable resemblance to one another, the differences being rather of degree than of principle, various designations being given to what are practically the same forms of conditional occupation of Crown lands under the deferred payment system. In South Australia, Western Australia, and New Zealand, however, the influence of the mother Colony was not so directly felt, and new experiments in colonisation were made. South Australia, for instance, was originally settled upon the Wakefield system—famous alike for its originality and its failure. In the other two Colonies, under pressure of a different order of conditions, the objects of colonisation were sought to be obtained by legislation of a novel character.

The following pages are devoted to a description, in as concise a form as the subject will allow, of the systems of land legislation in the Seven Colonies of Australasia, and summaries are given, from the latest available data, of the results obtained under the various methods, from a practical point of view.

LAND LEGISLATION OF NEW SOUTH WALES.

The systems adopted for the settlement of an industrial population on the lands of New South Wales have varied according to the Colony's progress and development. In the earliest period land was alienated by grants, orders, and dedications, the power of disposing of the Crown lands resting solely with the Governor. In August, 1831, the principle of sale by auction was introduced, the minimum for country lands being fixed at 5s. per acre, but raised to 12s. in 1839. In 1843 the minimum was raised to 20s. per acre, with liberty to select at the upset price country portions not bid for, or on which the deposits had been forfeited. This is the first appearance of the principle of selection in the land legislation of New South Wales, but it was limited to lands that had been surveyed for sale by auction. This system lasted until

the introduction of new legislation by the Parliament of New South Wales, and the abrogation of the Orders in Council which had hitherto constituted the authority under which land was alienated.

The discovery of gold in 1851, and the consequent rush of population to Australia, greatly altered the conditions of colonisation, and as the interest in gold-digging declined, so did the desire for settlement on the land increase, and the question had to be dealt with in an entirely new spirit, to meet the wants of the class of immigrants now desirous of being placed upon the soil. The agitation that thus sprang up resulted in the passing of the Crown Lands Act of 1861, under the leadership of Sir John Robertson. This measure had for its object the establishment of an agricultural population side by side with the pastoral tenants. With this view an entirely new principle was introduced—that of free selection in limited areas before survey, coupled with conditions of residence and improvement, and the land was sold at 20s. per acre for country lots, payable by annual instalments carrying interest.

The occupation of the waste lands of New South Wales for pastoral purposes was at first allowed under a system of yearly licenses. Any person could apply for such a license to occupy runs, the extent of which was limited only by the boundaries of the surrounding stations, the license fee being fixed at £10 per annum for a section of 25 square miles, or 16,000 acres in extent, and £2 10s. being charged for every additional 5 square miles. This system of yearly licenses was succeeded by one in which the squatter was given fixity of tenure, with a license fee calculated upon the stock-carrying capacity of the runs, instead of the extent of land occupied. The Occupation Act of 1861 inaugurated a new system, limiting the tenure of pastoral leases to five years in all but the first-class settled districts, and leaving the whole of the pastoral leases open to the operations of the free selectors. Such evils were found to result from this system that in 1884, and again in 1889, Parliament was led to adopt amendments which are now in force, and the provisions of which, as regards pastoral occupation, are described further on. The Acts mentioned, while maintaining the principle of selection before survey, aimed at giving fixity of tenure to the pastoral lessees, and obtaining a larger rental from the public lands, while at the same time a restriction was placed on the sale of lands unconditionally.

Under these measures New South Wales is divided into three divisions, each subdivided into various land districts, one or more such districts forming a local division, the administration of which is entrusted to a Local Land Board, composed of a chairman and not more than two assessors. The decisions of these Local Land Boards may be appealed against to the Land Court. This Court is composed of a President and two members appointed by the Executive, whose decisions in matters of administration have the force of judgments of the Supreme Court; but whenever questions of law become involved, a case may be submitted to

the Supreme Court, either upon the written request of the parties interested, or by the Land Court acting of its own accord. The judgments given on this appeal are final and conclusive.

Under the enactments at present in force, land may be acquired by the following methods :—1st. By conditional and additional conditional purchase with residence. 2nd. By conditional purchase without residence. 3rd. By the preferent right of purchase attached to conditional leases. 4th. By improvements purchases in gold-fields. 5th. By auction sales. 6th. By special sales without competition.

The maximum area allowed to be conditionally purchased by a selector differs in the Eastern and Central Divisions of the Colony, and in the Western Division land can be occupied only in the form of a lease, or alienated by auction or special sale as further described.

The conditions for the purchase and occupation of Crown lands are more restricted in the Eastern than in the Central or the Western Division. Nevertheless, any person above the age of 16 years may, upon any part of the Crown lands not specially exempt, select an area of from 40 to 640 acres, together with a lease of contiguous land not exceeding thrice the area of the conditional purchase. The price demanded is £1 per acre, of which 2s. per acre must be deposited when making the application, and the balance paid, together with interest at the rate of 4 per cent., by instalments of 1s. per acre per annum. Payment of instalments commences at the end of the third year, but after the selector has completed his period of enforced residence he may pay up the balance in one sum at any time. The selector must reside on his selection for a period of five years, and within two years must erect a substantial fence around his selection, though in some cases other permanent improvements will be allowed in lieu of fencing. After the completion of the term of residence the selector may purchase additional areas, contiguous to the original purchase, or he may purchase his conditional leasehold if he should have one. With regard to additional purchases, fencing is required, but residence is not enforced. Married women judicially separated may select in their own right; and minors taking up lands adjoining the selection of their parents may fulfil the condition of residence under the paternal roof.

Conditional leaseholds, in conjunction with a selection, may be held for fifteen years at a rental fixed by the Land Board. These leaseholds must be fenced in within two years, one fence, however, being allowed to enclose both the conditional purchase and the lease. Conditional leases may at any time be converted into purchases, and the term of residence on both need not exceed five years from the date of application.

Land may be selected free from conditions as to residence; but the maximum area is then limited to 320 acres, and no conditional lease is granted. The selection must be fenced in within twelve months after survey, and within five years additional improvements must be made to the value of £1 per acre. The price demanded is £2 per acre, and

the deposits and instalments are double those required in the case of an ordinary conditional purchase. No person under 21 can take advantage of this clause; and no non-residential selector is allowed to make any other conditional purchase whatever under the Act.

Special areas may be thrown open to selection under special conditions, the price not to be less than £1 10s. per acre, and the maximum area 320 acres. Non-resident selectors are charged double the rate paid by those who do reside.

In the Central Division land may be conditionally purchased under the same terms as to residence, fencing, improvements, price, and mode of payment as required in the Eastern Division; but the limit of an individual selection has been fixed at 2,560 acres, with a corresponding increase of the conditional lease to three times that area. The acreage which may be purchased without residence, as well as the conditions in regard thereto, are the same for the Central as for the Eastern Division. In special areas the maximum extent of a selection has been fixed at 640 acres in the Central Division.

The Western Division embraces an area of 79,970,000 acres, watered entirely by the Darling River. This part of New South Wales is essentially devoted to pastoral pursuits. Conditional purchases, except on special areas, are not allowed in this division, but permanent pastoral settlement is encouraged in the form of homestead leases. Homestead leases for fifteen years may be granted within the resumed areas or vacant lands in the Western Division, in areas of not less than 2,560 acres nor more than 10,240 acres. A deposit of 1d. per acre must be paid with the application; and the lessee is required to reside upon his lease for six months out of each of the first five years of his lease. The whole area must be fenced within two years, except the Land Board allow other improvements to be erected instead. An extension of the lease for seven years may be granted, provided that the carrying capacity of the land has been improved, and the land benefited. At the end of the final term, the lease may be put up to auction or tender, without compensation for improvements to the outgoing tenant. A new incoming tenant will, however, have to pay the Government for existing improvements at a valuation. Holders of pastoral leases may not also hold a homestead lease, and no person may hold more than one such lease.

Under the Act of 1884 pastoral leases were surrendered to the Crown, and divided into two equal parts. One of these parts was returned to the lessee under an indefeasible lease for a fixed term of years, while the other half, called the resumed area, might be held under an annual occupation license, but was always open to selection—by conditional purchase in the Eastern and Central Divisions, and by homestead leases in the Western Division. Under the Act of 1889, the tenure of pastoral leases in the Western Division was fixed at twenty-one years, with a fresh assessment every seven years, and the

right of extension at the end of seven years if the land has been improved in a satisfactory manner. In the Central Division, a pastoral lease extends to ten years, and in the Eastern Division to five years only. All improvements revert to the Crown at the end of the lease, without compensation. Pastoral lessees, in applying for an occupation license for the resumed area, must make a deposit at the rate of £2 per section of 640 acres.

In addition to the pastoral and homestead leases, special leases on favourable terms are granted of scrub lands, snow lands—that is, lands covered with snow during a part of the year,—inferior lands, and portions of land required for the protection of artesian wells. There are also annual leases for pastoral purposes, and residential leases on gold and mineral fields. Auction sales to the extent of not more than 200,000 acres in any one year are permitted, the upset price to be fixed by the Minister—town lands not to be less than £8 per acre, while the minimum for suburban lots is fixed at £2 10s., and for country lands at £1. Special terms can be made for the purchase of land on gold-fields, and for reclaimed lands; and special leases are allowed in certain cases.

In the middle of 1893 an Act was passed to establish and regulate labour settlements on Crown Lands, following in this the example set by New Zealand, and imitated by several continental Colonies. Under this Act the Minister may set apart certain areas for the purpose of establishing labour settlements, under the control of Boards appointed to enrol such persons as they may think fit to become members of such settlements. These Boards are empowered to make regulations concerning the work to be done in the settlement, including the surrounding thereof with a substantial fence, the apportionment of the work among the members, and the equitable distribution of wages, profits, and emoluments, after providing for the cost of the maintenance of the members in the settlement. The Boards may establish and manage any trade or industry, and may, by regulations, dispose of and apportion the profits and proceeds derivable therefrom among the enrolled members. They are also authorised to make regulations concerning the collection, spending, and application of moneys; and the cleanliness, good order, and government of the settlement. And these Boards are constituted as *corporate* bodies, with perpetual succession and a common seal; and the lands are leased to them as such, in trust for the members of the settlement, for a period of twenty-eight years, with a right of renewal for a like term.

When a Board has enrolled such a number of persons as the Minister may approve, it may apply for monetary assistance on behalf of the members of the settlement; and the Minister has power to grant an amount not exceeding £25 for each enrolled member who is the head of a family dependent upon him, or £20 for each married person without a family, or £15 for each unmarried person. At the expiration

of four years from the commencement of the lease, and each following year, 8 per cent. of the total sum paid to the Board shall be a charge on the revenues of the Board payable to the Treasury, until the said sum, with interest at the rate of 4 per cent. per annum, has been repaid.

LAND LEGISLATION OF VICTORIA.

During the earlier period of the colonisation of Victoria, then known as the District of Port Phillip, in the Colony of New South Wales, the alienation of Crown lands was regulated by the Orders in Council already referred to. In the year 1840, however, the upset price of country lands, which in the whole possession was limited to 12s. per acre, was increased to 20s. in the District of Port Phillip alone. The regime of Orders in Council continued until 1860, when the system of free selection of surveyed country lands was inaugurated, the uniform upset price being fixed at £1 per acre. No conditions were required to be fulfilled by the selector other than making a cash payment for the whole of his purchase, or for one half only, the remaining area being occupied under a yearly rental of 1s. per acre, with right of purchase at the original rate per acre. In 1862 a new Act was passed. Large agricultural areas were proclaimed, within which land could be selected at the uniform price of £1 per acre. Modifications were also introduced in the mode of payment, the maximum area allowed to be selected by one person being limited to 640 acres, with conditions as regards improvements or cultivation. This Act was amended in 1865, when the principle was introduced of disposing of Crown lands within agricultural areas by means of leases, with right of purchase after the fulfilment of certain conditions as to residence and improvements. A new clause was added to meet the demand arising from the occupation of land adjacent to gold-fields. These Acts were, however, superseded by the Land Act of 1869 and the Pastoral Act of the same year. Hitherto the free selection system had, in Victoria, been limited to certain lands proclaimed within agricultural areas, and to allotments previously surveyed, thus avoiding the conflict which was then beginning to take place in New South Wales between the selector and the pastoralist. Under pressure of a sudden increase in the demand for land, arising from the enormous immigration into Victoria which had followed the discovery of gold, and the necessity for the people finding other means of employment and other and more permanent sources of income, the Victorian Legislature adopted the system in vogue in the neighbouring Colony with modifications to suit the local conditions. The Act of 1869 was amended in 1878, both these Acts expiring by effluxion of time in 1884, when a new Land Act was passed, the main tendency of which was to restrict the further alienation of the public estate by limiting the extent which might be sold by auction, and substituting for the existing method of selecting agricultural

land a system of leasing such lands in certain defined areas, at the same time conserving to the lessee the privilege of acquiring from his leasehold the fee simple of 320 acres under the system of deferred payments.

A portion of the Public Domain, known as the "Mallee Scrub," comprising some 11½ million acres, wholly or partly covered with various species of stunted trees, was separately dealt with under a statute entitled the "Mallee Pastoral Leases Act of 1883." The land legislation of 1884, and the special enactment just referred to, have again been modified recently by the Land Acts of 1890 and 1891, the following being the conditions under which agricultural lands may now be acquired, and the pastoral and Mallee scrub lands leased, in the Colony of Victoria.

The whole of the unalienated lands belonging to the State are divided into the following classes:—Pastoral Lands, Agricultural and Grazing Lands, Auriferous Lands, Lands which may be sold by auction, Swamp Lands, State Forests, Timber and Water Reserves.

Pastoral lands cannot be alienated in fee, but can only be obtained by lease, such lease to expire not later than December 29, 1898, and no lessee to hold more than one allotment. The lease is granted to the first applicant, but should more than one person apply on the same day, the lease is put up to auction. If no bid is offered the lease may be subdivided, and so put up to sale. The Land Act of 1891 provides for the division of certain Crown lands into pastoral allotments, varying in size from 7,500 to 40,000 acres, and the rent to be reserved in every lease of a pastoral allotment is to be computed at the rate of 1s. per head of sheep, and 5s. per head of cattle, the number of such sheep and cattle being determined by the grazing capabilities of the land.

A pastoral lessee must pay half the rent in advance every six months; he cannot assign, sub-divide, or sub-let the lease; he must destroy all vermin and noxious growths, and keep in good condition and repair all fences, tanks, dams, and other improvements; and must not destroy or ring timber, except for fencing purposes. The incoming tenant pays the outgoing one for all permanent improvements the latter has effected. Upon complying with all the conditions, the lessee may select 320 acres in one block for a homestead, at £1 per acre, unless his lease contains a condition that he shall not be entitled to select upon it.

Agricultural and grazing lands are to be leased in "grazing areas," not to exceed 1,000 acres, for any term of not more than fourteen years, at the end of the term the land to revert to the Crown, improvements to be allowed for at a valuation. In certain cases the Land Act of 1891 allows of the holding of more than one grazing area by the same person provided the total area so held does not exceed 1,000 acres. The lessee may select out of his leased land an "agricultural allotment," not exceeding 320 acres in extent; or should he have selected under previous Acts, he may increase his grazing area to 1,000 acres, and his agricultural allotment to 320 acres. The rent is fixed at from 2d. to 4d. per acre

for agricultural areas, on an assessment by the Local Board, with the addition of 5 per cent. on the assessed capital value of any permanent improvements that may be on the land. The area of an agricultural allotment is excised from the grazing lease, and a license to occupy such allotment is granted to the selector. The holder of a grazing lease is subject to the same conditions as the pastoral lessee, but has to enclose his land with a substantial fence within three years. The license is issued for an agricultural allotment for a period of six years, at a yearly rental of 1s. per acre per annum, payable half-yearly in advance, and is not transferable. The licensee must destroy all vermin, and within six years must enclose his land, and effect improvements to the value of £1 per acre. He is also required to reside thereon for five years. When these conditions are complied with, he may receive a Crown grant upon payment of 14s. per acre; or he can obtain a lease for fourteen years at 1s. per acre per annum, and at the end of the term he will receive his Crown grant.

Non-residential licenses are granted upon payment of double the ordinary license fee and other charges, but the area to be granted under non-residential licenses must not exceed 50,000 acres for the whole Colony during any one year. For the purpose of enabling selectors to establish and cultivate hop-gardens, vineyards, or orchards, they may obtain a grant of part of their allotments, not exceeding 20 acres, when so planted, upon payment of the difference between the amount of rent actually paid and the amount of purchase money.

Licenses to reside on or cultivate lands comprised within an auriferous area may be granted for a period not exceeding one year, the area not to exceed 20 acres. Land classified as auriferous cannot be alienated, but grazing licenses for such land may be issued for a period of five years, renewable for a further period of five years, subject to the right of any person to enter upon the land for the purpose of mining. The Land Act of 1891, however, provides that in the case of auriferous lands which are considered as no longer profitable to work for gold within 50 feet of the surface, such lands may be occupied in allotments not exceeding 5 acres for a period not exceeding seven years, and may be worked to the above-mentioned depth, at a rent of not less than 1s. per acre. Such land shall be used for the purpose of erecting a residence thereon, or for forming a vineyard, orchard, or garden, or any other like purpose. At the expiration of the seven years' lease the lessee may obtain a grant of such allotment upon payment of an amount fixed by the Local Board, which cannot be less than £1 per acre, the amount paid in license fees up to the date of purchase being deducted therefrom.

Lands comprised within certain areas notified in a schedule attached to the Act, and lands within proclaimed towns or townships, or within any city, town, or borough proclaimed before the passing of the Lands Act of 1884, may be sold at auction, the upset price for country lands being

£1 per acre, the maximum area not exceeding 1,000 acres, payment being at the rate of 25 per cent. cash, and the balance in twelve equal instalments at the end of every succeeding quarter.

The Act contains also provisions for the alienation of certain lands designated as "swamp lands," subject to conditions as to their drainage.

The Land Act of 1891 contains also the following provisions:—Crown lands alienated from the date of the passing of this Act shall be sold, or otherwise alienated, leased, or licensed, only as regards the surface and down to such a depth as may be stated by Order in Council; the sinking of wells is, however, authorized, but the rights to metals and minerals do not go with the land, but remain the property of the Crown.

Where Crown lands are enhanced in value by the proximity of railway or waterworks for irrigation purposes, &c., the Governor is empowered to increase the price of the land, and the minimum sum per acre for which such lands may be sold, as well as the minimum amount of rent or license fee, to an amount which may not be less than one-eighth part greater than, nor more than double, the upset or minimum price for which such land might otherwise be acquired. But where lands have been sold, leased, or licensed at an enhanced price, and the works by reason of which such additional sums have been demanded have not been constructed within ten years from the date of the Order in Council fixing the enhanced price, all additional sums paid shall be returned.

Land situated within the State forests, and timber and water reserves, cannot be alienated; and the administration of the Forests Domain of the Crown is placed in the hands of local Forest Boards, empowered to recover fees for licenses to cut or remove timber.

Leases for special purposes may be obtained under the provisions of this Act, which also provides for the administration of common lands, and miscellaneous matters incidental to land.

Lands situated in the north-western district of Victoria, over which the mallee scrub extends, were, before the year 1883, leased under the general provisions for the occupation of pastoral lands, but were subsequently made the subject of a special enactment designated as the "Mallee Pastoral Act of 1883," which was amended in 1885 and partly recast under the present Land Act of 1890. Under this special legislation the mallee country is divided into two parts, viz., the mallee border extending along the southern margin of the mallee country, and the mallee blocks situated to the north of the border extending to the banks of the Murray River. In the mallee border the land is parcelled out in divisions of various areas designated as "mallee allotments," the maximum area of which must not exceed 20,000 acres. These allotments may be leased for terms, which shall expire not later than the 1st December, 1903, the annual rent being from 10s. to 40s. per square mile.

The "mallee blocks" are also of various areas, one portion of which can be held under a license to occupy for a period of five years, the other being leased for a term not to exceed twenty years from the passing of the Act on 1st December, 1883, at the rate of 2d. per head of sheep and 1s. per head of cattle for the first five years, double these amounts for the second period of five years, and 50 per cent. over the last figures for the remainder of the term. The annual rent is computed at the rate of 2d. per head of sheep and 1s. per head of cattle depasturing thereon, but in no case must the yearly rent be less than 2s. 6d. for each square mile, or part of a square mile, of land.

The occupier or lessee of any part of a mallee block, or a mallee allotment, undertakes to pay the annual rent reserved in moieties; not to assign, subdivide, or cultivate any part of the same without the consent of the Board of Lands and Works; to destroy the vermin upon his block; and to fulfil certain other conditions; the Government retaining the right of resuming the land after giving due notice, compensation for improvements effected being given on assessment.

The Land Act also deals with districts described as "vermin districts," proclaimed as such by the Governor, the administration of which, for the special purpose of destroying vermin, is vested in local committees appointed by owners, lessees, and occupiers of the lands situated within such districts. For the purpose of erecting vermin-proof wire-fencing in certain districts, a fencing rate may be levied, the Minister also having power to deduct 5 per cent. of the amount levied in vermin districts for the purpose of paying for the erection of a vermin-proof fence between the mallee country and the mallee border.

LAND LEGISLATION OF QUEENSLAND.

The land legislation of New South Wales in force on the date when the Moreton Bay District was formed into the Colony of Queensland, gave place soon after that event to a new system of settlement, better adapted to the requirements of the newly constituted Colony. Following, to a certain extent, upon the lines adopted by their neighbours, the legislators introduced in their regulations the principle of free selection before survey, and that of sales under the deferred payment system. Having a vast territory to dispose of, which did not, however, offer the same attractions as the southern provinces did, not being endowed with so temperate a climate, the Queensland Legislature considered it necessary to exercise great liberality in offering its land in lots of a greater area, and at a smaller price per acre, than were required from settlers in the other Colonies. Most liberal were also the provisions enacted to facilitate the exploration and occupation for pastoral purposes of the huge and almost unknown territory which they possessed,

and the Pastoral Act of 1869 led to the occupation by an energetic race of pioneers of nearly the whole of the waste lands of the province. The rapid development of its resources, and the consequent increase of population, necessitated, later on, a revision of the conditions under which land might be either alienated or occupied; but although the tendency has been to curtail the privileges of the pastoralists, the alienation of the public estate by selection—conditional and unconditional—has been placed under enactments of a still more liberal character than those which existed in the earlier days. Under pressure of the new social movement, Queensland has followed in the wake of New Zealand and South Australia, and has granted to the working classes great facilities for acquiring possession of the soil. The regulations at present in force are based upon the legislation enacted under the Crown Lands Act of 1884, and its subsequent amendments in 1886, 1889, and 1891.

Land may be acquired in the following manner:—By conditional selection: agricultural farms up to 160 acres, price 2s. 6d. per acre, payable in five years at the rate of 6d. per acre per annum, personal residence; agricultural farms up to 1,280 acres, at from 15s. per acre, payable in five years, or a fifty years' lease at from 3d. upwards per acre per annum, residence, personal or by agent; by unconditional selection, at from 20s. per acre, payable in twenty annual instalments; by grazing farm selection, up to 20,000 acres, thirty years' lease at from ¾d. upwards per acre per annum; by purchase at auction, agricultural land, upset price from 20s. per acre, grazing land, upset price from 10s. per acre, payments spread over three years, without interest in the case of agricultural land, and with 5 per cent. added in the case of grazing land when instalments are paid later than six months from date of sale.

The Colony is, as far as is necessary, divided into Land Agents' Districts, in each of which there are a Public Lands Office and a Government Land Agent with whom applications for farms must be lodged. Applications for farms must be made in the prescribed form, and be signed by the applicant, but they may be lodged in the Land Office by his duly authorised attorney. There is connected with the Survey Department, in Brisbane, an office for the exhibition and sale of maps, and there full information respecting lands available for selection throughout the Colony can be obtained on personal application. Plans can also be obtained at the District Offices.

The conditions under which country lands may be acquired for settlement by persons of either sex over 18 years of age—married women excepted—are substantially as follow:—Surveyed areas of land are made available for selection as grazing farms over a great extent of Queensland territory within accessible distance of the seaboard. In these areas intending settlers can obtain grazing farms of areas up to 20,000 acres on lease, for a term of thirty years, at an annual rent varying according to the quality of the land, three farthings an acre being the minimum. This rent is subject to reassessment by the Land Board after the first

ten years, and subsequently at intervals of five years, but the rent cannot be increased at any reassessment to more than 50 per cent. above that for the period immediately preceding. The applicant first obtains a license to occupy, which is personal to the applicant and is not transferable, but may be exchanged for a lease for the balance of the term of thirty years as soon as the farm is enclosed with a substantial fence, which must be done within three years. This lease may be transferred or mortgaged, or the farm may be subdivided, or, with the consent of the Land Board, sub-let. The land must be continuously occupied by the lessee or his agent for the whole term of the lease, and cannot be made freehold. The cost of survey, ranging from something like £30 for a farm of 2,560 acres to about £65 for a farm of 20,000—subject to increase or decrease according to locality—must be paid with a year's rent when the farm is applied for.

The more accessible lands near lines of railway, centres of population, and navigable waters, are set apart for agricultural farm selection in areas up to 1,280 acres. In the case of these farms the period of license is five years, during which the selector must fence in the land, or expend an equivalent sum in other substantial improvements. As in the case of grazing farms, as soon as the improvement condition has been complied with a lease is issued, but in this case for a longer term—namely, fifty years from the date of the license, and with a right of purchase. The annual rent may range from 3d. per acre upwards (seldom exceeding 1s.) according to the quality and situation of the land, its natural supply of water, &c., and is subject to periodical reassessment, as in the case of grazing farms. The selector must occupy the land continuously, either in person or by agent, for the whole term of the lease. The cost of survey, ranging from about £10 to £12 for a farm of 160 acres to from £20 to £40 for a farm of 1,280 acres, must be borne by the selector.

When an agricultural farm not exceeding 160 acres in area is occupied by the selector in person, the freehold can be secured on extremely liberal terms as regards money payments, five annual payments of 6d. per acre being all the purchase money required, and the cost of survey also being payable in like instalments. The conditions attached to the granting of these liberal terms are the expenditure in improvements of a sum equal to 10s. per acre, and the immediate continuous and *bona-fide* personal residence on the land of the selector for five years. With regard to agricultural farms exceeding 160 acres in area, where the condition of occupation has been performed for five years by the continuous and *bona-fide* personal residence of one lessee, or for ten years by successive lessees, the freehold may be secured on payment of the prescribed purchasing price. If the purchase is made within twelve years from the commencement of the term of the lease, the price will be that mentioned in the proclamation declaring the land available for selection (not to be less than 15s. per acre); if after that period, the price will be increased

in proportion to the increase of rent upon re-assessment. The rent reserved under the lease usually amounts to about $2\frac{1}{2}$ per cent. on the purchasing price, and all rent paid during the period of personal residence is counted as part of the purchase money.

With regard to village settlement, special provision is made by law for the settlement of little communities, so that settlers may live together in townships for mutual convenience, on allotments not exceeding one acre in extent, and with farms of 80 acres in close proximity to their residences. The freehold of these farms may be secured generally on the same terms as above stated in regard to agricultural farms not exceeding 160 acres in area, with the additional privileges that residence on an allotment in the township is held equivalent to residence on the farm, and one-fifth of the required improvements may be made on the allotment.

Two or more selectors of agricultural farms not exceeding 80 acres each may associate for mutual assistance under license from the Land Board. A selector may perform conditions of residence for himself and any other member of the association, providing that at least one selector is in actual occupation for every 160 acres; and if more than 10s. per acre is spent on permanent improvements on any one farm, the surplus may be credited to any other farm or farms in the group. In other respects the conditions are the same as in the case of agricultural farms of 160 acres.

Areas of land are also available for unconditional selection at prices ranging from £1 per acre upwards, payable in twenty annual instalments. As the term implies, no other conditions than the payment of the purchase money are attached to this mode of selection—the disqualifications imposed in the case of agricultural farms being also removed, with the exception of the restriction upon the area allowed to be selected. The cost of survey, on the same scale as for agricultural farms, must be deposited with the first instalment of purchase money at the time of application.

To approved persons of European extraction, paying their own passages or those of members of their families in full to Queensland from Europe, the United States of America, or any British possession other than the Australasian Colonies, land orders are issued of the value of £20 sterling for each person of 12 years and upwards, and of £10 for each child between 1 and 12 years of age. These land orders are available for ten years from the date of issue, to their full nominal value, for use by the head of the family in payment of the rent of any agricultural or grazing farm, *but not an unconditional selection*, held by him, or they may be used by the members of the family severally—wife, and children under 18 years of age, of course excepted—in payment of the rent of farms held by them respectively. Land orders are not transferable, and can only be used by residents in the Colony. They are therefore of no use to anyone who does not settle on the land and fulfil the conditions as above

described. A single land order of the value of £20 will, of course, suffice for the payment of the whole purchase money of a farm of 160 acres under the personal residence conditions above described, and only the survey and deed fees will need to be paid in cash.

LAND LEGISLATION OF SOUTH AUSTRALIA.

The foundation of the Colony of South Australia was in itself the outcome of an attempt to put into actual practice one of those remarkable theories of colonisation, based upon an apparently unanswerable logic of reasoning, which the logic of hard practical facts is often apt to reverse. The policy of settlement upon which a wealthy Colony was to be created in a few years on the edge of a supposed desert continent was based upon principles enunciated by its author, Edward Gibbon Wakefield, in a pamphlet published in England about the year 1836, in which he advocated a scheme of centralised colonisation, the main idea of which was the sale of the lands in the new possession at a very high price for cash, the amounts thus realised being immediately devoted to the introduction of immigrants, whom the land-owners would immediately employ to reclaim the virgin forest, thus creating wealth and abundance where desolation had previously existed. But although Wakefield had fairly calculated upon the results of the action of man, the action of nature itself had been left out of consideration, and the scheme quickly proved an empty failure and a distressful speculation for the many whom its apparent logic had deluded into investing their means in the lands of the new Colony. Had not the discovery of great mineral resources occurred at an opportune time, the exodus into the eastern Colonies of the immigrants imported or attracted to South Australia would have emptied the country of its population and considerably retarded the progress of a territory not inferior in natural resources to other portions of the Australian continent.

Measures were very soon introduced to modify the Wakefield system, but it was only in 1872 that an Act was passed more in conformity with the legislation of neighbouring Colonies, and giving to the poorer classes of the population a chance to settle upon the lands of the Crown under fair conditions.

The Land Act of 1872, adapted as it was to the needs of the time, gave way to other measures, and the regulations now in force are those of the Crown Lands Act of 1888, administered in conjunction with the Crown Lands Amendment Acts of 1889, 1890, and 1893. The Crown Lands Act of 1888 is referred to as the Principal Act. Part I of this Act refers to the power of the Governor to alienate Crown lands, exchange land for public purposes, and lease lands to aboriginal natives or their descendants; to dedicate and reserve lands for public purposes, cancel and resume dedications and reserves, constitute divisions of the

Colony into hundreds and counties, alter the boundaries of existing divisions, and set aside sites for towns or villages, &c. By clause 9 the grant in fee simple of any land shall not be construed to convey or include any property in any metal, ore or mineral, coal or mineral oils in or upon the land, the same being reserved by the Crown; the Commissioners being allowed to authorise persons at any time to search, mine for, or remove any of the metals and other things reserved.

Part II deals with leases with the right of purchase and perpetual leases. No lands are to be leased unless previously surveyed; the Land Boards are entrusted with the duty of classifying lands, and fixing the area of blocks, the price and annual rent at which each block may be taken up on lease with right of purchase, and the annual rent at which such block may be taken up on perpetual lease. Applications for such lands may be made in writing to the Commissioner, giving name and address of applicant, and forwarding at the same time 20 per cent. of the first year's rent of the block applied for. The applications are referred to the Land Board, who determine upon their acceptance, and who may subdivide or alter the boundaries of the block applied for, or reject the application, and generally decide upon all matters, including price or annual rent, connected with such application. Lessees must execute their leases and pay the balance of the first year's assessment and prescribed fees within twenty-eight days after the acceptance of application has been notified and the lease has issued, otherwise they forfeit the amounts paid and all rights to lease of the land.

Leases with the right of purchase are granted for a term of twenty-one years, with the right of renewal for a further term of twenty-one years, the right of purchase being exercisable at any time after the first six years of the term at a price fixed by the Boards, which must not be less than 3s. an acre.

The rent charged for any perpetual lease for the first fourteen years is fixed by the Board and notified in the *Government Gazette*, and the rent for every subsequent fourteen years is fixed by the Board after revaluation. Rents are payable annually in advance; and every lease contains a reservation to the Crown of all metals, ores, and minerals, gems, coal, timber, and mineral oils, in or upon the leased lands. All lessees under this part of the Act undertake to fulfil the following conditions:—1. To pay rent annually. 2. To pay all taxes and other impositions which may be payable in respect of the leased lands during the lease. 3. To fence the land within the first five years of the term, and keep the fences in repair. 4. To forthwith commence and continue to destroy, and keep the land free from, vermin. 5. To keep and maintain all improvements the property of the Crown on the leased land in good order and repair. 6. To insure and keep insured in full all buildings the property of the Crown upon the leased land in the joint names of the Commissioner and lessee. 7. To permit access to the land

of every person holding a mining license or mineral lease under Part V of the Act.

Part III of the Act refers to the sale of lands for cash. Provision is made for the sale of special blocks of land by auction; all Crown Lands within Hundreds which shall have been offered for lease and not taken up may be offered for sale at auction for cash within two years of the date on which they were first offered for lease. Some lands may be sold by auction for cash, and shall not be sold upon credit or by private contract, the Commissioners fixing the upset price of both town and country lots offered to auction, provided always that no country lands shall be sold at less than 5s. per acre.

Part IV refers to pastoral leases, and enacts that all Crown lands not included in any Hundred may be leased for pastoral purposes. Pastoral lands are divided into three classes as follow:—Class 1 includes pastoral lands held under a new lease issued under certain previous Acts, or which having been held under such new lease were held under other leases expiring in the year 1888, or on the 1st January, 1887, and granted in lieu of such new lease. Class 2 includes all pastoral lands which were held by any pastoral lessee on the 14th November, 1884, for any other term of years. Class 3 includes all other pastoral lands.

When any pastoral lease in Class 1 shall have expired, the land may be offered for lease at auction in such sized blocks as the Commissioner may determine, every such lease being for a term not exceeding twenty-one years, the annual upset rent payable in advance being fixed by valuation. The lessee shall also pay a deposit of 10 per cent. upon the value of the improvements on the lease, interest at 5 per cent. being allowed for such deposit, which shall be returned on the expiration of the lease, provided the improvements have not been allowed to fall into disrepair, in which case the deposit would be forfeitable wholly or in part. On the expiration of any pastoral lease, or on the resumption of any lands included in any pastoral lease granted under the Act, the pastoral lessee shall be paid the value of all substantial water improvements on the land leased or resumed, and in cases of resumption he shall also be compensated for the loss or the depreciation in the value of his lease. Pastoral lands in Class 3 were offered for lease at auction on the following terms:—The lease to extend over a term of thirty-five years, at an annual upset rent of 2s. 6d. per square mile for the first fourteen years of the currency, afterwards, during each successive term of seven years, the annual rent to be fixed by valuation; but under the Crown Lands Amendment Act of 1890 these terms have been altered to forty-two instead of thirty-five years, the revaluation being made every fourteen years instead of seven as above; the lessee to covenant to stock the land before the end of the third year of the term with sheep in the proportion of at least five head, or with cattle in the proportion of at least one head, for every square mile leased, to keep the same

so stocked, and before the end of the seventh year to increase the stocking to at least twenty sheep or four head of cattle for the remainder of the term.

The expenditure of money for the purpose of improving the carrying capacity of the land exempts the lessee from fulfilling the condition with reference to stocking, the expenditure of 30s. before the end of the third year of the term, and of £3 per square mile before the end of the seventh year, wholly discharging the lessee from the covenant in reference to stock. This part of the Act also provides that leases may be granted to *bona-fide* discoverers of pastoral country at the rent of 2s. 6d. per square mile per annum.

Part V deals with leases and licenses to be issued for mining purposes, such leases to be for a term of 99 years, at an annual rent of 1s. per acre, and a further sum of 6d. in the £ on the net profits. A sum of at least £6 per acre of the area of the lease is to be expended every two years, the lessee having the option of constantly employing one man for every 20 acres of the lease during nine months of the year. Specific mineral licenses may be granted by the Commissioners on payment of a fee of 20s., permitting the holder to search for metals and minerals, except gold, upon any specific mineral lands not exceeding 80 acres in extent, subject to the condition of employing at least one man. General mineral licenses, for the term of one year, are also issued, to search for any metals or minerals, except gold, upon any mineral lands. The leasing of auriferous lands is regulated by the Gold-mining Act of 1885.

Part VI refers to leases and licenses for miscellaneous purposes, including leases to discoverers of coal, guano, petroleum, or other substance not being a metal or metalliferous ore; sites for factories and other industrial undertakings are also regulated under this part of the Act.

In Part VII a new feature has been introduced into the land legislation of the Colony, in response to the claims of the working classes. Under this part it is enacted that certain lands of the province may be surveyed in blocks not exceeding 20 acres in area, and leased under the conditions affecting leases granted under Part II of this Act, either with the right of purchase or of perpetual lease; no one except a person who gains his livelihood by his own labour, and who has attained the age of 18 years, being entitled to any such lease. The rent is payable annually in advance, and the lessee is bound to reside on the land for at least nine months in every year, but personal residence by his wife or any member of his family will be held as a fulfilment of the residence condition. Under the amended Act of 1890, working men's leases situated within a radius of 10 miles from the Post Office, Adelaide, cannot be taken up with the right of purchase, and the purchase of any such leases taken up under the provisions of the Principal Act cannot be completed.

Under the Crown Lands Act Amendment Act of 1889, certain modifications were introduced in the procedure regulating the surrender of existing agreements and leases in exchange for leases under Part II of the Principal Act, and certain regulations were enacted to deal with the rabbit pest, and provide for the erection of rabbit-proof fences, granting to District Councils the power to raise loans for this purpose. Provisions were also made for extensive alterations in the disposal of forest lands, and for various other matters relating to the alienation and lease of lands. Section 15 of the Principal Act was amended, so as to provide, among other matters, that no lessee shall hold under lease with a right of purchase at any one time more than 1,000 acres.

Three new Acts dealing with the lands of the Colony south of the 26th degree of south latitude came into force in South Australia at the close of 1893.

The Crown Lands Amendment Act, 1893, repeals certain sections and schedules of former Acts; creates a central Land Board; deals with lands subject to mineral reservations; substitutes the term "homestead blocks" for "blocks for working-men"; and makes more extended provisions for granting loans to block-holders. In Part V of the Act permission is given to surrender agreements held under previous Acts for perpetual leases at a fixed rent in addition to the payment of an amount equal to the land-tax that would be payable if the lands were subject to such tax. The unimproved value of lands brought under the Act by one person is in no case (except city and township lands) to exceed £5,000. The last part of the Act deals with village settlements in a manner similar to that described under the heading "Labour settlements in New South Wales."

The Pastoral Act, 1893, deals with the pastoral lands of the Colony. It repeals a number of the sections of the Crown Lands Amendment Act of 1890, as well as of the Crown Lands Act of 1888; classifies the pastoral lands of the Colony into three classes, A, B, and C; and provides for the appointment of a Pastoral Board to deal with applications for leases, valuations, &c. Certain improvements are to be paid for by the incoming lessee. Leases in Classes A and B are to have a currency of twenty-one years, and in Class C of twenty-one years with a right of renewal for a further term of twenty-one years at a re-valuation. No mining by the lessee is allowed, but he may use the surface of the land for any purpose he should think fit, whether pastoral or not. Improvements are to be valued solely in connection with their worth to the incoming lessee, and are in no case to exceed in value such as are necessary for the working of a run of 5,000 sheep in Class A, of 10,000 sheep in Class B, or of 30,000 sheep in Class C, or a proportionate number of cattle, five sheep being taken as the equivalent of one head of cattle. Re-valuations may be made during the currency of a lease if, by the construction of Government works, such as railways, waterworks, &c., in the neighbourhood, the land has received an enhanced value. Leases

may be granted to discoverers of pastoral lands, or to any person for inferior lands, for forty-two years, the first five years at a peppercorn rental, the next five years at 1s. per annum per square mile, and the remainder of the term at 2s. 6d. per annum per square mile. For all other leases the minimum rent is fixed at 2s. 6d. per annum per square mile in all classes, together with 2d. for each sheep depastured in Classes A and B, and 1d. for each sheep in Class C. Provision is made for the resumption of leases and the granting of compensation. All disputed cases are to be decided according to the terms of the Arbitration Act, 1891. Lands held under any of the old Acts may be surrendered and a new lease applied for under the Act of 1893, except in the case of lands placed in Class I under the Act of 1888.

The Mining Act, 1893, repeals wholly all Mining Acts passed prior to 1888, and in part the Crown Lands Act of 1888, and the Amending Acts of 1889 and 1890. The Commissioner of Crown Lands and Immigration is created Minister of Mines; and wardens, registrars, and inspectors are to be appointed for the various mining districts into which the Colony is to be divided. Provision is made for the issue of miners' rights at 5s. per annum. Gold leases are granted for areas of not more than 20 acres, for any term not exceeding forty-two years, at a rental of 1s. per acre per annum, together with 6d. in the £ on the net profits, one man to be continuously employed either in mining or prospecting for every 5 acres of the lease. Mineral leases are issued for areas of not more than 40 acres of land not comprised within a gold-field, one man to be employed for every 10 acres. The currency of the lease and the rental are the same as in the case of a gold lease. Coal and oil leases, for areas not exceeding 640 acres, and periods not exceeding forty-two years, may be granted of any Crown lands not comprised within a gold-field, at a rent and upon such terms and conditions as the Governor may see fit to impose, or as may hereafter be prescribed. The only condition specified in the Act is that of keeping one man continuously employed for every 40 acres of the lease. Any number of gold, mineral, and coal and oil leases may be held by the same person. Miscellaneous leases for the manufacture or the obtaining of salt and gypsum, for the working of mineral springs, or for sites for smelting works or any other works approved by the Governor, may be granted, on terms hereafter to be prescribed, for any period not exceeding forty-two years; but, in the case of smelting or other works, no lease shall be granted of any water frontage for a longer term than twenty-one years. Provision is also made for the issue of business and occupation licenses. Business claims are to be of not more than $\frac{1}{4}$ acre in townships nor more than 1 acre on other lands, and must not be situated within 5 miles of any Government township, except they come within a gold-field. The cost of a business license is to be 10s. for six months, or £1 for a year. Occupation licenses may be granted, of blocks not exceeding $\frac{1}{2}$ acre, for a period of fourteen years, at an annual rental of 2s. or less. Parts IV and V of the Act make

provision for the inspection and the proper draining of mines; while Part VI deals with the granting of rewards to discoverers of new mineral districts or of valuable mineral deposits, and with the granting of assistance to persons engaged in mining, either by the advance of money or by the loan of diamond drills or other machinery.

THE NORTHERN TERRITORY.

The Northern Territory of South Australia includes the whole of the lands situated to the north of the 26th degree of south latitude, bounded by Queensland on the east, Western Australia on the west, and the Ocean on the north. This portion of the Continent is under the administration of a Resident, appointed by the Government of South Australia; and the alienation and occupation of lands within the Territory are conducted under regulations enacted by the South Australian Legislature, in accordance with "The Northern Territory Crown Lands Consolidation Act of 1882."

It is provided that lands may be purchased for cash, without conditions, in blocks not exceeding 1,280 acres, for 12s. 6d. per acre; they may also be bought under the deferred payment system, to the same maximum area, and at the same price, payable in ten years, together with an annual rent of 6d. per acre.

Leases for pastoral occupation may be issued for a term not exceeding twenty-five years, for blocks up to 400 square miles, the annual rental for the first seven years being 6d. per square mile, while 2s. 6d. per square mile is charged during the balance of the term.

In order to encourage the cultivation of tropical produce, such as rice, sugar, coffee, tea, indigo, cotton, tobacco, &c., special provisions have been enacted. Blocks of from 320 acres to 1,280 acres may be let for such purposes at the rate of 6d. per acre per annum. If, on the expiration of five years, the lessee can prove that he had cultivated one-fifth of his area by the end of the second year of his term, and one-half by the end of the fifth year, he is relieved from all further payment of rent, and the amount already so paid is credited to him towards the purchase of the land in fee.

LAND LEGISLATION OF WESTERN AUSTRALIA.

The first regulations referring to land settlement in Western Australia were issued by the Colonial Office in 1829, at the time that Captain James Stirling was appointed Civil Superintendent of the Swan River settlement. The first special grants were made in favour of Captain James Stirling for an area of 100,000 acres near Geographe Bay, and Mr. Thomas Peel for 250,000 acres, on the southern bank of the Swan River and across the Channing to Cockburn Bay, the latter under covenant to introduce at his own cost 400 immigrants into the Colony by a certain date. Regulations were issued to the effect that

persons proceeding to the settlement at their own cost, in parties in which the numbers were in the proportion of five females to every six male settlers, were to receive grants in proportion to the capital introduced, at the rate of 40 acres for every £3. Capitalists were also granted land at the rate of 200 acres for every labouring settler introduced at their expense, subject to the cancellation of the grant if the land was not brought under cultivation or reclaimed within twenty one years. The regulations were amended by others of a similar nature issued on the 20th July, 1830. In 1832, however, the mode of disposing of the Crown lands by sale came into force, the regulations issued in that year assimilating the system of settlement to that in force in the Colonies of New South Wales and Van Diemen's Land. Other alterations were made from time to time, until, in 1873, an entirely new system was introduced, which has served as the basis of the regulations at present in force, which were promulgated on the 2nd March, 1887.

The new land regulations, which were passed by the Legislative Council in 1886, came into force on the 2nd March, 1887. For the purposes of the regulations the Colony is divided into six divisions :—The South-west Division, the Gascoyne Division, the North-west Division, the Kimberley Division, the Eucla Division, and the Eastern Division. All town and suburban lands in these divisions may be sold by public auction, at an upset price to be determined by the Governor-in-Council. Any person may apply to the Commissioner to put up for sale by auction any town or suburban lands already surveyed, on depositing 10 per cent. of the upset price, which is returned if he does not become the purchaser; should the purchaser not be the applicant, he must pay 10 per cent. on the fall of the hammer, and complete his purchase within thirty days.

There are four modes of obtaining land by conditional purchase in the South-west Division :—(1) By deferred payment, with residence within agricultural areas; (2) by deferred payment, with residence outside agricultural areas; (3) by deferred payment without residence; (4) by direct payment without residence.

Agricultural areas of not less than 2,000 acres may be set apart by the Governor-in-Council. The maximum area to be held by any one person is 1,000 acres, and the minimum 100 acres. The price is fixed by the Governor-in-Council at 10s. an acre, payable in twenty yearly instalments of 6d. an acre, or sooner if the occupier choose. Upon the approval of any application, a license is granted for five years. Within six months the licensee must take up his residence on some portion of the land; and he must fence in the land with a good substantial fence during the term of his license. If these conditions are fulfilled, a lease is granted to him for fifteen years. After the lease has expired, provided that the fence is in good order, that improvements have been made equal to the full purchase money, and that the full purchase money has been paid, a Crown grant will be given.

Land may be purchased outside agricultural areas on deferred payment with residence, by free selection, and otherwise subject to all the conditions required within agricultural areas as already stated.

Under the third mode of purchase, the applicant is subject to all the conditions imposed under the first, except that of residence, but he has to pay double the price—or, £1 per acre,— in twenty yearly instalments of 1s. per acre.

By the fourth mode, land to the extent of 1,000 acres, and not less than 100, within an agricultural area, may be applied for at a price (at present 10s. per acre) fixed by the Governor-in-Council. Within three years the land must be fenced in, and within five years 5s. per acre must be spent on improvements.

For garden purposes, small areas of not less than 5 acres nor more than 20 acres (except in special cases) may be purchased at 20s. per acre, on the condition that within three years the land shall be fenced, and one-tenth planted with vines or fruit-trees, or vegetables.

In the Kimberley, North-west, Gascoyne, Eastern, and Eucla Divisions, special areas for purchase may be set apart of not less than 5,000 acres. The total quantity to be held by any one person in a division may not exceed 5,000 acres, nor be less than 100 acres. The price is at present 10s. an acre, payable in ten years, or sooner. Upon approval, a lease will issue for ten years. Within two years the land must be fenced. On the expiration of the lease, the fence being in good order, improvements, in addition to the fencing, equal to the purchase money having been made, and the purchase money having been paid, a grant from the Crown will be issued.

Pastoral lands are granted on lease, which gives no right to the soil or to the timber, and the lands may be reserved, sold, or otherwise disposed of by the Crown during the lease. The following are the terms of pastoral leases in the several divisions; all leases expire on the 31st December, 1907, and the rental named is for every 1,000 acres :— South-west.—In blocks of not less than 3,000 acres, at 20s. Gascoyne and Eucla.—In blocks of not less than 20,000 acres; for each of the first seven years, 10s.; for each of the second seven years, 12s. 6d.; for each of the third seven years, 15s. North-west.—In blocks of not less than 20,000 acres; for the first seven years, 10s.; for the second seven years, 15s.; for the third seven years, 20s. Eastern.—In blocks of not less than 20,000 acres; for the first seven years, 2s. 6d.; for the second seven years, 5s.; for the third seven years, 7s. 6d. Kimberley. —In blocks of not less than 50,000 acres with frontage, and 20,000 without frontage; for the first seven years, 10s.; for the second seven years, 15s.; and for the third seven years, 20s. Any lessee in the Kimberley Division may have a reduction of one-half the rental due under the Regulations, computed from the 1st day of January, 1887, for the first fourteen years of his lease, if, within five years of the date of these Regulations, he should have in his possession within the Division

ten head of sheep, or one head of large stock for every thousand acres leased. A similar reduction is made to a lessee in the Eucla Division, but here the reduction is also granted if he should have expended £8 per 1,000 acres, in constructing tanks, wells, or dams, or in boring for water. A penalty of double rental for the remaining portion of the lease is imposed, except in the South-western Division, if the lessee has not within seven years complied with the stocking or improvement clause.

Any person desirous of obtaining a lease of poison-land may apply to the Commissioner, defining the boundaries, and paying one year's rent at the rate of £1 per 1,000 acres, on the condition that the land is fenced in within three years; and if the poison plant is completely eradicated before the lease expires, the lessee will be entitled to a Crown grant.

Mining leases, not exceeding 200 acres, nor less than 20 acres, are granted for seven years, at a rental of 5s. per acre per annum, but must be worked within one year. If the holder has erected, or gives security for the erection of, suitable machinery to work the mine, he may obtain a Crown grant of not less than 20 acres, at the rate of £3 per acre.

Three Acts dealing with lands were passed in Western Australia during 1893. The first of these is the Transfer of Land Act, 1893, which is similar in its provisions to the Real Property Acts of the other Colonies. The second Act amends the Land Regulations proclaimed in 1887, and fixes rents in the Gascoyne, North-west, and Kimberley Divisions, and in the Eucla Division, west of a due north line from Point Culver, at 10s. per annum for every thousand acres or part of thousand acres for the whole term of the lease; in the Eucla Division, east of a due north line from Point Culver, at 5s. per annum for every thousand acres or part thereof for the whole term of the lease; and in the Eastern Division, at 2s. 6d. for each of the first seven years, and 5s. for each of the remaining years of the lease, for every thousand acres or part of a thousand acres. The Regulations of 1887, as far as they are contradictory to the amendments of 1893, are repealed; and the provisions of the Amendment Act are not only to apply to new leases, but also to all leases already in existence.

The Homesteads Act, 1893, is divided into three parts, the first part dealing with free homestead farms, the second with homestead leases, and the third with general matters. Under the first part of the Act the Governor may set apart for selection, either exclusively or partly, for free farms, certain areas situated within 40 miles of a railway. Unless otherwise ordered such selections are to be limited to alternate blocks, and are not to exceed 160 acres. The exempted portions may be alienated under the provisions of the Land Regulations or any law relating to Crown lands. Preliminary survey and notification in the *Gazette* are required, and blocks set apart for free farms may at any time be withdrawn. Application may be made by any person who is the sole head of a family, or by any male person who has attained the age of 18 years, provided the applicant be not already in possession

of 100 acres or more within the Colony, either in fee-simple, or under special occupation or conditional purchase. A statutory declaration and a fee of £1 must be submitted with the application, after approval of which by the Minister the applicant will receive a certificate enabling him to take possession. Residence is compulsory during six out of every twelve months during the first five years of the lease, except in cases of illness, or for some other valid reason which prevents compliance with this condition. Within two years £30 must be expended by the selector either in erecting a suitable house, in clearing, or in clearing and cropping; or in lieu thereof 2 acres of orchard or vineyard must be properly prepared and planted. Within five years at least one-fourth of the land is to be fenced in, and one-eighth cropped; and within seven years the whole selection is to be fenced in, and at least one-fourth cleared and cropped. After that time, upon proof that the residential and other conditions have been duly complied with, a Crown grant will be issued on payment of survey, Crown grant, and registration fees. Until then assignments, transfers, and mortgages shall be null and void; and any such agreement entered into by the lessee shall lead to the forfeiture of the homestead farm, and debar him from making another application for a similar lease. A person who has received a certificate to the effect that he is entitled to a Crown grant, may, however, legally dispose of, and convey, assign, transfer, or mortgage, his right and title therein. A selector who can prove residence for twelve months from the date of taking possession, and who has made all the improvements required to entitle him to a Crown grant, may at any time before the expiration of seven years, receive a Crown grant on payment of 5s. per acre, together with survey, Crown grant, and registration fees. Village sites may be set apart not more than 5 miles distant from land intended for homestead farms, and subdivided into areas not exceeding 1 acre each. A selector may obtain a village allotment free, and build a house and take up his residence there instead of on his farm. The improvements on the homestead farm must, however, be made as before described. A Crown grant for the village allotment may be obtained, as soon as the selector is entitled to a grant for his homestead farm, on payment of £1, together with survey, Crown grant, and registration fees.

Part II of the Act states that Crown lands may be set apart for homestead leases within 40 miles of a railway. Lands so set apart shall be divided into second and third class lands, the area of a lease to be from 1,000 to 3,000 acres of second-class, and from 1,000 to 5,000 acres of third-class lands. The currency of all leases is to be thirty years. The rent is fixed at 1d. per acre per annum for the first fifteen years, and 2d. for the last fifteen years of the lease, for third-class lands; and at 2d. per acre per annum for the first fifteen years, and 3d. for the remainder of the lease, for second-class lands. The lessee has to comply with the following conditions:—He must pay one-half of the

prescribed cost of survey in five yearly instalments; he must reside on the land, either personally or by his agent or servant, for nine out of every twelve months during the first five years; he must within two years fence half the area of the lease, and within four years the whole area; he must expend, during each year from the sixth to the fifteenth, 8d. per acre on the improvement of second-class lands, or 5d. per acre of third-class lands. If he should spend more during one year, he may take credit for the excess in the following year or years. Improvements may be any of the following:—Subdivision, clearing, cultivating, grubbing, draining, ringbarking, tanks, dams, wells, or any other work which increases or improves the agricultural or pastoral capabilities of the land. The boundary fence, after its erection, must at all times be kept in good order and repair. If the Minister approves of an application for a lease, and the land is not yet surveyed, the time for making improvements, &c., is to be computed from the day when the survey is completed. On the expiration of a lease, if all the terms have been complied with, the lessee is entitled to a Crown grant on payment of Crown grant and registration fees. He may obtain his Crown grant earlier if he has spent, in addition to the cost of the boundary fence, an amount equal to the aggregate rent payable for the last twenty-five years of his lease, but in that case he must pay to the Minister the difference between the aggregate amount of rents already paid and the value of the land, calculated at 6s. 3d. per acre for second-class, and 3s. 9d. per acre for third-class lands. Transfers are allowed after five years' residence, either personal or by an agent; but the approval of the Minister must first be obtained, and no lease can be transferred to any person who is already the holder of a homestead lease.

Part III. states that agricultural areas may be gazetted and disposed of under the following conditions:—The price is to be fixed by the Governor-in-Council, but is not to be less than 10s. per acre, payable in twenty yearly instalments, or sooner, as may be determined. To qualify for a lease it is necessary to be not less than 18 years of age. The maximum area is to be 1,000 acres and the minimum area, except in special cases approved by the Minister, 100 acres. All leases are to have a twenty years' currency, and the lessee is to make the land the place of his habitual residence for six out of every twelve months during the first five years. Within two years at least one-tenth, and within five years the whole of the lease must be fenced in; and within ten years, in addition to the cost of the boundary fence, an amount equal to the full purchase money must be spent in improvements. The lessee will be entitled to a Crown grant on the expiration of his lease, or at any time after the first five years, if the necessary fencing and improvements have been completed and the full purchase money has been paid. The residential clause may be dispensed with if the lessee pays an office fee of 20s. and expends double the amount on improvements that he would have to spend if he resided on the land.

LAND LEGISLATION OF TASMANIA.

In the earlier period of the occupation of Tasmania, from 1804 to 1825, the island being administered as a part of New South Wales, its settlement was subject to the regulations affecting the disposal of the Crown domain in that Colony. After its constitution under a separate administration, the regulations issued from the Colonial Office for the settlement of the Crown lands in the mother Colony were made to apply also to Tasmania. New measures were introduced after self-government had been granted to the province, but they became so complicated and cumbersome that the necessity was felt of passing in 1890 an Act consolidating into one comprehensive and general measure the twelve Acts previously in force.

The business of the Lands and Survey Departments is now transacted by virtue of the Crown Lands Act of 1890, under which, for the convenience of survey operations, the island is divided into thirteen survey districts. Lands of the Crown are divided into two classes, town lands and rural lands. Lands which are known to contain auriferous or other minerals, and such lands as may be necessary for the preservation and growth of timbers, are dealt with under separate sections; and the Governor-in-Council is empowered to reserve such lands as he may think fit for a variety of public purposes.

In the rural division any person of the age of 18 may select under this Act by private contract at the price and upon the terms set forth hereunder :—

One lot of rural lands not exceeding 320 acres nor less than 15 acres.

	£	s.	d.
100 acres at 20s.	100	0	0
Add ⅓ for credit	33	6	8
	133	6	8

Payable as follows :—

	£	s.	d.	
Cash at time of purchase	3	6	8	
First year	5	0	0	
Second year	5	0	0	
Third year	10	0	0	
And for every one of the eleven successive years to the fourteenth year inclusive at the rate of £10 per annum	110	0	0	
				133 6 8

And so in proportion for any greater or smaller area than 100 acres, but credit will not be given for any sum less than £15. Additional selections may be taken up provided the total area held by one selector does not exceed 220 acres. Selection by agents is not allowed.

The conditions in connection with the credit system are as follow:— The purchaser shall commence to make improvements on the expiration of one year from the date of contract, and during eight consecutive years shall expend not less than 2s. 6d. per acre per annum, under penalty of forfeiture. Any surplus over 2s. 6d. per acre spent in any year may be set against a deficiency in another year, so that £1 per acre may be spent in the eight years. In the event of improvements to the full amount being made before the expiration of the eight years, the purchaser may pay off any balance due, discount being allowed. Payment of instalments may in certain cases be postponed, but interest must be paid at the rate of 5 per cent. per annum. The time for making the improvements may be extended for two years in certain cases. Should instalments not be paid within sixty days after becoming due the land may be put up to auction, the defaulter having the privilege of redeeming his land up to the time of sale by payment of the amount due, with interest and costs. If land sold at auction by reason of default realises over the upset price, the excess is handed to the defaulter. Land purchased on credit is not alienable until paid for, but transfers are allowed. For five years after alienation land is liable to be resumed for mining purposes, compensation being paid to the occupier. All grant-deeds contain a reservation by the Crown of the right to mine for minerals.

Rural lands not alienated and not exempt from sale may be sold by auction. Town lands are sold only in this way. £1 per acre is the lowest upset price, and agricultural lots must not exceed 320 acres. Lands unsold by auction may be disposed of by private contract, within one year from the time of being offered at auction. No lands may be sold by private contract within 5 miles of Hobart or Launceston.

Mining areas may be proclaimed, within which land may be selected or sold by auction, in lots varying with the situation, from 1 to 10 acres if within a mile from a town, and up to 100 acres if at a greater distance. In these cases residence for five years is required; in default the land to be forfeited to the Crown. In 1891 an Act was passed to regulate the sale or disposal of Crown lands occupied under residence or business license, or under miner's right. Under this Act such land, in areas not exceeding one-quarter acre, may be sold by auction, persons in occupation having a preferential right of private purchase at the upset price fixed by the Land Commissioner. The manner of payment is settled by the Amended Act of 1892, which requires a deposit of one-sixth of the purchase money to be made, the balance to be paid in eleven equal monthly instalments.

Land selected or bought within a mining area is open to any person in search of gold or other mineral, after notice has been given to the owner or occupier, to whom compensation may be made for damage done. Persons who occupy land in a mining town, under a business license, and who have made improvements to the value of £50, may purchase one quarter of an acre for £10.

Grazing leases of unoccupied country may be offered at auction, but such runs are liable at any time to be sold or licensed, or occupied for other than pastoral purposes. The rent is fixed by the Commissioner, and the run is put up to auction, the highest bidder receiving a lease for fourteen years. The lessee may cultivate such portion of the land as is necessary for the use of his family and establishment, but not for sale or barter. Should any portion of the run be sold or otherwise disposed of, a corresponding reduction may be made in the rent, which is payable half-yearly in advance. A lease is determinable should the rent not be paid within one month of becoming due. In the event of the land being wanted for sale or any public purpose, six months' notice must be given to the lessee, who is to receive compensation for permanent improvements. Leases of not more than fourteen years may be granted for various public purposes, such as the erection of wharfs, docks, &c. Portions of a Crown reserve may also be leased for thirty years for manufacturing purposes.

Under the Crown Lands Amendment Act of 1893 any person of the full age of 18 years, who has not purchased under the Crown Lands Act of 1890, or under the Crown Lands Amendment Act, may select and purchase one lot of rural land not more than 50 acres nor less than 15 acres; and on payment of a registration fee of £1 an authority is issued to the selector to enter upon and take possession of the land, which must be done in person within six months from the date of issue of certificate. The purchase money, which is calculated on the upset price of £1 per acre, together with the survey fee, and with one-third of the whole added for credit, is payable in fifteen annual instalments, the first of which is due in the fourth year of occupation. A condition of purchase is that the selector must expend a sum equal to £1 per acre in effecting substantial improvements (other than buildings) on the land, or reside habitually thereon for the full term of eighteen years, before a grant deed will be issued.

LAND LEGISLATION OF NEW ZEALAND.

The first establishments in New Zealand were formed upon land obtained from the various native tribes, and the task of distinguishing between the few *bona fide* and the numerous bogus claims to the

possession of land thus acquired was the first difficulty which confronted Captain Hobson when, in 1840, he assumed the government of New Zealand. Trading in land with the natives had, from 1815 to 1840, attained such proportions that the claims to be adjudicated upon covered 45,000,000 acres, the New Zealand Company, of which Mr. Edward Gibbon Wakefield, of South Australian fame, was the managing director, claiming an estate of no less than 20,000,000 acres in area. In the year 1840, the Legislature of New South Wales passed a Bill empowering the Governor of that Colony to appoint a Commissioner to examine and report upon all claims to grants of land in New Zealand, all titles, except those allowed by Her Majesty, being declared null and void. This Bill, before receiving the Royal assent, was superseded by an Act of the local Council, passed in 1841, under which the remaining claims were settled, and new regulations were adopted for the future disposal of the Crown lands. When, later on, the Colony became divided into independent provinces, each district had its own regulations, until, in 1858, an Act was passed by the General Assembly to regulate this question, embodying in one comprehensive measure the regulations under which land could be alienated or demised in the various provinces of the Colony. The Act of 1858 was repealed by that of 1876 and its amendments, the latter having since been repealed to give way to legislation of a more liberal nature. The enactments of 1885, 1887, and 1888 which followed have been superseded by the Lands Act of 1892, under which the Crown lands are now administered. For convenience the Colony is divided into ten land districts, each being under the local direction of a commissioner and a land board.

Crown lands are divided into three classes:—1. Town and village lands, the upset prices of which are respectively not less than £20 and £3 per acre; such lands are sold by auction. 2. Suburban lands, being lands in the vicinity of any town lands, the upset price of which may not be less than £2 per acre; these lands are also sold at auction. 3. Rural lands, being lands not reserved for towns and villages, classified into first and second class lands, which may be disposed of at not less than £1 per acre for first class, and 5s. an acre for second class lands; such lands may be either sold by auction after survey, if of special value, as those covered with valuable timber, &c., or be declared open for application as hereafter described. Pastoral lands are included within the term "rural lands," and are disposed of by lease.

No rural section may be larger than 640 acres in extent if of first-class land, or 2,000 acres if of second-class land, whether it is offered by auction or granted on application; but this limit does not apply to land classified as pastoral. No person can select more than 640 acres of first-class or 2,000 acres of second-class land, inclusive of any land which he may already hold; but this proviso also does not apply to pastoral land.

Crown lands may be acquired as follows:—(1) By auction, after survey, in which case one-fifth of the price must be paid down at the time of sale, and the balance, with the Crown grant fee, within thirty days; (2) by application, after the lands have been notified as open to selection, in which case the applicant must fill up a form and make the declaration and deposit required by the particular system under which he wishes to select.

After lands have been notified as open under the optional system, they may be selected for cash, with the condition that such lands shall within seven years be improved to an amount of £1 per acre for first-class land, and 10s. an acre for second-class land. One-fifth of the price is to be paid down at the time of application and the balance within thirty days, if the land is surveyed; or the survey-fee if the land is unsurveyed (the latter going towards the purchase of the land), and the balance within thirty days of notice that survey is completed. A certificate of occupation will issue to the purchaser on final payment, which will be exchanged for a Crown grant so soon as the Board is satisfied that the improvements mentioned above have been completed.

After notification, lands may be selected for occupation with right of purchase under a license for twenty-five years. At any time subsequent to the first ten years, and after having resided on the land and made the improvements hereafter described, the licensee can, on payment of the upset price, acquire the freehold. If not purchased after the first ten and before the expiry of the twenty-five years of the term, the license may be exchanged for a lease in perpetuity. The rent is 5 per cent. on the cash price of the land. A half-year's rent has to be paid in with the application, if for surveyed land, and this sum represents the six months' rent due in advance on the 1st day of January or July following the selection. If the land is unsurveyed, the cost of survey is to be deposited, and is credited to the selector as so much rent paid in advance, counted from the 1st day of January or July following thirty days' notice of the completion of survey. Residence on and improvement of the land are compulsory, as hereafter described.

Lands notified under the optional system may be selected on a lease for 999 years (or in perpetuity), subject to the conditions of residence and improvements hereafter described. The rental is 4 per cent. on the cash price of the land. The application must be accompanied by half a year's rent, which, in the case of surveyed lands, represents that due on the 1st day of January or July following the date of selection. In the case of unsurveyed lands, the cost of survey must be deposited, and is credited to the selector as so much rent paid in advance, dating from the 1st day of January or July after thirty days' notice of completion of survey. Two or more persons may make a joint application to hold as tenants in common under either of the two last-named tenures.

Under all systems—excepting cash purchases, or pastoral and small grazing-run leases—residence and improvements are the same. Residence is compulsory (with a few exceptions mentioned in the Act), and must commence on bush or swamp lands within four years, and on open or partly open land within one year, from the date of selection. On lands occupied with a right of purchase, such residence must be continuous for six years in the case of bush or swamp land, and for seven years in the case of open or partly open land; on lease-in-perpetuity lands residence must be continuous for a term of ten years. The Board has power to dispense with residence in certain cases, such as where the selector resides on adjacent lands, or is a youth or an unmarried woman living with his or her parents. The term "residence" includes the erection of a habitable house to be approved of by the Board.

Improvements are the same for all classes of land—excepting cash purchases or pastoral and small grazing-run leases—and are as follow:—(1.) Within one year from the date of the license or lease the land must be improved to an amount equal to 10 per cent. of its value. (2.) Within two years the land must be improved to the amount of another 10 per cent. (3.) Within six years the land must be improved to the value of another 10 per cent., making 30 per cent. in all within the six years. (4.) In addition to the foregoing, the land must be further improved to the amount of £1 an acre for first-class land, and for second-class land to an amount equal to the net price of the land, but not more than 10s. an acre. The term "improvements" includes the reclamation of swamps, clearing of bush, cultivation, planting of trees, making of hedges, cultivation of gardens, fencing, draining, making of roads, wells, water-tanks, water-races, sheep-dips, embankments or protective works, or the effecting of any improvement in the character or fertility of the soil, or the erection of any building, &c.; and the term "cultivation" includes the clearing of land for cropping, or clearing and ploughing for laying down artificial grasses, &c.

Under the existing regulations any number of persons, not less than twelve, may apply for a block of land of not less than 1,000 acres nor more than 11,000 acres in extent, but the number of members shall be such that there shall be one for every 200 acres in the block, and no one may hold more than 320 acres, except of swamp lands, when the area may be 500 acres. The price of lands within a special settlement is fixed by special valuation, being not less than 10s. an acre; the rental is not less than 4 per cent. on the capital value of the land, and the tenure a lease in perpetuity. Residence, occupation, and improvements are generally the same as already described, and applications have to be made in manner to be prescribed by the regulations.

Village settlements are disposed of under regulations made from time to time by the Governor, but the main features are as follow:—Such settlements may be divided into—(1.) Village allotments not

exceeding one acre each, which are disposed of either by auction amongst the applicants, or by application as already described, with option of tenure, the cash price being not less than £3 per allotment; (2.) Homestead allotments not exceeding 100 acres each, which are leased in perpetuity at a 4-per-cent. rental on a capital value of not less than 10s. per acre. Residence, improvements, and applications are the same as already described. The leases are exempt from liability to be seized or sold for debt or bankruptcy. The Governor is empowered in certain cases, and under regulation, to advance small sums for the purpose of enabling selectors to profitably occupy their allotments.

Small grazing runs are divided into two classes: first class, in which they do not exceed 5,000 acres; and second class, in which they do not exceed 20,000 acres in area. The rental in both cases is not less than 2½ per cent. on the capital value per acre. Small grazing runs are leased for terms of twenty-one years, with right of renewal for a like term, at a rent of 2½ per cent. on the value of the land. The runs are declared open for selection, and applications and declarations on the forms provided have to be filled in and left at the Lands Office, together with the deposit of one half year's rent, which represents that due on the 1st day of March or September following the selection. A selector of a small grazing run may not hold more than one such run, nor may he hold any freehold or leasehold land of any kind whatever over 1,000 acres in area exclusive of the area he applies for under this system. The lease entitles the holder to the grazing rights and to the cultivation of any part of the run, and to the reservation of 150 acres around his homestead through which no road may be taken; but the runs are subject to the mining laws. Residence is compulsory, on bush or swamp land, within three years, and on open land, within one year; and it must be continuous to the end of the term, though this latter condition may in certain cases be relaxed. Improvements are necessary as follow:—Within the first year, to the amount of one year's rent; within the second year, to the amount of another year's rent; and within the next six years to the value of two years' rent; making a sum equal to four years' rental to be spent on the run in six years. In addition to this, first-class runs must be improved to an amount of 10s. an acre, and second-class runs to an amount of 5s., if the runs are under bush. After three years' compliance with the conditions, these runs may be divided among the members of the selector's family.

Purely pastoral country is let by auction for varying terms not exceeding twenty-one years; but, except in extraordinary circumstances, no run can be of a carrying capacity greater than 20,000 sheep, or 4,000 head of cattle. Runs are classified from time to time, by special commissioners, into those which are suitable for carrying more than 5,000 sheep (let as above), and into pastoral-agricultural country, which may be either let as pastoral runs, generally for short terms, or be cut

up for settlement in some form. Leases of pastoral-agricultural lands may be resumed at any time after twelve months' notice without compensation. No one can hold more than one run unless it possesses a smaller carrying capacity than 10,000 sheep, in which case he may hold additional country up to that limit. Runs are offered at auction from time to time, and half a year's rent has to be paid down at the time of sale, which represents that due in advance on the 1st March or September following the sale, and the purchaser has to make the declaration required by the Act. All leases begin on the 1st March; they entitle the holder to the grazing rights, but not to the soil, timber, or minerals; and the lease terminates at any part of the run which may be leased for another purpose, purchased or reserved. The tenant has to prevent the burning of timber or bush, and the growth of gorse, broom or sweet-briar, and to destroy the rabbits on his run. With the consent of the Land Board, the interest in a run may be transferred or mortgaged, but power of sale under a mortgage must be exercised within two years. In case it is determined to again lease any run on expiry of the lease, it must be offered at auction twelve months before the end of the term, and if, on leasing, it shall be purchased by some person other than the previous lessee, valuation for improvements, to be made by an appraiser, shall be paid by the incoming tenant, but to a value not greater than three times the annual rent, except in the case of a rabbit-proof fence, which is valued separately. Runs may also be divided with the approval of the Land Board.

Three Acts dealing with the lands of the Colony were passed by the New Zealand Parliament during 1893, viz. :—An "Act to provide a Court of Inquiry into Purchases and Leases of Native Lands"; an "Act to authorise the acquisition of Land owned by Natives for the purpose of Land Settlement"; and the "Land Act Amendment Act, 1893." The last-named Act makes some slight amendments, which for the greater part are merely verbal, in the Land Act of 1892; while the Act dealing with the acquisition of native lands gives authority to the Government to acquire portions, as gazetted, of 7,000,000 acres of waste lands, principally in the North Island, owned by natives. Such lands may either be sold and conveyed to Her Majesty at the value fixed by the Native Land Purchase Board, to be established under the Act, or disposed of by lease under the provisions of the Land Act of 1892.

AUSTRALASIAN SETTLEMENT.

The particulars given in the foregoing pages will have made the fact abundantly clear that the main object of the land legislation, however variously expressed, has been to secure the settlement of the

public estate by an industrious class, who, confining their efforts to areas of moderate extent, would thoroughly develop the resources of the land. But where the character of the country does not favour agricultural occupation or mixed farming, the laws contemplated that the State lands should be leased in blocks of considerable size for pastoral occupation, and it was hoped that, by this form of settlement, vast tracts, which when first opened up seemed ill-adapted even for the sustenance of live stock, might be ultimately made available for industrial settlement. To how small an extent the express determination of the legislators to settle an industrious peasantry on the soil was accomplished will presently be illustrated from the records of several of the provinces; but in regard to pastoral settlement the purpose was fully achieved—large areas, pronounced by even experienced explorers to be uninhabitable wilds, have since been occupied by thriving flocks, and every year sees the great Australian desert of the early explorers receding step by step. The following statement shows the area of land alienated by each province, the area leased, and the area neither alienated nor leased at the close of 1893. The term "alienated" is used for the purpose of denoting that the figures include lands granted without purchase. The area so disposed of has not been inconsiderable in several provinces:—

Colony.	Area.	Area alienated or in process of alienation.	Area leased.	Area neither alienated nor leased.
	Acres.	Acres.	Acres.	Acres.
New South Wales	198,848,000	44,352,937	127,092,070	27,402,993
Victoria	56,245,760	24,471,993	15,070,974	16,702,793
Queensland	427,838,100	13,788,127	281,316,885	132,733,088
South Australia, south of 26° S.L.	243,244,800	8,358,612	103,813,038	131,073,150
Northern Territory	335,116,800	477,211	57,367,680	277,271,909
Western Australia	678,400,000	7,844,338	93,237,728	577,317,934
Tasmania	16,778,000	4,785,172	651,903	11,340,925
New Zealand	66,861,440	21,137,601	14,410,111	31,313,728
Australasia	2,023,332,900	125,215,991	692,960,389	1,205,156,520

The proportion which these figures bear to the total area of each Colony is shown below :—

Colony.	Area alienated or in process of alienation.	Area leased.	Area neither alienated nor leased.
	Per cent.	Per cent.	Per cent.
New South Wales	22·3	63·9	13·8
Victoria	43·5	26·8	29·7
Queensland	3·2	65·8	31·0
South Australia, south of 26° S.L.	3·4	42·7	53·9
Northern Territory	0·1	17·1	82·8
Western Australia	1·2	13·7	85·1
Tasmania	28·5	3·9	67·6
New Zealand	31·6	21·6	46·8
Australasia	6·2	34·2	59·6

The figures in the foregoing table disclose many grounds for congratulation. Of 2,023 million acres which comprise the area of Australasia, 818 millions, or 40·4 per cent., are under occupation for productive purposes, and there is every probability that this area will be greatly added to in the near future. New South Wales shows the least area returning no revenue, for out of nearly 200 million acres only 27 millions remain unoccupied, and much of this is represented by lands which the State has reserved from occupation, and which are used for travelling stock or for various public purposes, including lands reserved for future settlement along the track of the great trunk line of railways. The Colony of Tasmania has 68 per cent. of its area unoccupied, the western part of the island being so rugged as to forbid settlement. New Zealand favoured also with a beneficent climate, has nearly half its area not utilised, a circumstance entirely due to the mountainous character of its territory. Settlement in Western Australia is only in its initial stage ; much of the area of the Colony is practically unknown, and much of what is known is thought to be little worth settlement. Much the same thing was confidently predicted of western New South Wales and South Australia, though, as subsequent events proved, the forebodings were untrue. In South Australia proper—that is, south of the 26th degree of south latitude—only 46 per cent. is in occupation ; and in the Northern Territory, only 17 per cent. The practice of sales by auction without conditions of settlement was a necessary part of the system of land legislation which prevailed in most of the Colonies ; but this ready means of raising revenue offered the temptation to the Governments, where land was freely saleable, to obtain revenue in an easy fashion. The result of the system was not

long in making itself felt, for pastoralists and others desirous of accumulating large estates were able to take advantage of such sales, and of the ready manner in which transfers of land conditionally purchased could be made, to acquire large holdings, and in this manner the obvious intentions of the Lands Acts were defeated. Notwithstanding failures in this respect, the Acts have otherwise been successful, as will appear from the following table, as well as other pages in this volume. It is unfortunate that detailed information regarding settlement can only be given for three of the Colonies, viz., New South Wales, South Australia, and New Zealand. The information given for New South Wales in the table refers to the year 1893; and for South Australia and New Zealand, to the Census year of 1891 :—

Size of Holdings.	New South Wales.		South Australia.		New Zealand.	
	Number of Holdings.	Area of Holdings.	Number of Holdings.	Area of Holdings.	Number of Holdings.	Area of Holdings
		Acres.		Acres.		Acres.
1 to. 100 acres	25,861	941,444	6,804	183,443	25,628	742,446
101 to 1,000 acres	23,342	8,227,296	10,618	4,711,060	15,890	4,818,277
1,001 to 5,000 acres	4,055	8,321,068	2,394	4,623,937	1,675	3,425,185
5,001 to 20,000 acres	832	8,560,260	481	4,737,253	436	4,468,203
20,001 acres and upwards	338	17,627,413	58	1,974,995	148	5,943,418
Totals	54,428	43,677,481	20,355	16,230,688	43,777	19,397,529

Out of the 43,677,481 acres set down to New South Wales in the foregoing, 39,251,547 acres are in the actual occupation of the owners, and 4,425,934 acres are held under rent. In New Zealand the proportion of rented land is much greater; the area occupied by the owners is 12,410,242 acres, while the proportion rented is 6,987,287, or 36 per cent. In South Australia only 5,510,289 acres are occupied by the owners, while 10,720,399 acres, or 66 per cent., are rented. The most remarkable feature of the table is that in New South Wales more than half the alienated land is owned by 672 persons, while in New Zealand 584 persons own considerably more than one half. In South Australia 1,283 persons own half the alienated land.