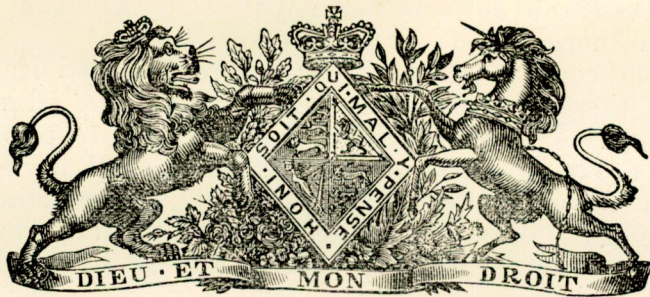


# New South Wales.



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# VICTORIÆ REGINÆ.

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## No. IX.

An Act to legalize certain Conditional Purchases and Conditional Leases and Auction and other Purchases of Crown Lands, and to validate certain Crown grants in connection therewith; to confer special powers of reference to the Local Land Board and the Land Appeal Court where necessary; to permit the reversal of forfeiture of certain Conditional Purchases and Conditional Leases; to authorise the sale of certain Crown Lands and the issue of Crown grants therefor; and to authorise the granting of certain Crown Land by way of compensation. [Assented to, 4th March, 1894.]

**W**HEREAS the persons whose names are mentioned in Schedules Preamble.  
A and B hereto have made, or applied to make, conditional purchases or conditional leases of certain Crown lands, and the said purchases or leases, or applications therefor, as the case may be, have been found to be either wholly, or in part, illegal, or have been forfeited, for the causes respectively specified in the said Schedules: And whereas the persons whose names are mentioned in Schedule C hereto have purchased, or intended to purchase, at auction, certain Crown lands, but the said purchases are illegal for the causes specified in the said Schedule: And whereas the sale of the land specified in Schedule D hereto is not authorised by the law: And whereas the sale and grant of the land specified  
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*Crown Lands Purchases and Leases Validation.*

in Schedule E hereto, which purported to have been made and issued under the provisions of section eleven of the "Crown Lands Alienation Act of 1861," were illegal: And whereas it is just and expedient that the sale of, or the respective titles to, or the applications for, the lands aforementioned should be authorised or made good and valid: And whereas the sale and grant of the land specified in Schedule F hereto which purported to have been made and issued under the provisions of section two of the "Lands Acts Amendment Act of 1875" were illegal: And whereas it is desirable that the land specified in Schedule G should be granted to the company therein mentioned: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Validation of conditional purchases and leases or applications therefor specified in Schedules A and B.

1. The conditional purchases and conditional leases, or the applications therefor of the lands specified and described in Schedules A and B to this Act by the persons whose names are respectively set opposite to the descriptions of the said lands shall be held to have been and to be valid and effectual in law, subject, nevertheless, to the performance of the conditions and requirements of any law applicable thereto, except the matters included in the causes of illegality or forfeiture described in the said Schedules respectively; and where any such conditional purchases or conditional leases have been notified as forfeited the forfeiture shall be reversed, and the reversal thereof shall relate back to the date of notification of such forfeiture in the *Government Gazette*. Upon reference by the Minister to the Local Land Board (as constituted under the Crown Lands Acts) of any of the aforementioned applications, which at the passing of this Act have not been confirmed, such Board shall deal therewith, and if no other valid objection be found to exist shall confirm the same: Provided that the provisions of the Crown Lands Acts with respect to appeals or references to the Land Appeal Court shall apply in such cases.

Reference to Land Board or Land Appeal Court.

Validation of purchases at auction specified in Schedule C.

2. The purchase at auction of the lands specified and described in Schedule C to this Act by, and the grants of such lands to, the persons whose names are set opposite to the descriptions of the said lands are hereby declared to have been and to be valid and effectual in law.

Validation of sale specified in Schedule D.

3. The Governor, with the advice of the Executive Council, may sell and grant the land described in Schedule D hereto to the person whose name is set opposite to the description of the said land at the price of fifteen pounds, and a deed fee of one pound; but if the said money be not paid within three months after the passing of this Act the sale shall be void, and no grant shall issue in respect thereof.

Validation of sale specified in Schedules E and F.

4. The sale and grant of the lands specified in Schedules E and F to this Act are hereby declared to have been and to be valid and effectual in law.

Validation of sale specified in Schedule G.

5. The Governor, with the advice of the Executive Council, may grant the land described in Schedule G to this Act to the Australian Gas-light Company (in the name of the secretary thereof and subject to the terms of the Australian Gas-light Company's Acts) in pursuance of a proposal made in the year one thousand eight hundred and sixty-seven by the then Minister for Lands, and agreed to by the company in the year one thousand eight hundred and sixty-eight in full compensation for the severance (by the reclamation of such lands) of land adjoining thereto from the waters of Woolloomooloo Bay.

Validation of conditional purchases and conditional leases against certain objections.

6. No original conditional purchase existing at the passing of this Act shall be held to have been or to be invalid by reason only that it was applied for by or in the name of two or more persons: No additional conditional purchase existing at the passing of this Act shall be held to have been or to be invalid by reason only that it

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*Crown Lands Purchases and Leases Validation.*

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was applied for by virtue of a conditional purchase made under section twenty-two of the "Crown Lands Alienation Act of 1861," whether the combined areas of the freehold and the conditional purchases and conditional leases of the series exceed the area limited by the Crown Lands Acts for ordinary conditional purchases and conditional leases or not: No conditional lease existing at the passing of this Act shall be held to have been or to be invalid by reason only that it was applied for by virtue of a conditional purchase of land within a special area: Provided that nothing in this section shall operate to revive any application, purchase, or lease which, prior to the passing of this Act has been, and at date of such passing shall stand as, disallowed, refused, withdrawn, or forfeited, or to validate any pending application which has not been confirmed.

7. Provided that nothing herein shall affect any proceedings, Proviso. either at law or in equity, instituted before the thirty-first day of October, one thousand eight hundred and ninety-three.

8. This Act may be cited as the "Crown Lands Purchases and Short title. Leases Validation Act of 1894."



SCHEDULES.

SCHEDULE A.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Robert William Armour ...	a. r. p. 64 0 0	73	Kowmung ...	Westmoreland...	Lithgow, 17th July, 1884; 58...	25 Vic. No. 1. 21	At date of application for this purchase the original conditional purchase in virtue of which it was made was not registered in the name of the conditional purchaser, but in that of his wife. (90-5,595 Cor. ; 91-332 Cor.) The validity of the conditional purchases is doubtful owing to a judgment of the Supreme Court on 3rd June, 1870, in the case Emery v. Barclay. Deeds have issued for portions 131 and 136. (C.S. 93-21,653 Dep.) The land applied for is within water reserve 1,394, notified 15 January, 1883, and the conditional purchaser made substantial improvements in ignorance of that fact. The Local Land Board now report him to be a <i>bona fide</i> selector, and that the reserve is not required in the public interest. (92-3,307 Dep.) Made in virtue of an additional conditional purchase held under section 22 of Act 25 Victoria No. 1. The land was fully improved before the title was questioned. (89-17,658 Misc.) The conditional purchaser was not at date of application the registered holder of the freehold in virtue of which the conditional purchase was taken. A transfer has since been effected. (89-31,689 Dep.) When these additional conditional purchases were applied for, the original in virtue of which they were made was not registered in the name of conditional purchaser, but in that of his wife. (90-2,644 Cor.)
Isaac Barclay ...	54 0 0	131	Illaroo ...	Camden ...	Nowra, 16th July, 1863; 2,132	13	
Isaac Barclay ...	40 0 0	136	Illaroo ...	Camden ...	Nowra, 6th August, 1863; 2,323	21	
Isaac Barclay ...	40 0 0	138	Illaroo ...	Camden ...	Nowra, 20th August, 1863; 2,447	21	
George Bradford ...	80 0 0	73	Buller ...	Acacia ...	Tenterfield, 4th September, 1884; 72.	13	
George Bradford ...	40 0 0	74	Buller ...	Acacia ...	Tenterfield, 18th December, 1884; 108.	21	
Joseph Carberry, junior (now Commercial Banking Company of Sydney).	156 0 0	165	Nowra ...	St. Vincent ...	Nowra, 21st March, 1878; 20...	21	
Joseph Carberry, junior (now Commercial Banking Company of Sydney).	57 1 0	157	Nowra ...	St. Vincent ...	Nowra, 13th May, 1880; 14 ...	21	
John Carey ...	80 0 0	120	Arakoon ...	Macquarie ...	Kempsey, 6th November, 1884; 267.	22	
Thomas George Carter ...	40 0 0	88	Rouchel ...	Durham ...	Scone, 3rd December, 1868; 3,021	21	
Thomas George Carter ...	60 0 0	89	Rouchel ...	Durham ...	Scone, 3rd December, 1868; 3,022	21	
Thomas George Carter ...	40 0 0	17	Rouchel ...	Durham ...	Scone, 6th September, 1883; 54	21	
Thomas George Carter ...	112 2 0	315	Rouchel ...	Durham ...	Scone, 11th March, 1886; 25 ...	48 Vic. No. 18. 42	
Henry Chew ...	175 0 0	208	Wambanumba	Monteagle	Young, 20 March, 1884; 23 ...	25 Vic. No. 1. 21	
Andrew Cochrane ...	137 2 33	56	Tiverton ..	Sandon ...	Armidale, 7th August, 1884; 276.	13	

Crown Lands Purchases and Leases Validation.

57<sup>o</sup> VICTORIA, No. 9.



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Thomas Cruise (now Bank of New South Wales).	a. r. p. 60 0 0	90	Ditmas ...	Gough ...	Glen Innes, 27th November, 1884; 200.	25 Vic. No. 1. 21	At date of application for this additional conditional purchase the original conditional purchase was not registered in applicant's name. (90-8,668 Dep.) The land embraced by the original conditional purchase not being available at date of application the application was cancelled, but this additional conditional purchase, which should also have been cancelled, was inadvertently allowed to remain on the books as a valid conditional purchase. (90-751 Dep.) The conditional purchase was located on land other than that described, and is separated from the original conditional purchase by water reserve No. 507. (89-27,878 Dep.) The land had been applied for by one George Binks two minutes before Douse's application was lodged. Binks's application was subsequently withdrawn, owing to non-survey within twelve months. (90-6,510 Dep.) An area of 33 acres 1 rood 20 perches of this conditional purchase was included within J. Pike's (now George Ireland's) grant of 627 acres, and has now been purchased by the Crown, with a view to adding it to the conditional purchase, and so making good the title to the full area. (91-264 Cor.) An area of 10 acres of this conditional purchase was included within J. Pike's (now George Ireland's) grant of 627 acres, and has now been purchased by the Crown, with a view to adding it to the conditional purchase, and so making good the title to the full area. (91-264 Cor.) The land is partly within the Cargo population area, and also partly within reserve from conditional purchase proclaimed 4th September, 1877. (92,3,399 Cor.) The basal conditional purchase was gazetted forfeited for non-fulfilment of the condition of residence. (92-23,698 Dep.) At date of application the original conditional purchase was not registered in the conditional purchaser's name, but in that of his wife. (90-3,211 Dep.; 90-24,859 Dep.)
Owen Cuskely... ..	40 0 0	22	Donald ...	Sandon ...	Armidale, 4th January, 1866; 26.	21	
Frederick Dew (now Thomas Reynolds Hutchings).	40 0 0	162	Rodd ...	Pottinger ...	Murrurundi, 19th October, 1871; 3,902.	21	
Emily Douse (now The Bank of New South Wales).	57 2 0	90	Arrawatta ...	Wardera ...	Inverell, 25th June, 1874; 7,150	21	
Martin Flanagan ... ..	80 0 0	152	Yarraman ...	Brisbane ...	Muswellbrook, 22nd February, 1877; 18.	13	
Michael Flanagan ... ..	50 0 0	23	Yarraman ...	Brisbane ...	Muswellbrook, 6th March, 1873; 2,072.	13	
Neil Gallagher... ..	96 0 0	63	Barrajin ...	Ashburnham ...	Molong, 23 October, 1884; 166	21	
Neil Gallagher... ..	84 0 0	64	Barrajin ...	Ashburnham ...	Molong, 30 October, 1884; 169	21	
Eliza Jenkins ... ..	320 0 0	172	Kimo ...	Clarendon ...	Gundagai, 28th September, 1876; 403.	21	
Stephen Monck ... ..	40 0 0	92	Wallagoot ...	Auckland ...	Bega, 19th April, 1883; 42 ...	21	
Stephen Monck ... ..	40 0 0	115	Wallagoot ...	Auckland ...	Bega, 18th December, 1884; 143	21	
Stephen Monck ... ..	40 0 0	122	Wallagoot ...	Auckland ...	Bega, 10th February, 1887; 4...	48 Vic. No. 18 42	

Crown Lands Purchases and Leases Validation.



SCHEDULE A—*continued.*

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.	
	Area.	Portion.	Parish.	County.				
John Malcolm McIntosh (now Thomas Whitehead).	a. r. p. 38 2 26	57	Pialligo ...	Murray ...	Queanbeyan, 28th July, 1870 ; 2,571.	25 Vic. No. 1. 13	The portion applied for is found after amendment of survey to contain less than 40 acres. (90-1,700 Dep.)	
William John Neeley (now Bank of New South Wales).	{ 40 0 0 40 0 0	68 69	Tarago ...	Argyle ...	Goulburn, 25th February, 1862 ; 1,449.	21 21	{ The additional conditional purchases are separated from the original conditional purchase by a freehold of 30 acres, portion 26. (89-27,001 Dep.)	
								Tarago ...
Henry Noyes (now George Noyes).	40 0 0	162	Talagandra ...	Murray ...	Yass, 28th June, 1883 ; 54 ...	14	The conditional purchase was gazetted lapsed on 5th March, 1888, for non-receipt of declaration. The lapsing was provisionally reversed by the Minister on 29th March, 1888. Subsequently (on the 12th April, 1888), the land was applied for by R. P. Johnston as a conditional lease, which was confirmed in ignorance of the fact of the action taken to restore Noyes' conditional purchase. As the law did not permit of a provisional reversal of forfeiture, and the Act 55 Vic. No. 1 does not meet the case, Noyes' conditional purchase requires validation. (93-10,351 Ls.)	
George Roberts (now the Bank of New Zealand).	172 0 0	95	Broadwater ...	Rous ...	Lismore, 5th October, 1882 ; 631	21	The land was not open for conditional purchase at date of application, being held by T. C. Bagot, under application for conditional purchases 82-579 and 82-597, which applications were subsequently withdrawn. (90-3,416 Dep.)	
John Henry Secomb ...	40 0 0	39	Wittitrin ...	Dudley ...	Kempsey, 25th April, 1878 ; 111	21	The original conditional purchase (72-153) was not registered in applicant's name at date of application for this additional conditional purchase. (90-1,736 Dep.)	
Annie Elizabeth Smith ...	{ 69 1 0 130 3 0 132 3 0	{ 332 325 327	Wallendoon ...	Harde ...	Young, 15th March, 1883 ; 21...	13	{ The land applied for formed part of reserve No. 28, which was cancelled on 12th February, 1883 ; the cancellation, however, was rescinded on 12th March, 1883, three days prior to date of application for the conditional purchase. (90-4,572 Misc.)	
William Stenz (now Commercial Banking Company of Sydney).	204 0 0	70						Eden ...
Charles Henry Thatcher ...	{ 100 0 0	part of 133 part of 133 161 160	Braulin ...	Forbes ...	Forbes, 1st April, 1880 ; 40 ...	14	{ A Select Committee in their report to Parliament recommended the case for the favourable consideration of the Government, but as the conditional purchases had been gazetted forfeited and subsequently selected by one Mary Zelpha Walker, who also forfeited her claim, validation of Charles Henry Thatcher's title is necessary. (90-4,715 Cor.)	
	{ 147 3 0							21
	{ 40 0 0							21
	{ 40 0 0							21



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
The Brooksdale Coal, Shale, Iron Mining Company.	a. r. p.					25 Vic. No.	The necessary expenditure in mining operations was not effected during the three years' term, but the full amount, equal to £2 per acre, was effected within five years. (91-11,134 Dep.)
	40 0 0	164	Clwyd ...	Cook ...	Lithgow, 28th July, 1881; 67...	19	
	40 0 0	166			Lithgow, 15th Sept., 1881; 80...	19	
	40 0 0	167			Lithgow, 15th Sept., 1881; 81...	19	
	60 0 0	168			Lithgow, 6th October, 1881; 84	19	
	75 0 0	24			Lithgow, 27th October, 1881; 98	19	
	75 0 0	25			Lithgow, 27th October, 1881; 99	19	
	60 0 0	27			Lithgow, 3rd Nov., 1881; 102...	19	
40 0 0	26	Lithgow, 3rd Nov., 1881; 103...			19		
Western Kerosene Oil Company, Limited (now New South Wales Shale and Oil Company).	180 0 0	104, 137	Hartley...	Cook ...	Lithgow, 24th October, 1867; 2,580.	19	The two portions embraced by the mineral conditional purchase do not adjoin one another, but are now connected by other portions with which they have been consolidated. (89-3,672 Cor.)
George Early Backhouse ...	600 0 0	1	Merilba ...	Kennedy ...	Parkes, 22nd December, 1887; 112.	48 Vic. No 18. 26	The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
John Baldock ...	44 0 0	10	Wallabadah ...	Buckland ...	Murrundi, 31st December, 1885; 47.	26	Within the suburban boundaries of the village of Wallabadah at date of application, but such boundaries having been modified the purchase is not now situated therein. (90-8,555 Dep.; 91-1,254 Dep.)
Lucy Elizabeth Botterill ...	640 0 0	9	Bimbeen ...	Gipps ...	Condobolin, 8th May, 1890; 50	26	This application was received by the Land Agent at 1:30 p.m., at which hour the office was legally closed; but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
Samuel John Botterill ...	640 0 0	7	Younga Plain ...	Gipps ...	Condobolin, 8th May, 1890; 46	26	The application was received by the Land Agent at 1:30 p.m., at which hour the office was legally closed; but the Land Agent's error was not discovered till long after the application was confirmed. (92-9,005 Dep.)
William Earnshaw Botterill...	640 0 0	7	Bimbeen ...	Gipps ...	Condobolin, 8th May, 1890; 49	26	This application was received by the Land Agent at 1:30 p.m., at which hour the office was legally closed; but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
George Bouchier ...	40 0 0	200	Vulcan ...	Westmoreland...	Lithgow, 24th January, 1889; 10.	42	The original conditional purchase was not, at date of application, registered in Bouchier's name; but the defect was not discovered till long after date of confirmation. (92-13,589 Dep.)
Samuel Clift ...	135 1 0	162	Clift ...	Buckland ...	Tamworth, 24th June, 1886; 104.	42	The land is situated within the boundaries of water reserve 1,608, notified on 28th June, 1880. (90-6,645 Dep.)

Crown Lands Purchases and Leases Validation.

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## SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Oscar De Aubert Cayirelys (now the Commercial Banking Company of Sydney).	a. r. p. 80 0 0	37	Munderoo ...	Selwyn ...	Albury, 22nd July, 1886; 41...	43 Vic. No. 18. 42	Situated within the leasehold area of Jingellic pastoral holding. (90-17,544 Dep.)
Margaret Frances Daly (now Annie Daly).	40 0 0	7	Sherwood ..	Fitzroy ...	Grafton, 1st July, 1886; 99 ...	26	The land applied for encroaches to the extent of about 9 acres upon reserve No. 1,076, notified 21 January, 1884. (89-27,629 Dep.)
Arthur Swift Darby ..	63 2 0	16	Gladstone ...	Darling...	Tamworth, 23rd September, 1886; 123.	42	Does not adjoin the previous conditional purchases of the series in virtue of which it was made. (90-2,918 Dep.)
John Ditton (now Albert Whitby Simpson).	50 0 0	29	Falconer ...	Sandon ...	Armidale, 20th August, 1885; 59.	42	Encroaches to the extent of about 17 acres upon water reserve 46, extended, notified on 14th November, 1871. (90-8,461 Dep.)
Flint Davidson ...	100 0 0	83	Piallamore ...	Parry ...	Tamworth, 5th November, 1885; 70.	42	The conditional purchase in question was applied for in virtue of a former additional conditional purchase, the original of which was not registered in the conditional purchaser's name. (91-1,703 Dep.)
Patrick Egan ...	100 0 0	...	Wilbetree ...	Phillip ...	Mudgee, 7th August, 1890; 38	26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)
John Elliott Forbes, deceased (now R. Armstrong and W. M. Royse).	40 0 0	60	Baan Baa ...	Pottinger ...	Narrabri, 6th August, 1885; 3..	26	The land at date of application formed part of village reserve No. 1,436, notified on 13th February, 1884. (88-20,711 Dep.)
John Ford ...	60 0 0	114	Billinudgel ...	Rous ...	Murwillumbah, 11th August, 1887; 26.	42	The basal conditional purchase did not stand in Ford's name at date of application, having been transferred by way of mortgage to the Bank of New South Wales. (92-22,929 Dep.)
Catherine Ellen Fowler ...	57 0 0	196	Couridjah ...	Camden ...	Picton, 13th December, 1888; 76.	42	At date of application the basal conditional purchase did not stand in applicant's name. (C.S. 93-5,584 Dep.)
Donald Fraser...	640 0 0	13	Younga Plain ...	Gipps ...	Condobolin, 8th May, 1890; 48	26	This application was received by the Land Agent at 1:30 p.m., at which hour the office was legally closed, but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
John Halloran... ..	a. r. p. 100 0 0	.....	Wilbetree ..	Phillip ... ..	Mudgee, 7th August, 1890; 52	<sup>48 Vic. No. 18</sup> 26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)
Hermann Hallman ... ..	49 3 0	58	Dinoga ... ..	Murchison ... ..	Bingara, 24th February, 1887; 6	26	} Situated partly within travelling stock reserve No. 370, notified on 1st July, 1874. (89-28,224 Dep.)
Hermann Hallman ... ..	50 2 0	59	Dinoga ... ..	Murchison ... ..	Bingara, 23rd June, 1887; 14...	42	
James Hasset... ..	100 0 0	& 38	Wallace ... ..	Wynyard ... ..	Tumut, 15th July, 1886; 69	42	Applicant was not the registered holder of the basal conditional purchase at date of application. (92-26,543 Dep.)
Richard Hollow ... ..	250 0 0	.....	Wilbetree ... ..	Phillip ... ..	Mudgee, 7th August, 1890; 40	26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)
Thomas Murdoch ... ..	500 0 0	3	Merilba ... ..	Kennedy ... ..	Parkes, 9th February, 1888; 6	26	The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
John Murphy ... ..	59 0 0	229	Bala ... ..	King ... ..	Burrowa, 6th August, 1885; 22	42	At date of confirmation of the conditional purchase (85-22), an adjoining original conditional purchase (84-186), made by the selector, under the repealed Land Acts, was held to be void, but such voidance was subsequently reversed, and, as Murphy could not legally hold two originals, it has been decided to alter the section under which application was made for conditional purchase 85-22, and allow it to be held as an additional to conditional purchase 84-186 which it adjoins. (90-16,290 Dep.)
Frank Stavers Mitchell ... ..	473 0 0	15	Thuara ... ..	Clyde ... ..	Brewarrina East, 16th January, 1890; 1.	42	The land formed part of water reserve 475, notified 6th October, 1879, and cancelled on 14th December, 1889, and consequently sixty clear days had not elapsed at date of application, and the land was not therefore legally available for conditional purchase—vide section 102, Act of 1884. (C.S. 93-6,498 Dep.)
John M'Culloch ... ..	107 3 3	236	Muttama ... ..	Harden... ..	Cootamundra, 11th February, 1892; 16.	47	The application was for a measured portion, which portion is intersected by the Cootamundra to Gundagai railway line, and the conditional purchase should therefore have been restricted to one side of the line. (C.S. 93-16,913 Dep.)

Crown Lands Purchases and Leases Validation.



## SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
William Meyers ... ..	a. r. p. 98 3 0	16, 17	Tumut ... ..	Wynyard ... ..	Tumut, 10th February, 1887; 9	<sup>48</sup> Vic. No. 18 26	The land is situated partly within a reserve for camping and water, notified under general notice of 24th December, 1861, and also wholly within reserve from sale pending completion of the Census of 1881, notified 6th April, 1881. (90-8,813 Dep.)
Annie Nash O'Brien ... ..	715 2 0	56, 60, 102, 103	Narrow Plains	Denison ... ..	Corowa, 6th August, 1885; 14	26	Forfeiture was Gazetted 4th December, 1890, for non-fulfilment of the condition of residence; a Select Committee inquired into the case, and their report which was adopted by the House recommended validation of the conditional purchases. C.S. 93, 463 Corr.
Annie Nash O'Brien ... ..	142 3 0			106	Narrow Plains...		
Bernard O'Neill ... ..	140 1 0	29	Ferrier .. ..	Buckland ... ..	Gunnedah, 20th May, 1886; 31	42	The land was at date of application included in travelling stock reserve No. 9, extended, notified 20th December, 1872. (91-1,704 Dep.)
William Philp... ..	100 0 0	62	Roumalla ... ..	Hardinge ... ..	Armidale, 4th November, 1886; 163	26	The application was made under the 26th section of the Act of 1884, but through a misapprehension the condition of residence was not carried out. As, however, the case is one of hardship the section has been altered to 42nd, so as to allow applicant to hold the conditional purchase in virtue of his original conditional purchase 79-24, which is under mortgage, and stands in the name of the Bank of New South Wales. (90-21,847 Dep.)
George William Russell ..	40 0 0	36	Falconer ... ..	Sandon ... ..	Armidale, 20th August, 1885; 55.	42	Encroaches to the extent of about 15 acres upon water reserve 46, as extended, notified 14th November, 1871. (90-8,461 Dep.)
Checkley Hodges Ratliff ...	75 2 0	15	Tumut ... ..	Wynyard ... ..	Tumut, 10th February, 1887; 11	26	The land is situated wholly within a reserve for camping and water, notified under general notice of 24th December, 1861, and also wholly within reserve from sale pending completion of the Census of 1881, notified 6th April, 1881. (90-8,815 Dep.)
Frederick William Reid ...	100 0 0	14	Craven ... ..	Gloucester ... ..	Strout, 2nd December, 1886; 92	42	Within the Barrington gold-field. Reserved from conditional purchase 10th September, 1879. (92-26,724 Dep.)
Caroline Smith ... ..	640 0 0	5	Bimbeen ... ..	Gipps ... ..	Condobolin, 8th May, 1890; 47	26	This application was received by the Land Agent at 1.30 p.m., at which hour the office was legally closed, but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
The Australian Mortgage, Land, and Finance Company (Limited).	1,181 0 0	21	Cowal ... ..	Gipps ... ..	Condobolin, 26th November, 1891; 131.	42	The basal conditional purchase did not, at date of application, stand in the company's name. (C.S. 93-15,887 Dep.)



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
The Bank of New South Wales	a. r. p. 60 2 0	224	Elrington ...	St. Vincent ...	Braidwood, 27th October, 1887; 38.	<sup>48 Vic. No. 18</sup> 42	The application was lodged and confirmed in the name of John O'Heire, who had, however, transferred the basal conditional purchase by way of mortgage to the Bank of New South Wales. (C.S. 93-8,789 Dep.)
The Bank of New South Wales	285 0 0	12	Whyaddra ...	Dowling ...	Condobolin, 30th August, 1888; 50.	42	The application was made by Edward Henry Moulder, who had transferred by way of mortgage the basal conditional purchase to the Bank of New South Wales. (92-24,832 Dep.)
The Commercial Banking Company of Sydney.	40 0 0	96	Puen Buen ...	Auckland ...	Bega, 30th September, 1886; 72	42	The application was made by William Francis Coman, who had transferred by way of mortgage the basal conditional purchase to the Commercial Banking Company of Sydney. (92-26,672 Dep.)
Charles Bede Trefle ...	80 0 0	154	Trigalong ...	Bland ...	Cootamundra, 25th June, 1890; 59.	26	} Within water reserve 2,201, notified 8th November, 1880. (92-26,594 Dep.)
Charles Bede Trefle ...	66 0 0	153	Trigalong ...	Bland ...	Cootamundra, 25th June, 1890; 60.	42	
Alexander Hugh Watson ...	92 1 0	18, 19	Tumut ...	Wynyard ...	Tumut, 3rd March, 1887; 15...	26	The land is situated wholly within a reserve for camping and water, notified under general notice of 24th December, 1861, and also wholly within reserve from sale pending completion of the Census of 1881, notified 6th April, 1881. (90-8,814 Dep.)
Benjamin Woodhouse ...	50 0 0	16	Ingebirah ...	Wallace ...	Cooma, 7th August, 1890; 314	26	Owing to defective charting of travelling stock reserve No. 925, the measurement of this portion encroached on the said travelling stock reserve. (92-8,751 Dep.)
Thomas William Whitehead...	80 0 0	115	Greg Greg ...	Selwyn ...	Albury, 17th Dec., 1885; 65 ...	42	The land is situated within the external boundaries of the Bringenbrong pastoral holding leasehold area, which was not known to the Land Board when the application was confirmed. (92-6,989 Dep.)
Thomas Williams ...	68 0 0	.....	Wilbetree ...	Phillip ...	Mudgee, 7th August, 1890; 46	26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)

Crown Lands Purchases and Leases Validation.



## SCHEDULE B.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
Henry Althofer ... ..	a. r. p. 720 0 0	35	Mumbil ...	Wellington ...	5,372 (85-4)	Wellington	9th February, 1885.	9th August, 1886	48 Vic. No. 18. 54	At date of application the basal conditional purchases stood in the name of the Bank of New South Wales, to which Bank they had been transferred by way of mortgage by Althofer. (Leases 92-10,326.)
William O'Dillon Ambrose (now Bank of New South Wales).	1,200 0 0	63	Talmoi ...	Courallie ...	12,279 (85-54)	Moree ...	20th March, 1885.	27th October, 1885.	54	This lease was confirmed before survey, but upon survey it was found that as confirmed the lease encroached to the extent of 116 acres on water reserve 445 in existence at date of application, but since revoked. (Leases 91-1,227.)
William O'Dillon Ambrose (now Bank of New South Wales).	600 0 0	62	Talmoi ...	Courallie ...	12,938 (85-112)	Moree ...	27th August, 1885.	29th October, 1885.	48	This lease was confirmed before survey, but upon survey it was found to encroach to the extent of 37 acres on water reserve 445 in existence at date of application for the lease, but since revoked. (Leases 91-1,227.)
Lucy Elizabeth Botterill ...	1,920 0 0	10	Bimbeen ...	Gipps ...	15,325 (90-41)	Condobolin	8th May, 1890	28th January, 1891.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was not legally open, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
Samuel John Botterill ...	1,920 0 0	8	Younga Plain	Gipps ...	14,656 (90-37)	Condobolin	8th May, 1890	30th October, 1890.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was legally closed, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
William Earnshaw Botteril ...	1,920 0 0	8	Bimbeen ...	Gipps ...	..... (90-40)	Condobolin	8th May, 1890	19th January, 1891.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was not legally open, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)

Crown Lands Purchases and Leases Validation.



SCHEDULE B—continued.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
Oscar De Auburt Cayirelys (now the Commercial Banking Company of Sydney).	a. r. p. 240 0 0	2	Munderoo ...	Selwyn ...	10,396 (86-18)	Albury ...	22nd July, 1886.	31st October, 1888.	48 48 Vic. No.18.	Situated within the external boundaries of the leasehold area of Jingellic pastoral holding. (Leases 92-6,488.)
Thomas Coughlan ... ..	195 0 0	144	Quialigo ...	Argyle ...	10,490 (86-28)	Goulburn	15th April, 1886.	6th December, 1886.	48	This is the second conditional lease confirmed in virtue of one conditional purchase. (Leases 88-4,792.)
William Crapp ... ..	1,920 0 0	Not numbered.	Saltash ...	Sandon ...	10,593	Armidale	20th January, 1885.	.....	52	The conditional purchase in virtue of which the lease was applied for was transferred to the applicant subsequent to 15th July, 1884. (Leases 91-7,803.)
William Ditchfield (now Edwin Ditchfield).	174 0 0	84	Napier ...	Urana ...	7,114 (85-64)	Urana ...	31st March, 1885.	24th July, 1886.	54	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 92-549.)
Thomas Downes (now the Commercial Banking Company, Sydney).	96 1 0	201	Alton ...	King ...	10,528 (86-84)	Burrowa	2nd September, 1886.	27th May, 1887	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 91-1,239.)
Patrick Filand ... ..	268 1 0	192, 193	Cullarin ...	King ...	10,495 (86-40)	Gunning	14th October, 1886.	7th December, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchases. (Leases 88-1889.)
Patrick Filand ... ..	64 1 0	50	Cullarin ...	King ...	10,496 (86-41)	Gunning	14th October, 1886.	16th August, 1887.	48	This is the third conditional lease confirmed in virtue of the same conditional purchases. (Leases 90-7,439.)
John Elliott Forbes (now R. Armstrong and W. M. Royse).	113 0 0	86	Tulla Mullen..	Pottinger ...	2,738 (85-17)	Narrabri	11th August, 1885.	16th October, 1885.	48	The greater part of the land was notified as village reserve on 23 September, 1885, prior to date of confirmation. (90-15,516 Ms.)
Donald Fraser ... ..	1,920 0 0	13	Younga Plain	Gipps ...	14,760 (90-39)	Condobolin	8th May, 1890	31st October, 1890.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was not legally open, but the lands agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)

Crown Lands Purchases and Leases Validation.



SCHEDULE B—*continued.*

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
	a. r. p.								48 Vic. No. 18.	
James Gorham ... ..	45 2 0	200	Ware...	King ...	10,484 (86-59)	Burrowa..	1st July, 1886	27th May, 1887	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-7,944.)
Henry Gregory ... ..	530 3 0	107, 111	Osborne ...	Denison ...	2,714 (85-42)	Corowa...	4th March, 1885.	3rd October, 1885.	54	The conditional lease was confirmed in two separate and distinct parts. (92-14 Ls.)
Henry Herbert ... ..	60 0 0	252	Uringalla ...	Argyle ...	10,487 (85-132)	Goulburn	10th December, 1885.	11th May, 1887	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-4,800.)
William Kelly... ..	100 0 0	125	Wallah ...	King ...	10,485 (86-71)	Burrowa..	29th July, 1886	26th October, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase (Leases 88-995.)
Alexander S. Manning ...	1,425 0 0	.....	Mikibri ...	Kennedy ...	3,248 (85-25)	Parkes ...	27th August, 1885.	11th November, 1885.	48	Partly within the leasehold area of Goobang holding and therefore not open to conditional lease at date of confirmation. (C.S. 90-8,787 Dep.)
Frederick Gibson Manning ...	480 0 0	.....	Mickibri, Davison	Kennedy ...	4,993 (85-61)	Parkes ...	31st December, 1885.	4th March, 1886.	48	Partly within the leasehold area of Goobang holding and therefore not open to conditional lease at date of confirmation. (Leases 91-7,913.)
Neil M'Donald ... ..	281 0 0	.....	Tarramia ...	Denison ...	2,710 (85-72)	Corowa...	30th March, 1885.	5th October, 1885.	54	This is the second conditional lease confirmed in virtue of the same conditional purchase. (91-4,910 Mis.)
James M'Donald ... ..	120 0 0	179	Tarlo... ..	Argyle ...	10,488 (86-21)	Goulburn	23rd March, 1886.	11th May, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-4,801.)
Frank Stavers Mitchell ...	806 0 0	16	Thuara ...	Clyde ...	18,457 (90-1)	Brewarrina East ...	16th January, 1890.	30th September, 1891.	48	The land formed part of water reserve 475, notified 6th October, 1879, and cancelled on 14th December, 1889, consequently sixty clear days had not elapsed at date of application, and the land was not therefore legally available for conditional lease. <i>Vide</i> section 102 Act of 1884. (C.S. 93-6,498 Dep.)
Thomas Murdoch ... ..	1,500 0 0	4	Merilba ...	Kennedy ...	9,778 (88-6)	Parkes ...	9th February, 1888.	9th August, 1888.	48	The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
Christopher O'Leary, jun. ...	60 0 0	168	Numby ...	King ...	10,486 (87-12)	Burrowa	24th March, 1887.	26th October, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-996.)

Crown Lands Purchases and Leases Validation.

57<sup>o</sup> VICTORIAE, No. 9.



SCHEDULE B—continued.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
John O'Mara ... ..	a. r. p. 80 0 0	141	Quialigo ...	Argyle ...	10,491 (86-29)	Goulburn	20th April, 1886.	10th January, 1887.	48 Vic. No.18. 48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 89-5,654.)
William Peasley ... ..	1,516 0 0	14 & 15	Merilba ...	Kennedy ...	16,829 91-4	Parkes ...	21st January, 1891.	3rd September, 1891.	48	The portions encroach on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
Frederick William Reid ... ..	95 0 0	15	Craven ...	Gloucester ...	10,420 (86-17)	Stroud ...	2nd December, 1886.	9th March, 1888.	48	Within the Barrington Goldfield. Reserved from conditional purchase 10th September, 1879, and therefore not open to conditional lease. (92-26,724 Dep.)
Andrew Shean, jun. ... ..	1,500 0 0	13	Merilba ...	Kennedy ...	14,272 (90-20)	Parkes ...	20th February, 1890.	12th July, 1890.	48	The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
Caroline Smith ... ..	1,920 0 0	6	Bimbeen ...	Gipps ...	15,324 (90-38)	Condobolin	8th May, 1890	28th January, 1891.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was legally closed, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
John Thomas Sullivan, jun....	200 0 0	173	Merrill ...	King ...	10,494 (86-32)	Gunning .	31st August, 1886.	7th December, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 89-1,475.)
Thomas Walsh ... ..	413 3 0	109, 116 117, 118	Dungog ...	Durham ...	17,249 (91-1)	Dungog...	15th January, 1891.	10th March, 1891.	48	The basal conditional purchase together with the series was eight days prior to application transferred by Walsh to the Bank of New South Wales. (93-3,940 Ls.)
William Watson ... ..	622 0 0	2, 9	Carwoola ...	Murray ...	8,677 (86-21)	Quean- beyan.	2nd November, 1886.	23rd March, 1888.	48	The land is situated within part of the Gundaroo gold-field which was not open to conditional lease. (Leases 90-7,981.)
James Williams ... ..	142 1 0	105	Leighwood ...	Georgiana ...	10,493 (86-47)	Goulburn.	22nd July, 1886	15th March, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 86-4,803.)
Benjamin Woodhouse ..	150 0 0	17	Ingebirah ...	Wallace ...	16,520 (90-206)	Cooma ...	7th August, 1890.	27th May, 1891	48	Owing to defective charting of travelling stock reserve 925, the measurement of the portion encroached on the said travelling stock reserve. (92-8,751 Dep.)

Crown Lands Purchases and Leases Validation.



## SCHEDULE C.

Name.	Description.				District.	Place of sale.	Date of sale.	Cause of illegality.
	Area.	Portion.	Parish.	County.				
John Bassett Christian ...	a. r. p. 280 0 0	69	Borambil ...	Buckland ...	Murrurundi ...	Murrurundi ...	8th March, 1886	The land at date of sale was not legally available for auction sale, being at that time held as a conditional purchase. (90-5,468 Cor.) The land at date of sale was not available for auction sale, having been 44 days previously notified as part of travelling stock reserve 1,442. (93-8,883 Aln.)
William Bassett Christian ...								
William Martin Christian ...								
James Gibb ...	255 0 0	219	Berthong ...	Bland...	Young ...	Young, ...	23rd Oct., 1878	

## SCHEDULE D.

Name.	Area.	Allotment.	Section.	County.	Parish.	Situation.	Cause of illegality.
Mary Ann Miller (widow) ...	a. r. p. 0 3 0	2	21	Murchison ...	Bingara ...	In the town of Bingara, fronting Keera-street.	There is no provision in the Land Acts for such a sale without competition. The land is sold to the purchaser in lieu of the same area of her original allotments, which is found to be below the level of the river Gwyder. (90-9,229 Aln.)

## SCHEDULE E.

Name of Grantee.	Area.	Situation.	Date of issue of Grant.	Cause of illegality.
The Secretary of the Australian Gaslight Company.	a. r. p. 0 0 1 $\frac{1}{4}$	At Woolloomooloo, parish of Alexandria, city of Sydney, the parcel of land within the following boundaries: Commencing on the east side of Bourke-street at a point 10 feet southerly from its intersection with the south side of Griffiths-street and bounded thence by the east side of Bourke-street bearing northerly 10 feet, on the north by the southern side of Griffiths-street bearing easterly 71 feet, and on the south-east by a line bearing south-westerly, to the point of commencement.	25th October, 1869.	This land was sold to the Australian Gaslight Company under the provisions of section eleven of the "Crown Lands Alienation Act of 1861" as adjoining land evidently assumed to have been held by that Company in fee simple, whereas although the latter had been agreed to be alienated the alienation had not taken place.



## SCHEDULE F.

Name.	Description.				District, date, and number of Improvement Purchase.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Bishop Lyne ...	a. r. p. 640 0 0	7	Dandaloo ...	Kennedy ...	Parkes. 25th April, 1881. 15 ...	39 Vic. No. 13 2	The portion at date of application and date of issue of deed of grant formed part of water reserve 458. (93-2,102 Mis. Dep.)

## SCHEDULE G.

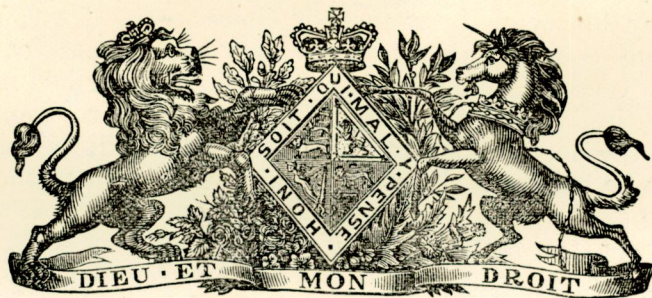
Name of proposed Grantee.	Area.	Situation.	Reason for issuing Grant.
The Secretary of the Australian Gaslight Company.	a. r. p. 0 0 14 $\frac{3}{4}$	At Woolloomooloo, parish of Alexandria, city of Sydney, the parcel of land within the following boundaries: Commencing on the east side of Bourke-street at a point 10 feet southerly from its intersection with the south side of Griffiths-street, and bounded thence on the west by the east side of Bourke-street bearing southerly to the north-west corner of the Australian Gaslight Company's allotment of 19 $\frac{1}{2}$ perches; thence by the northern boundary of that allotment, and that Company's allotment of 8 perches to the north-east corner of the latter allotment; thence by a line bearing northerly to Griffiths-street at the east corner of the allotment of 1 $\frac{1}{4}$ perches sold to the Gas Company under the eleventh clause of the Act of 1861; and thence by the south-eastern boundary of that allotment bearing south-westerly to the point of commencement.	In pursuance of a proposal made in the year 1867 by the then Minister for Lands, and agreed to by the Australian Gaslight Company in the year 1868, the land should have been included in the Schedule to Act 37 Victoria No. 2, intituled " <i>An Act to authorize certain grants of Land to be made by way of compensation for losses of Water-frontage in Woolloomooloo Bay,</i> " from which it would appear to have been inadvertently omitted.







# New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

## VICTORIÆ REGINÆ.

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### No. IX.

An Act to legalize certain Conditional Purchases and Conditional Leases and Auction and other Purchases of Crown Lands, and to validate certain Crown grants in connection therewith; to confer special powers of reference to the Local Land Board and the Land Appeal Court where necessary; to permit the reversal of forfeiture of certain Conditional Purchases and Conditional Leases; to authorise the sale of certain Crown Lands and the issue of Crown grants therefor; and to authorise the granting of certain Crown Land by way of compensation. [Assented to, 4th March, 1894.]

**W**HEREAS the persons whose names are mentioned in Schedules Preamble.  
A and B hereto have made, or applied to make, conditional purchases or conditional leases of certain Crown lands, and the said purchases or leases, or applications therefor, as the case may be, have been found to be either wholly, or in part, illegal, or have been forfeited, for the causes respectively specified in the said Schedules: And whereas the persons whose names are mentioned in Schedule C hereto have purchased, or intended to purchase, at auction, certain Crown lands, but the said purchases are illegal for the causes specified in the said Schedule: And whereas the sale of the land specified in Schedule D hereto is not authorised by the law: And whereas the sale and grant of the land specified  
A in



*Crown Lands Purchases and Leases Validation.*

in Schedule E hereto, which purported to have been made and issued under the provisions of section eleven of the "Crown Lands Alienation Act of 1861," were illegal: And whereas it is just and expedient that the sale of, or the respective titles to, or the applications for, the lands aforementioned should be authorised or made good and valid: And whereas the sale and grant of the land specified in Schedule F hereto which purported to have been made and issued under the provisions of section two of the "Lands Acts Amendment Act of 1875" were illegal: And whereas it is desirable that the land specified in Schedule G should be granted to the company therein mentioned: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Validation of conditional purchases and leases or applications therefor specified in Schedules A and B.

1. The conditional purchases and conditional leases, or the applications therefor of the lands specified and described in Schedules A and B to this Act by the persons whose names are respectively set opposite to the descriptions of the said lands shall be held to have been and to be valid and effectual in law, subject, nevertheless, to the performance of the conditions and requirements of any law applicable thereto, except the matters included in the causes of illegality or forfeiture described in the said Schedules respectively; and where any such conditional purchases or conditional leases have been notified as forfeited the forfeiture shall be reversed, and the reversal thereof shall relate back to the date of notification of such forfeiture in the *Government Gazette*. Upon reference by the Minister to the Local Land Board (as constituted under the Crown Lands Acts) of any of the aforementioned applications, which at the passing of this Act have not been confirmed, such Board shall deal therewith, and if no other valid objection be found to exist shall confirm the same: Provided that the provisions of the Crown Lands Acts with respect to appeals or references to the Land Appeal Court shall apply in such cases.

Reference to Land Board or Land Appeal Court.

Validation of purchases at auction specified in Schedule C.

2. The purchase at auction of the lands specified and described in Schedule C to this Act by, and the grants of such lands to, the persons whose names are set opposite to the descriptions of the said lands are hereby declared to have been and to be valid and effectual in law.

Validation of sale specified in Schedule D.

3. The Governor, with the advice of the Executive Council, may sell and grant the land described in Schedule D hereto to the person whose name is set opposite to the description of the said land at the price of fifteen pounds, and a deed fee of one pound; but if the said money be not paid within three months after the passing of this Act the sale shall be void, and no grant shall issue in respect thereof.

Validation of sale specified in Schedules E and F.

4. The sale and grant of the lands specified in Schedules E and F to this Act are hereby declared to have been and to be valid and effectual in law.

Validation of sale specified in Schedule G.

5. The Governor, with the advice of the Executive Council, may grant the land described in Schedule G to this Act to the Australian Gas-light Company (in the name of the secretary thereof and subject to the terms of the Australian Gas-light Company's Acts) in pursuance of a proposal made in the year one thousand eight hundred and sixty-seven by the then Minister for Lands, and agreed to by the company in the year one thousand eight hundred and sixty-eight in full compensation for the severance (by the reclamation of such lands) of land adjoining thereto from the waters of Woolloomooloo Bay.

Validation of conditional purchases and conditional leases against certain objections.

6. No original conditional purchase existing at the passing of this Act shall be held to have been or to be invalid by reason only that it was applied for by or in the name of two or more persons: No additional conditional purchase existing at the passing of this Act shall be held to have been or to be invalid by reason only that it

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*Crown Lands Purchases and Leases Validation.*

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was applied for by virtue of a conditional purchase made under section twenty-two of the "Crown Lands Alienation Act of 1861," whether the combined areas of the freehold and the conditional purchases and conditional leases of the series exceed the area limited by the Crown Lands Acts for ordinary conditional purchases and conditional leases or not: No conditional lease existing at the passing of this Act shall be held to have been or to be invalid by reason only that it was applied for by virtue of a conditional purchase of land within a special area: Provided that nothing in this section shall operate to revive any application, purchase, or lease which, prior to the passing of this Act has been, and at date of such passing shall stand as, disallowed, refused, withdrawn, or forfeited, or to validate any pending application which has not been confirmed.

7. Provided that nothing herein shall affect any proceedings, Proviso. either at law or in equity, instituted before the thirty-first day of October, one thousand eight hundred and ninety-three.

8. This Act may be cited as the "Crown Lands Purchases and Short title. Leases Validation Act of 1894."

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SCHEDULES.



## SCHEDULES.

## SCHEDULE A.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Robert William Armour ...	a. r. p. 64 0 0	73	Kowmung ...	Westmoreland...	Lithgow, 17th July, 1884; 58...	<sup>25</sup> Vic. No. 1. 21	At date of application for this purchase the original conditional purchase in virtue of which it was made was not registered in the name of the conditional purchaser, but in that of his wife. (90-5,595 Cor. : 91-332 Cor.) The validity of the conditional purchases is doubtful owing to a judgment of the Supreme Court on 3rd June, 1870, in the case Emery v. Barclay. Deeds have issued for portions 131 and 136. (C.S. 93-21,653 Dep.) The land applied for is within water reserve 1,394, notified 15 January, 1883, and the conditional purchaser made substantial improvements in ignorance of that fact. The Local Land Board now report him to be a <i>bonâ fide</i> selector, and that the reserve is not required in the public interest. (92-3,307 Dep.) Made in virtue of an additional conditional purchase held under section 22 of Act 25 Victoria No. 1. The land was fully improved before the title was questioned. (89-17,658 Misc.) The conditional purchaser was not at date of application the registered holder of the freehold in virtue of which the conditional purchase was taken. A transfer has since been effected. (89-31,689 Dep.) When these additional conditional purchases were applied for, the original in virtue of which they were made was not registered in the name of conditional purchaser, but in that of his wife. (90-2,644 Cor.)
Isaac Barclay ...	54 0 0	131	Illaroo ...	Camden ...	Nowra, 16th July, 1863; 2,132	13	
Isaac Barclay ...	40 0 0	136	Illaroo ...	Camden ...	Nowra, 6th August, 1863; 2,323	21	
Isaac Barclay ...	40 0 0	138	Illaroo ...	Camden ...	Nowra, 20th August, 1863; 2,447	21	
George Bradford ...	80 0 0	73	Buller ...	Acacia ...	Tenterfield, 4th September, 1884; 72.	13	
George Bradford ...	40 0 0	74	Buller ...	Acacia ...	Tenterfield, 18th December, 1884; 108.	21	
Joseph Carberry, junior (now Commercial Banking Com- pany of Sydney).	156 0 0	165	Nowra ...	St. Vincent ...	Nowra, 21st March, 1878; 20...	21	
Joseph Carberry, junior (now Commercial Banking Com- pany of Sydney).	57 1 0	157	Nowra ...	St. Vincent ...	Nowra, 13th May, 1880; 14 ...	21	
John Carey ...	80 0 0	120	Arakoon ...	Macquarie ...	Kempsey, 6th November, 1884; 267.	22	
Thomas George Carter ...	40 0 0	88	Rouchel ...	Durham ...	Scone, 3rd December, 1868; 3,021	21	
Thomas George Carter ...	60 0 0	89	Rouchel ...	Durham ...	Scone, 3rd December, 1868; 3,022	21	
Thomas George Carter ...	40 0 0	17	Rouchel ...	Durham ...	Scone, 6th September, 1883; 54	21	
Thomas George Carter ...	112 2 0	315	Rouchel ...	Durham ...	Scone, 11th March, 1886; 25 ...	<sup>48</sup> Vic. No. 18. 42	
Henry Chew ...	175 0 0	208	Wambanumba	Monteagle ...	Young, 20 March, 1884; 23 ...	<sup>25</sup> Vic. No. 1. 21	
Andrew Cochrane ...	137 2 33	56	Tiverton ...	Sandon ...	Armidale, 7th August, 1884; 276.	13	



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Thomas Cruise (now Bank of New South Wales).	a. r. p. 60 0 0	90	Ditmas ...	Gough ...	Glen Innes, 27th November, 1884; 200.	<sup>25</sup> Vic. No. 1. 21	At date of application for this additional conditional purchase the original conditional purchase was not registered in applicant's name. (90-8,668 Dep.)
Owen Cuskely... ..	40 0 0	22	Donald ...	Sandon ...	Armidale, 4th January, 1866; 26.	21	The land embraced by the original conditional purchase not being available at date of application the application was cancelled, but this additional conditional purchase, which should also have been cancelled, was inadvertently allowed to remain on the books as a valid conditional purchase. (90-751 Dep.)
Frederick Dew (now Thomas Reynolds Hutchings).	40 0 0	162	Rodd ...	Pottinger ...	Murrurundi, 19th October, 1871; 3,902.	21	The conditional purchase was located on land other than that described, and is separated from the original conditional purchase by water reserve No. 507. (89-27,878 Dep.)
Emily Douse (now The Bank of New South Wales).	57 2 0	90	Arrawatta ...	Wardera ...	Inverell, 25th June, 1874; 7,150	21	The land had been applied for by one George Binks two minutes before Douse's application was lodged. Binks's application was subsequently withdrawn, owing to non-survey within twelve months. (90-6,510 Dep.)
Martin Flanagan ... ..	80 0 0	152	Yarraman ...	Brisbane ...	Muswellbrook, 22nd February, 1877; 18.	13	An area of 33 acres 1 rood 20 perches of this conditional purchase was included within J. Pike's (now George Ireland's) grant of 627 acres, and has now been purchased by the Crown, with a view to adding it to the conditional purchase, and so making good the title to the full area. (91-264 Cor.)
Michael Flanagan ... ..	50 0 0	23	Yarraman ...	Brisbane ...	Muswellbrook, 6th March, 1873; 2,072.	13	An area of 10 acres of this conditional purchase was included within J. Pike's (now George Ireland's) grant of 627 acres, and has now been purchased by the Crown, with a view to adding it to the conditional purchase, and so making good the title to the full area. (91-264 Cor.)
Neil Gallagher... ..	96 0 0	63	Barrajin ...	Ashburnham ...	Molong, 23 October, 1884; 166	21	} The land is partly within the Cargo population area, and also partly within reserve from conditional purchase proclaimed 4th September, 1877. (92,3,399 Cor.)
Neil Gallagher... ..	84 0 0	64	Barrajin ...	Ashburnham ...	Molong, 30 October, 1884; 169	21	
Eliza Jenkins ... ..	320 0 0	172	Kimo ...	Clarendon ...	Gundagai, 28th September, 1876; 403.	21	The basal conditional purchase was gazetted forfeited for non-fulfilment of the condition of residence. (92-23,098 Dep.)
Stephen Monck ... ..	40 0 0	92	Wallagoot ...	Auckland ...	Bega, 19th April, 1883; 42 ...	21	} At date of application the original conditional purchase was not registered in the conditional purchaser's name, but in that of his wife. (90-3,211 Dep.; 90-24,859 Dep.)
Stephen Monck ... ..	40 0 0	115	Wallagoot ...	Auckland ...	Bega, 18th December, 1884; 143	21	
Stephen Monck ... ..	40 0 0	122	Wallagoot ...	Auckland ...	Bega, 10th February, 1887; 4...	<sup>48</sup> Vic. No. 18 42	

Crown Lands Purchases and Leases Validation.



## SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
John Malcolm M'Intosh (now Thomas Whitehead).	a. r. p. 38 2 26	57	Pialligo ...	Murray ...	Queanbeyan, 28th July, 1870; 2,571.	25 Vic. No. 1. 13	The portion applied for is found after amendment of survey to contain less than 40 acres. (90-1,700 Dep.) The additional conditional purchases are separated from the original conditional purchase by a freehold of 30 acres, portion 26. (89-27,001 Dep.) The conditional purchase was gazetted lapsed on 5th March, 1888, for non-receipt of declaration. The lapsing was provisionally reversed by the Minister on 29th March, 1888. Subsequently (on the 12th April, 1888), the land was applied for by R. P. Johnston as a conditional lease, which was confirmed in ignorance of the fact of the action taken to restore Noyes' conditional purchase. As the law did not permit of a provisional reversal of forfeiture, and the Act 55 Vic. No. 1 does not meet the case, Noyes' conditional purchase requires validation. (93-10,351 Ls.)
William John Neeley (now Bank of New South Wales).	40 0 0	68	Tarago ...	Argyle ...	Goulburn, 25th February, 1862; 1,449.	21	
Henry Noyes (now George Noyes).	40 0 0	69	Tarago ...	Argyle ...	Goulburn, 1st April, 1862; 1,986	21	
	40 0 0	162	Talagandra ...	Murray ...	Yass, 28th June, 1883; 54 ...	14	
George Roberts (now the Bank of New Zealand).	172 0 0	95	Broadwater ...	Rous ...	Lismore, 5th October, 1882; 631	21	The land was not open for conditional purchase at date of application, being held by T. C. Bagot, under application for conditional purchases 82-579 and 82-597, which applications were subsequently withdrawn. (90-3,416 Dep.)
John Henry Secomb ...	40 0 0	39	Wittittrin ...	Dudley ...	Kempsey, 25th April, 1878; 111	21	The original conditional purchase (72-153) was not registered in applicant's name at date of application for this additional conditional purchase. (90-1,736 Dep.)
Annie Elizabeth Smith ...	69 1 0 139 3 0 132 3 0	332 325 327	Wallendoon ...	Harde ...	Young, 15th March, 1883; 21...	13	The land applied for formed part of reserve No. 28, which was cancelled on 12th February, 1883; the cancellation, however, was rescinded on 12th March, 1883, three days prior to date of application for the conditional purchase. (90-4,572 Misc.)
William Stenz (now Commercial Banking Company of Sydney).	204 0 0	70	Eden ...	Gough ...	Inverell, 18th March, 1880; 9...	13	At date of application for this conditional purchase the applicant held another incomplete conditional purchase (79-65) under section 13 of Act 25 Victoria No. 1, and his title has never been questioned. (89-22,488 Dep.; 91-2,469 Cor.)
Charles Henry Thatcher ...	100 0 0 147 3 0 40 0 0 40 0 0	part of 133 part of 133 161 160	Braulin...	Forbes ...	Forbes, 1st April, 1880; 40 ... Forbes, 12th August, 1880; 112 Forbes, 14th April, 1881; 95 ... Forbes, 21st April, 1881; 104 ...	14 21 21 21	A Select Committee in their report to Parliament recommended the case for the favourable consideration of the Government, but as the conditional purchases had been gazetted forfeited and subsequently selected by one Mary Zelpha Walker, who also forfeited her claim, validation of Charles Henry Thatcher's title is necessary. (90-4,715 Cor.)



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
The Brooksdale Coal, Shale, Iron Mining Company.	a. r. p.					25 Vic. No.	The necessary expenditure in mining operations was not effected during the three years' term, but the full amount, equal to £2 per acre, was effected within five years. (91-11,134 Dep.)
	40 0 0	164	Clwyd ...	Cook ...	Lithgow, 28th July, 1881; 67...	19	
	40 0 0	166			Lithgow, 15th Sept., 1881; 80...	19	
	40 0 0	167			Lithgow, 15th Sept., 1881; 81...	19	
	60 0 0	168			Lithgow, 6th October, 1881; 84	19	
	75 0 0	24			Lithgow, 27th October, 1881; 98	19	
	75 0 0	25			Lithgow, 27th October, 1881; 99	19	
	60 0 0	27			Lithgow, 3rd Nov., 1881; 102...	19	
40 0 0	26	Lithgow, 3rd Nov., 1881; 103...			19		
Western Kerosene Oil Company, Limited (now New South Wales Shale and Oil Company).	180 0 0	104, 137	Hartley...	Cook ...	Lithgow, 24th October, 1867; 2,580.	19	The two portions embraced by the mineral conditional purchase do not adjoin one another, but are now connected by other portions with which they have been consolidated. (89-3,672 Cor.)
George Early Backhouse ...	600 0 0	1	Merilba	Kennedy ...	Parkes, 22nd December, 1887; 112.	26	The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
John Baldock ...	44 0 0	10	Wallabadah	Buckland ...	Murrundi, 31st December, 1885; 47.	26	Within the suburban boundaries of the village of Wallabadah at date of application, but such boundaries having been modified the purchase is not now situated therein. (90-8,555 Dep.; 91-1,254 Dep.)
Lucy Elizabeth Botterill ...	640 0 0	9	Bimbeen	Gipps ...	Condobolin, 8th May, 1890; 50	26	This application was received by the Land Agent at 1:30 p.m., at which hour the office was legally closed; but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
Samuel John Botterill ...	640 0 0	7	Younga Plain	Gipps ...	Condobolin, 8th May, 1890; 46	26	The application was received by the Land Agent at 1:30 p.m., at which hour the office was legally closed; but the Land Agent's error was not discovered till long after the application was confirmed. (92-9,005 Dep.)
William Earnshaw Botterill...	640 0 0	7	Bimbeen	Gipps ...	Condobolin, 8th May, 1890; 49	26	This application was received by the Land Agent at 1:30 p.m., at which hour the office was legally closed; but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
George Bouchier ...	40 0 0	200	Vulcan	Westmoreland...	Lithgow, 24th January, 1889; 10.	42	The original conditional purchase was not, at date of application, registered in Bouchier's name; but the defect was not discovered till long after date of confirmation. (92-13,589 Dep.)
Samuel Clift ...	135 1 0	162	Clift	Buckland ...	Tamworth, 24th June, 1886; 104.	42	The land is situated within the boundaries of water reserve 1,608, notified on 28th June, 1880. (90-6,645 Dep.)

Crown Lands Purchases and Leases Validation.

57° VICTORIAE, No. 9.



## SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Oscar De Aubert Cayirelys (now the Commercial Banking Company of Sydney).	a. r. p. 80 0 0	37	Munderoo ...	Selwyn ...	Albury, 22nd July, 1886; 41....	<sup>43</sup> Vic. No. 18. 42	Situated within the leasehold area of Jingellic pastoral holding. (90-17,544 Dep.)
Margaret Frances Daly (now Annie Daly).	40 0 0	7	Sherwood ..	Fitzroy ...	Grafton, 1st July, 1886; 99 ...	26	The land applied for encroaches to the extent of about 9 acres upon reserve No. 1,076, notified 21 January, 1884. (89-27,629 Dep.)
Arthur Swift Darby ..	63 2 0	16	Gladstone ...	Darling ...	Tamworth, 23rd September, 1886; 123.	42	Does not adjoin the previous conditional purchases of the series in virtue of which it was made. (90-2,918 Dep.)
John Ditton (now Albert Whitby Simpson).	50 0 0	29	Falconer ...	Sandon ...	Armidale, 20th August, 1885; 59.	42	Encroaches to the extent of about 17 acres upon water reserve 46, extended, notified on 14th November, 1871. (90-8,461 Dep.)
Flint Davidson ...	100 0 0	83	Piallamore ...	Parry ...	Tamworth, 5th November, 1885; 70.	42	The conditional purchase in question was applied for in virtue of a former additional conditional purchase, the original of which was not registered in the conditional purchaser's name. (91-1,703 Dep.)
Patrick Egan ...	100 0 0	...	Wilbetree ...	Phillip ...	Mudgee, 7th August, 1890; 38	26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)
John Elliott Forbes, deceased (now R. Armstrong and W. M. Royle).	40 0 0	60	Baan Baa ...	Pottinger ...	Narrabri, 6th August, 1885; 3..	26	The land at date of application formed part of village reserve No. 1,436, notified on 13th February, 1884. (88-20,711 Dep.)
John Ford ...	60 0 0	114	Billinudgel ...	Rous ...	Murwillumbah, 11th August, 1887; 26.	42	The basal conditional purchase did not stand in Ford's name at date of application, having been transferred by way of mortgage to the Bank of New South Wales. (92-22,929 Dep.)
Catherine Ellen Fowler ...	57 0 0	196	Couridjah ...	Camden ...	Picton, 13th December, 1888; 76.	42	At date of application the basal conditional purchase did not stand in applicant's name. (C.S. 93-5,584 Dep.)
Donald Fraser...	640 0 0	13	Younga Plain ...	Gipps ...	Condobolin, 8th May, 1890; 48	26	This application was received by the Land Agent at 1.30 p.m., at which hour the office was legally closed, but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
John Halloran... ..	a. r. p. 100 0 0	.....	Wilbetree	Phillip ...	Mudgee, 7th August, 1890; 52	<sup>48 Vic. No. 18</sup> 26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)
Hermann Hallman ... ..	49 3 0	58	Dinoga ...	Murchison ...	Bingara, 24th February, 1887; 6	26	} Situated partly within travelling stock reserve No. 370, notified on 1st July, 1874. (89-28,224 Dep.)
Hermann Hallman ... ..	50 2 0	59	Dinoga ...	Murchison ...	Bingara, 23rd June, 1887; 14...	42	
James Hassett... ..	100 0 0	& 38	Wallace	Wynyard	Tumut, 15th July, 1886; 69	42	Applicant was not the registered holder of the basal conditional purchase at date of application. (92-26,543 Dep.)
Richard Hollow ... ..	250 0 0	....	Wilbetree	Phillip ...	Mudgee, 7th August, 1890; 40	26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)
Thomas Murdoch ... ..	500 0 0	3	Merilba	Kennedy	Parkes, 9th February, 1888; 6	26	The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
John Murphy ... ..	59 0 0	229	Bala	King ...	Burrowa, 6th August, 1885; 22	42	At date of confirmation of the conditional purchase (85-22), an adjoining original conditional purchase (84-186), made by the selector, under the repealed Land Acts, was held to be void, but such voidance was subsequently reversed, and, as Murphy could not legally hold two originals, it has been decided to alter the section under which application was made for conditional purchase 85-22, and allow it to be held as an additional to conditional purchase 84-186 which it adjoins. (90-16,290 Dep.)
Frank Stavers Mitchell ... ..	473 0 0	15	Thuara ...	Clyde ...	Brewarrina East, 16th January, 1890; 1.	42	The land formed part of water reserve 475, notified 6th October, 1879, and cancelled on 14th December, 1889, and consequently sixty clear days had not elapsed at date of application, and the land was not therefore legally available for conditional purchase— <i>vide</i> section 102, Act of 1884. (C.S. 93-6,498 Dep.)
John M'Culloch ... ..	107 3 3	236	Muttama	Harden...	Cootamundra, 11th February, 1892; 16.	47	The application was for a measured portion, which portion is intersected by the Cootamundra to Gundagai railway line, and the conditional purchase should therefore have been restricted to one side of the line. (C.S. 93-16,913 Dep.)



## SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
William Meyers ... ..	a. r. p. 98 3 0	16, 17	Tumut ... ..	Wynyard ... ..	Tumut, 10th February, 1887; 9	48 Vic. No. 18 26	The land is situated partly within a reserve for camping and water, notified under general notice of 24th December, 1861, and also wholly within reserve from sale pending completion of the Census of 1881, notified 6th April, 1881. (90-8,813 Dep.) Forfeiture was Gazetted 4th December, 1890, for non-fulfilment of the condition of residence; a Select Committee inquired into the case, and their report which was adopted by the House recommended validation of the conditional purchases. C.S. 93, 463 Corr. The land was at date of application included in travelling stock reserve No. 9, extended, notified 20th December, 1872. (91-1,704 Dep.) The application was made under the 26th section of the Act of 1884, but through a misapprehension the condition of residence was not carried out. As, however, the case is one of hardship the section has been altered to 42nd, so as to allow applicant to hold the conditional purchase in virtue of his original conditional purchase 79-24, which is under mortgage, and stands in the name of the Bank of New South Wales. (90-21,847 Dep.) Eneroaches to the extent of about 15 acres upon water reserve 46, as extended, notified 14th November, 1871. (90-8,461 Dep.) The land is situated wholly within a reserve for camping and water, notified under general notice of 24th December, 1861, and also wholly within reserve from sale pending completion of the Census of 1881, notified 6th April, 1881. (90-8,315 Dep.) Within the Barrington gold-field. Reserved from conditional purchase 10th September, 1879. (92-26,724 Dep.) This application was received by the Land Agent at 1:30 p.m., at which hour the office was legally closed, but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.) The basal conditional purchase did not, at date of application, stand in the company's name. (C.S. 93-15,887 Dep.)
Annie Nash O'Brien ... ..	715 2 0	56, 60, 102, 103	Narrow Plains	Denison ... ..	Corowa, 6th August, 1885; 14	26	
Annie Nash O'Brien ... ..	142 3 0			106	Narrow Plains...	Denison ... ..	
Bernard O'Neill ... ..	140 1 0	29	Ferrier .. ..	Buckland ... ..	Gunnedah, 20th May, 1886; 31	42	
William Philp... ..	100 0 0	62	Roumalla ... ..	Hardinge ... ..	Armidale, 4th November, 1886; 163	26	
George William Russell .. ..	40 0 0	36	Falconer ... ..	Sandon ... ..	Armidale, 20th August, 1885; 55.	42	
Checkley Hodges Ratliff ... ..	75 2 0	15	Tumut ... ..	Wynyard ... ..	Tumut, 10th February, 1887; 11	26	
Frederick William Reid ... ..	100 0 0	14	Craven ... ..	Gloucester ... ..	Strout, 2nd December, 1886; 92	42	
Caroline Smith ... ..	640 0 0	5	Bimbeen ... ..	Gipps ... ..	Condobolin, 8th May, 1890; 47	26	
The Australian Mortgage, Land, and Finance Company (Limited).	1,181 0 0	21	Cowal ... ..	Gipps ... ..	Condobolin, 26th November, 1891; 131.	42	



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
The Bank of New South Wales	a. r. p. 60 2 0	224	Elrington ...	St. Vincent ...	Braidwood, 27th October, 1887; 38.	48 Vic. No. 18 42	The application was lodged and confirmed in the name of John O'Heire, who had, however, transferred the basal conditional purchase by way of mortgage to the Bank of New South Wales. (C.S. 93-8,789 Dep.)
The Bank of New South Wales	285 0 0	12	Whyaddra ...	Dowling ...	Condobolin, 30th August, 1888; 50.	42	The application was made by Edward Henry Moulder, who had transferred by way of mortgage the basal conditional purchase to the Bank of New South Wales. (92-24,832 Dep.)
The Commercial Banking Company of Sydney.	40 0 0	96	Puen Buen ...	Auckland ...	Bega, 30th September, 1886; 72	42	The application was made by William Francis Coman, who had transferred by way of mortgage the basal conditional purchase to the Commercial Banking Company of Sydney. (92-26,672 Dep.)
Charles Bede Trefle ...	80 0 0	154	Trigalong ...	Bland ...	Cootamundra, 25th June, 1890; 59.	26	} Within water reserve 2,201, notified 8th November, 1880. (92-26,594 Dep.)
Charles Bede Trefle ...	66 0 0	153	Trigalong ...	Bland ...	Cootamundra, 25th June, 1890; 60.	42	
Alexander Hugh Watson ...	92 1 0	18, 19	Tumut ...	Wynyard ...	Tumut, 3rd March, 1887; 15...	26	The land is situated wholly within a reserve for camping and water, notified under general notice of 24th December, 1861, and also wholly within reserve from sale pending completion of the Census of 1881, notified 6th April, 1881. (90-8,814 Dep.)
Benjamin Woodhouse ...	50 0 0	16	Ingebirah ...	Wallace ...	Cooma, 7th August, 1890; 314	26	Owing to defective charting of travelling stock reserve No. 925, the measurement of this portion encroached on the said travelling stock reserve. (92-8,751 Dep.)
Thomas William Whitehead...	80 0 0	115	Greg Greg ...	Selwyn ...	Albury, 17th Dec., 1885; 65 ...	42	The land is situated within the external boundaries of the Bringenbrong pastoral holding leasehold area, which was not known to the Land Board when the application was confirmed. (92-6,989 Dep.)
Thomas Williams ...	68 0 0	.....	Wilbetree ...	Phillip ...	Mudgee, 7th August, 1890; 46	26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)

Crown Lands Purchases and Leases Validation.

57<sup>o</sup> VICTORIÆ, No. 9.



## SCHEDULE B.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
Henry Althofer ... ..	a. r. p. 720 0 0	35	Mumbil ...	Wellington ...	5,372 (85-4)	Wellington	9th February, 1885.	9th August, 1886	48 Vic. No. 18. 54	At date of application the basal conditional purchases stood in the name of the Bank of New South Wales, to which Bank they had been transferred by way of mortgage by Althofer. (Leases 92-10,326.)
William O'Dillon Ambrose (now Bank of New South Wales).	1,200 0 0	63	Talmoi ...	Courallie ...	12,279 (85-54)	Moree ...	20th March, 1885.	27th October, 1885.	54	This lease was confirmed before survey, but upon survey it was found that as confirmed the lease encroached to the extent of 116 acres on water reserve 445 in existence at date of application, but since revoked. (Leases 91-1,227.)
William O'Dillon Ambrose (now Bank of New South Wales).	600 0 0	62	Talmoi ...	Courallie ...	12,938 (85-112)	Moree ...	27th August, 1885.	29th October, 1885.	48	This lease was confirmed before survey, but upon survey it was found to encroach to the extent of 37 acres on water reserve 445 in existence at date of application for the lease, but since revoked. (Leases 91-1,227.)
Lucy Elizabeth Botterill ...	1,920 0 0	10	Bimbeen ...	Gipps ...	15,325 (90-41)	Condobolin	8th May, 1890	28th January, 1891.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was not legally open, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
Samuel John Botterill ...	1,920 0 0	8	Younga Plain	Gipps ...	14,656 (90-37)	Condobolin	8th May, 1890	30th October, 1890.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was legally closed, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
William Earnshaw Botteril ..	1,920 0 0	8	Bimbeen ...	Gipps ...	..... (90-40)	Condobolin	8th May, 1890	19th January, 1891.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was not legally open, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)



SCHEDULE B—continued.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
Oscar De Aubert Cayirelys (now the Commercial Banking Company of Sydney).	a. r. p. 240 0 0	2	Munderoo ...	Selwyn ...	10,396 (86-18)	Albury ...	22nd July, 1886.	31st October, 1888.	48 48 Vic. No. 18.	Situated within the external boundaries of the leasehold area of Jingellic pastoral holding. (Leases 92-6,488.)
Thomas Coughlan ... ..	195 0 0	144	Quialigo ...	Argyle ...	10,490 (86-28)	Goulburn	15th April, 1886.	6th December, 1886.	48	This is the second conditional lease confirmed in virtue of one conditional purchase. (Leases 88-4,799.)
William Crapp ... ..	1,920 0 0	Not numbered.	Saltash ...	Sandon ...	10,593	Armidale	20th January, 1885.	.....	52	The conditional purchase in virtue of which the lease was applied for was transferred to the applicant subsequent to 15th July, 1884. (Leases 91-7,803.)
William Ditchfield (now Edwin Ditchfield).	174 0 0	84	Napier ...	Urana ...	7,114 (85-64)	Urana ...	31st March, 1885.	24th July, 1886.	54	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 92-549.)
Thomas Downes (now the Commercial Banking Company, Sydney).	96 1 0	201	Alton ...	King ...	10,528 (86-84)	Burrowa	2nd September, 1886.	27th May, 1887	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 91-1,239.)
Patrick Filand ... ..	268 1 0	192, 193	Cullarin ...	King ...	10,495 (86-40)	Gunning	14th October, 1886.	7th December, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchases. (Leases 88-1889.)
Patrick Filand ... ..	64 1 0	50	Cullarin ...	King ...	10,496 (86-41)	Gunning	14th October, 1886.	16th August, 1887.	48	This is the third conditional lease confirmed in virtue of the same conditional purchases. (Leases 90-7,439.)
John Elliott Forbes (now R. Armstrong and W. M. Royse).	113 0 0	86	Tulla Mullen..	Pottinger ...	2,738 (85-17)	Narrabri	11th August, 1885.	16th October, 1885.	48	The greater part of the land was notified as village reserve on 23 September, 1885, prior to date of confirmation. (90-15,516 Ms.)
Donald Fraser ... ..	1,920 0 0	13	Younga Plain	Gipps ...	14,760 (90-39)	Condobolin	8th May, 1890	31st October, 1890.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was not legally open, but the lands agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)

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## SCHEDULE B—continued.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
James Gorham ... ..	a. r. p. 45 2 0	200	Ware...	King ... ..	10,484 (86-59)	Burrowa..	1st July, 1886	27th May, 1887	48 48 Vic. No. 18.	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-7,944.)
Henry Gregory ... ..	530 3 0	107, 111	Osborne ...	Denison ... ..	2,714 (85-42)	Corowa...	4th March, 1885.	3rd October, 1885.	54	The conditional lease was confirmed in two separate and distinct parts. (92-14 Ls.)
Henry Herbert ... ..	60 0 0	252	Uringalla ...	Argyle ... ..	10,487 (85-132)	Goulburn	10th December, 1885.	11th May, 1887	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-4,800.)
William Kelly... ..	100 0 0	125	Wallah ... ..	King ... ..	10,485 (86-71)	Burrowa..	29th July, 1886	26th October, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase (Leases 88-995.)
Alexander S. Manning ...	1,425 0 0	.....	Mikibri ... ..	Kennedy ... ..	3,248 (85-25)	Parkes ...	27th August, 1885.	11th November, 1885.	48	Partly within the leasehold area of Goobang holding and therefore not open to conditional lease at date of confirmation. (C.S. 90-8,787 Dep.)
Frederick Gibson Manning ...	480 0 0	.....	Mickibri, Davison	Kennedy ... ..	4,993 (85-61)	Parkes ...	31st December, 1885.	4th March, 1886.	48	Partly within the leasehold area of Goobang holding and therefore not open to conditional lease at date of confirmation. (Leases 91-7,913.)
Neil M'Donald ... ..	281 0 0	.....	Tarramia ...	Denison ... ..	2,710 (85-72)	Corowa...	30th March, 1885.	5th October, 1885.	54	This is the second conditional lease confirmed in virtue of the same conditional purchase. (91-4,910 Mis.)
James M'Donald ... ..	120 0 0	179	Tarlo... ..	Argyle ... ..	10,488 (86-21)	Goulburn	23rd March, 1886.	11th May, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-4,801.)
Frank Stavers Mitchell ...	806 0 0	16	Thuara ... ..	Clyde ... ..	18,457 (90-1)	Brewarrina East ...	16th January, 1890.	30th September, 1891.	48	The land formed part of water reserve 475, notified 6th October, 1879, and cancelled on 14th December, 1889, consequently sixty clear days had not elapsed at date of application, and the land was not therefore legally available for conditional lease. <i>Vide</i> section 102 Act of 1884. (C.S. 93-6,498 Dep.)
Thomas Murdoch ... ..	1,500 0 0	4	Merilba ... ..	Kennedy ... ..	9,778 (88-6)	Parkes ...	9th February, 1888.	9th August, 1888.	48	The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
Christopher O'Leary, jun. ...	60 0 0	168	Numby ... ..	King ... ..	10,486 (87-12)	Burrowa	24th March, 1887.	26th October, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-996.)

Crown Lands Purchases and Leases Validation.

57<sup>o</sup> VICTORIAE, No. 9.



SCHEDULE B—continued.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
John O'Mara ... ..	a. r. p. 80 0 0	141	Quialigo ...	Argyle ...	10,491 (86-29)	Goulburn	20th April, 1886.	10th January, 1887.	48 Vic. No.18. 48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 89-5,654.)
William Peasley ... ..	1,516 0 0	14 & 15	Merilba ...	Kennedy ...	16,829 91-4	Parkes ...	21st January, 1891.	3rd September, 1891.	48	The portions encroach on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
Frederick William Reid ... ..	95 0 0	15	Craven ...	Gloucester ...	10,420 (86-17)	Stroud ...	2nd December, 1886.	9th March, 1888.	48	Within the Barrington Goldfield. Reserved from conditional purchase 10th September, 1879, and therefore not open to conditional lease. (92-26,724 Dep.)
Andrew Shean, jun. ... ..	1,500 0 0	13	Merilba ...	Kennedy ..	14,272 (90-20)	Parkes ...	20th February, 1890.	12th July, 1890.	48	The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
Caroline Smith ... ..	1,920 0 0	6	Bimbeen ...	Gipps ..	15,324 (90-38)	Condobolin	8th May, 1890	28th January, 1891.	48	This application was received by the land agent at 1-30 p.m., at which hour the office was legally closed, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
John Thomas Sullivan, jun....	200 0 0	173	Merrill ...	King ... ..	10,494 (86-32)	Gunning .	31st August, 1886.	7th December, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 89-1,475.)
Thomas Walsh ... ..	413 3 0	109, 116 117, 118	Dungog ...	Durham ...	17,249 (91-1)	Dungog...	15th January, 1891.	10th March, 1891.	48	The basal conditional purchase together with the series was eight days prior to application transferred by Walsh to the Bank of New South Wales. (93-3,940 Ls.)
William Watson ... ..	622 0 0	2, 9	Carwoola ...	Murray ...	8,677 (86-21)	Quean- beyan.	2nd November, 1886.	23rd March, 1888.	48	The land is situated within part of the Gundaroo gold-field which was not open to conditional lease. (Leases 90-7,981.)
James Williams ... ..	142 1 0	105	Leighwood ...	Georgiana ...	10,493 (86-47)	Goulburn.	22nd July, 1886	15th March, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 86-4,803.)
Benjamin Woodhouse ... ..	150 0 0	17	Ingebirah ...	Wallace ...	16,520 (90-206)	Cooma ...	7th August, 1890.	27th May, 1891	48	Owing to defective charting of travelling stock reserve 925, the measurement of the portion encroached on the said travelling stock reserve. (92-8,751 Dep.)

Crown Lands Purchases and Leases Validation.



## SCHEDULE C.

Name.	Description.				District.	Place of sale.	Date of sale.	Cause of illegality.
	Area.	Portion.	Parish.	County.				
John Bassett Christian ...	a. r. p. 280 0 0	69	Borambil ...	Buckland ...	Murrurundi ...	Murrurundi ...	8th March, 1886	<p>The land at date of sale was not legally available for auction sale, being at that time held as a conditional purchase. (90-5,468 Cor.)</p> <p>The land at date of sale was not available for auction sale, having been 44 days previously notified as part of travelling stock reserve 1,442. (93-8,883 Aln.)</p>
William Bassett Christian ...			Berthong ...	Bland...	Young ...	Young' ...	23rd Oct., 1878	
William Martin Christian ...			255 0 0	219				
James Gibb ...								

## SCHEDULE D.

Name.	Area.	Allotment.	Section.	County.	Parish.	Situation.	Cause of illegality.
Mary Ann Miller (widow) ...	a. r. p. 0 3 0	2	21	Murchison ...	Bingara ...	In the town of Bingara, fronting Keera-street.	There is no provision in the Land Acts for such a sale without competition. The land is sold to the purchaser in lieu of the same area of her original allotments, which is found to be below the level of the river Gwyder. (90-9,229 Aln.)

## SCHEDULE E.

Name of Grantee.	Area.	Situation.	Date of issue of Grant.	Cause of illegality.
The Secretary of the Australian Gaslight Company.	a. r. p. 0 0 1 $\frac{1}{4}$	At Woolloomooloo, parish of Alexandria, city of Sydney, the parcel of land within the following boundaries: Commencing on the east side of Bourke-street at a point 10 feet southerly from its intersection with the south side of Griffiths-street and bounded thence by the east side of Bourke-street bearing northerly 10 feet, on the north by the southern side of Griffiths-street bearing easterly 71 feet, and on the south-east by a line bearing south-westerly, to the point of commencement.	25th October, 1869.	This land was sold to the Australian Gaslight Company under the provisions of section eleven of the "Crown Lands Alienation Act of 1861" as adjoining land evidently assumed to have been held by that Company in fee simple, whereas although the latter had been agreed to be alienated the alienation had not taken place.



## SCHEDULE F.

Name.	Description.				District, date, and number of Improvement Purchase.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Bishop Lyne ...	a. r. p. 640 0 0	7	Dandaloo ...	Kennedy ...	Parkes. 25th April, 1881. 15 ...	39 Vic. No. 13 2	The portion at date of application and date of issue of deed of grant formed part of water reserve 458. (93-2,102 Mis. Dep.)

## SCHEDULE G.

Name of proposed Grantee.	Area.	Situation.	Reason for issuing Grant.
The Secretary of the Australian Gaslight Company.	a. r. p. 0 0 14 $\frac{3}{4}$	At Woolloomooloo, parish of Alexandria, city of Sydney, the parcel of land within the following boundaries : Commencing on the east side of Bourke-street at a point 10 feet southerly from its intersection with the south side of Griffiths-street, and bounded thence on the west by the east side of Bourke-street bearing southerly to the north-west corner of the Australian Gaslight Company's allotment of 19 $\frac{1}{2}$ perches ; thence by the northern boundary of that allotment, and that Company's allotment of 8 perches to the north-east corner of the latter allotment ; thence by a line bearing northerly to Griffiths-street at the east corner of the allotment of 1 $\frac{1}{4}$ perches sold to the Gas Company under the eleventh clause of the Act of 1861 ; and thence by the south-eastern boundary of that allotment bearing south-westerly to the point of commencement.	In pursuance of a proposal made in the year 1867 by the then Minister for Lands, and agreed to by the Australian Gaslight Company in the year 1868, the land should have been included in the Schedule to Act 37 Victoria No. 2, intituled " <i>An Act to authorize certain grants of Land to be made by way of compensation for losses of Water-frontage in Woolloomooloo Bay,</i> " from which it would appear to have been inadvertently omitted.



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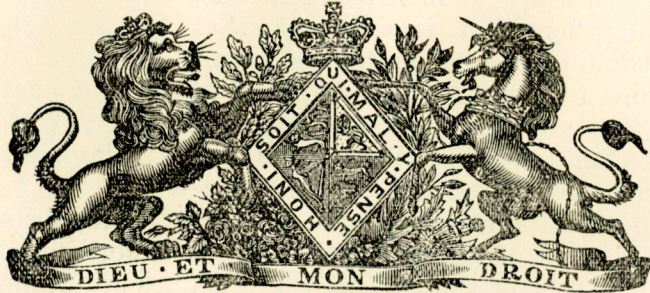


*I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

*Legislative Assembly Chamber,  
Sydney, 22 February, 1894. }*

*F. W. WEBB,  
Clerk of the Legislative Assembly.*

## New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

# VICTORIÆ REGINÆ.

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## No. IX.

An Act to legalize certain Conditional Purchases and Conditional Leases and Auction and other Purchases of Crown Lands, and to validate certain Crown grants in connection therewith ; to confer special powers of reference to the Local Land Board and the Land Appeal Court where necessary ; to permit the reversal of forfeiture of certain Conditional Purchases and Conditional Leases ; to authorise the sale of certain Crown Lands and the issue of Crown grants therefor ; and to authorise the granting of certain Crown Land by way of compensation. [Assented to, 4th March, 1894.]

**W**HEREAS the persons whose names are mentioned in Schedules A and B hereto have made, or applied to make, conditional purchases or conditional leases of certain Crown lands, and the said purchases or leases, or applications therefor, as the case may be, have been found to be either wholly, or in part, illegal, or have been forfeited, for the causes respectively specified in the said Schedules : And whereas the persons whose names are mentioned in Schedule C hereto have purchased, or intended to purchase, at auction, certain Crown lands, but the said purchases are illegal for the causes specified in the said Schedule : And whereas the sale of the land specified in Schedule D hereto is not authorised by the law : And whereas the sale and grant of the land specified in

Preamble.

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

*NINIAN MELVILLE,  
Chairman of Committees of the Legislative Assembly.*



*Crown Lands Purchases and Leases Validation.*

in Schedule E hereto, which purported to have been made and issued under the provisions of section eleven of the "Crown Lands Alienation Act of 1861," were illegal: And whereas it is just and expedient that the sale of, or the respective titles to, or the applications for, the lands aforementioned should be authorised or made good and valid: And whereas the sale and grant of the land specified in Schedule F hereto which purported to have been made and issued under the provisions of section two of the "Lands Acts Amendment Act of 1875" were illegal: And whereas it is desirable that the land specified in Schedule G should be granted to the company therein mentioned: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Validation of conditional purchases and leases or applications therefor specified in Schedules A and B.

1. The conditional purchases and conditional leases, or the applications therefor of the lands specified and described in Schedules A and B to this Act by the persons whose names are respectively set opposite to the descriptions of the said lands shall be held to have been and to be valid and effectual in law, subject, nevertheless, to the performance of the conditions and requirements of any law applicable thereto, except the matters included in the causes of illegality or forfeiture described in the said Schedules respectively; and where any such conditional purchases or conditional leases have been notified as forfeited the forfeiture shall be reversed, and the reversal thereof shall relate back to the date of notification of such forfeiture in the *Government Gazette*. Upon reference by the Minister to the Local Land Board (as constituted under the Crown Lands Acts) of any of the aforementioned applications, which at the passing of this Act have not been confirmed, such Board shall deal therewith, and if no other valid objection be found to exist shall confirm the same: Provided that the provisions of the Crown Lands Acts with respect to appeals or references to the Land Appeal Court shall apply in such cases.

Reference to Land Board or Land Appeal Court.

Validation of purchases at auction specified in Schedule C.

2. The purchase at auction of the lands specified and described in Schedule C to this Act by, and the grants of such lands to, the persons whose names are set opposite to the descriptions of the said lands are hereby declared to have been and to be valid and effectual in law.

Validation of sale specified in Schedule D.

3. The Governor, with the advice of the Executive Council, may sell and grant the land described in Schedule D hereto to the person whose name is set opposite to the description of the said land at the price of fifteen pounds, and a deed fee of one pound; but if the said money be not paid within three months after the passing of this Act the sale shall be void, and no grant shall issue in respect thereof.

Validation of sale specified in Schedules E and F.

4. The sale and grant of the lands specified in Schedules E and F to this Act are hereby declared to have been and to be valid and effectual in law.

Validation of sale specified in Schedule G.

5. The Governor, with the advice of the Executive Council, may grant the land described in Schedule G to this Act to the Australian Gas-light Company (in the name of the secretary thereof and subject to the terms of the Australian Gas-light Company's Acts) in pursuance of a proposal made in the year one thousand eight hundred and sixty-seven by the then Minister for Lands, and agreed to by the company in the year one thousand eight hundred and sixty-eight in full compensation for the severance (by the reclamation of such lands) of land adjoining thereto from the waters of Woolloomooloo Bay.

Validation of conditional purchases and conditional leases against certain objections.

6. No original conditional purchase existing at the passing of this Act shall be held to have been or to be invalid by reason only that it was applied for by or in the name of two or more persons: No additional conditional purchase existing at the passing of this Act shall be held to have been or to be invalid by reason only that it was

was



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*Crown Lands Purchases and Leases Validation.*

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was applied for by virtue of a conditional purchase made under section twenty-two of the "Crown Lands Alienation Act of 1861," whether the combined areas of the freehold and the conditional purchases and conditional leases of the series exceed the area limited by the Crown Lands Acts for ordinary conditional purchases and conditional leases or not: No conditional lease existing at the passing of this Act shall be held to have been or to be invalid by reason only that it was applied for by virtue of a conditional purchase of land within a special area: Provided that nothing in this section shall operate to revive any application, purchase, or lease which, prior to the passing of this Act has been, and at date of such passing shall stand as, disallowed, refused, withdrawn, or forfeited, or to validate any pending application which has not been confirmed.

7. Provided that nothing herein shall affect any proceedings, Provided. either at law or in equity, instituted before the thirty-first day of October, one thousand eight hundred and ninety-three.

8. This Act may be cited as the "Crown Lands Purchases and Short title. Leases Validation Act of 1894."



SCHEDULES.

SCHEDULE A.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Robert William Armour ...	a. r. p. 64 0 0	73	Kowmung ...	Westmoreland...	Lithgow, 17th July, 1884; 58...	<sup>25</sup> Vic. No. 1. 21	At date of application for this purchase the original conditional purchase in virtue of which it was made was not registered in the name of the conditional purchaser, but in that of his wife. (90-5,595 Cor.; 91-332 Cor.)
Isaac Barclay ...	54 0 0	131	Illaroo ...	Camden ...	Nowra, 16th July, 1863; 2,132	13	The validity of the conditional purchases is doubtful owing to a judgment of the Supreme Court on 3rd June, 1870, in the case Emery v. Barclay. Deeds have issued for portions 131 and 136. (C.S. 93-21,653 Dep.)
Isaac Barclay ...	40 0 0	136	Illaroo ...	Camden ...	Nowra, 6th August, 1863; 2,323	21	
Isaac Barclay ...	40 0 0	138	Illaroo ...	Camden ...	Nowra, 20th August, 1863; 2,447	21	
George Bradford ...	80 0 0	73	Buller ...	Acacia ...	Tenterfield, 4th September, 1884; 72.	13	The land applied for is within water reserve 1,394, notified 15 January, 1883, and the conditional purchaser made substantial improvements in ignorance of that fact. The Local Land Board now report him to be a <i>bonâ fide</i> selector, and that the reserve is not required in the public interest. (92-3,307 Dep.)
George Bradford ...	40 0 0	74	Buller ...	Acacia ...	Tenterfield, 18th December, 1884; 108.	21	
Joseph Carberry, junior (now Commercial Banking Company of Sydney).	156 0 0	165	Nowra ...	St. Vincent ...	Nowra, 21st March, 1878; 20...	21	Made in virtue of an additional conditional purchase held under section 22 of Act 25 Victoria No. 1. The land was fully improved before the title was questioned. (89-17,658 Misc.)
Joseph Carberry, junior (now Commercial Banking Company of Sydney).	57 1 0	157	Nowra ...	St. Vincent ...	Nowra, 13th May, 1880; 14 ...	21	
John Carey ...	80 0 0	120	Arakoon ...	Macquarie ...	Kempsey, 6th November, 1884; 267.	22	The conditional purchaser was not at date of application the registered holder of the freehold in virtue of which the conditional purchase was taken. A transfer has since been effected. (89-31,689 Dep.)
Thomas George Carter ...	40 0 0	88	Rouchel ...	Durham ...	Scone, 3rd December, 1868; 3,021	21	When these additional conditional purchases were applied for, the original in virtue of which they were made was not registered in the name of conditional purchaser, but in that of his wife. (90-2,644 Cor.)
Thomas George Carter ...	60 0 0	89	Rouchel ...	Durham ...	Scone, 3rd December, 1868; 3,022	21	
Thomas George Carter ...	40 0 0	17	Rouchel ...	Durham ...	Scone, 6th September, 1883; 54	21	
Thomas George Carter ...	112 2 0	315	Rouchel ...	Durham ...	Scone, 11th March, 1886; 25 ...	<sup>48</sup> Vic. No. 18. 42	
Henry Chew ...	175 0 0	208	Wambanumba	Monteagle	Young, 20 March, 1884; 23 ...	<sup>25</sup> Vic. No. 1. 21	This additional conditional purchase does not adjoin the other conditional purchases of the series. Deed of grant has issued. (91-1,080 Dep.)
Andrew Cochrane ...	137 2 33	56	Tiverton	Sandon ...	Armidale, 7th August, 1884; 276.	13	Made in contravention of section 24 of Act 43 Victoria No. 29. (90-5,214 Dep.)

Crown Lands Purchases and Leases Validation.

57<sup>o</sup> VICTORIAE, No. 9.



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Thomas Cruise (now Bank of New South Wales).	a. r. p. 60 0 0	90	Ditmas ...	Gough ...	Glen Innes, 27th November, 1884; 200.	25 Vic. No. 1. 21	At date of application for this additional conditional purchase the original conditional purchase was not registered in applicant's name. (90-8,668 Dep.)
Owen Cuskely... ..	40 0 0	22	Donald ...	Sandon ...	Armidale, 4th January, 1866; 26.	21	The land embraced by the original conditional purchase not being available at date of application the application was cancelled, but this additional conditional purchase, which should also have been cancelled, was inadvertently allowed to remain on the books as a valid conditional purchase. (90-751 Dep.)
Frederick Dew (now Thomas Reynolds Hutchings).	40 0 0	162	Rodd ...	Pottinger ...	Murrurundi, 19th October, 1871; 3,902.	21	The conditional purchase was located on land other than that described, and is separated from the original conditional purchase by water reserve No. 507. (89-27,878 Dep.)
Emily Douse (now The Bank of New South Wales).	57 2 0	90	Arrawatta ...	Wardera ...	Inverell, 25th June, 1874; 7,150	21	The land had been applied for by one George Binks two minutes before Douse's application was lodged. Binks's application was subsequently withdrawn, owing to non-survey within twelve months. (90-6,510 Dep.)
Martin Flanagan ... ..	80 0 0	152	Yarraman ...	Brisbane ...	Muswellbrook, 22nd February, 1877; 18.	13	An area of 33 acres 1 rood 20 perches of this conditional purchase was included within J. Pike's (now George Ireland's) grant of 627 acres, and has now been purchased by the Crown, with a view to adding it to the conditional purchase, and so making good the title to the full area. (91-264 Cor.)
Michael Flanagan ... ..	50 0 0	23	Yarraman ...	Brisbane ...	Muswellbrook, 6th March, 1873; 2,072.	13	An area of 10 acres of this conditional purchase was included within J. Pike's (now George Ireland's) grant of 627 acres, and has now been purchased by the Crown, with a view to adding it to the conditional purchase, and so making good the title to the full area. (91-264 Cor.)
Neil Gallagher... ..	96 0 0	63	Barrajin ...	Ashburnham ...	Molong, 23 October, 1884; 166	21	} The land is partly within the Cargo population area, and also partly within reserve from conditional purchase proclaimed 4th September, 1877. (92,3,399 Cor.)
Neil Gallagher... ..	84 0 0	64	Barrajin ...	Ashburnham ...	Molong, 30 October, 1884; 169	21	
Eliza Jenkins ... ..	320 0 0	172	Kimo ...	Clarendon ...	Gundagai, 28th September, 1876; 403.	21	The basal conditional purchase was gazetted forfeited for non-fulfilment of the condition of residence. (92-23,098 Dep.)
Stephen Monck ... ..	40 0 0	92	Wallagoot ...	Auckland ...	Bega, 19th April, 1883; 42	21	} At date of application the original conditional purchase was not registered in the conditional purchaser's name, but in that of his wife. (90-3,211 Dep.; 90-24,859 Dep.)
Stephen Monck ... ..	40 0 0	115	Wallagoot ...	Auckland ...	Bega, 18th December, 1884; 143	21	
Stephen Monck ... ..	40 0 0	122	Wallagoot ...	Auckland ...	Bega, 10th February, 1887; 4...	48 Vic. No. 18 42	

Crown Lands Purchases and Leases Validation.

57<sup>o</sup> VICTORIA, No. 9.



## SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
John Malcolm M'Intosh (now Thomas Whitehead).	a. r. p. 38 2 26	57	Pialligo ...	Murray ...	Queanbeyan, 23th July, 1870 ; 2,571.	25 Vic. No. 1. 13	The portion applied for is found after amendment of survey to contain less than 40 acres. (90-1,700 Dep.) The additional conditional purchases are separated from the original conditional purchase by a freehold of 30 acres, portion 26. (89-27,001 Dep.) The conditional purchase was gazetted lapsed on 5th March, 1888, for non-receipt of declaration. The lapsing was provisionally reversed by the Minister on 29th March, 1888. Subsequently (on the 12th April, 1888), the land was applied for by R. P. Johnston as a conditional lease, which was confirmed in ignorance of the fact of the action taken to restore Noyes' conditional purchase. As the law did not permit of a provisional reversal of forfeiture, and the Act 55 Vic. No. 1 does not meet the case, Noyes' conditional purchase requires validation. (93-10,351 Ls.)
William John Neeley (now Bank of New South Wales).	40 0 0	68	Tarago ...	Argyle ...	Goulburn, 25th February, 1862 ; 1,449.	21	
Henry Noyes (now George Noyes).	40 0 0	69	Tarago ...	Argyle ...	Goulburn, 1st April, 1862 ; 1,986	21	
	40 0 0	162	Talagandra ...	Murray ...	Yass, 28th June, 1883 ; 54 ...	14	
George Roberts (now the Bank of New Zealand).	172 0 0	95	Broadwater ...	Rous ...	Lismore, 5th October, 1882 ; 631	21	The land was not open for conditional purchase at date of application, being held by T. C. Bagot, under application for conditional purchases 82-579 and 82-597, which applications were subsequently withdrawn. (90-3,416 Dep.)
John Henry Secomb ...	40 0 0	39	Wittitrin ...	Dudley ...	Kempsey, 25th April, 1878 ; 111	21	The original conditional purchase (72-153) was not registered in applicant's name at date of application for this additional conditional purchase. (90-1,736 Dep.)
Annie Elizabeth Smith ...	{ 69 1 0 130 3 0 132 3 0	{ 332 325 327	Wallendoon ...	Harden ...	Young, 15th March, 1883 ; 21 ...	13	{ The land applied for formed part of reserve No. 28, which was cancelled on 12th February, 1883 ; the cancellation, however, was rescinded on 12th March, 1883, three days prior to date of application for the conditional purchase. (90-4,572 Misc.) At date of application for this conditional purchase the applicant held another incomplete conditional purchase (79-65) under section 13 of Act 25 Victoria No. 1, and his title has never been questioned. (89-22,488 Dep. ; 91-2,469 Cor.)
William Stenz (now Commercial Banking Company of Sydney).	204 0 0	70	Eden ...	Gough ...	Inverell, 18th March, 1880 ; 9 ...	13	
Charles Henry Thatcher ...	{ 100 0 0 147 3 0 40 0 0 40 0 0	{ part of 133 part of 133 161 160	Braulin ...	Forbes ...	{ Forbes, 1st April, 1880 ; 40 ... Forbes, 12th August, 1880 ; 112 Forbes, 14th April, 1881 ; 95 ... Forbes, 21st April, 1881 ; 104 ...	{ 14 21 21 21	{ A Select Committee in their report to Parliament recommended the case for the favourable consideration of the Government, but as the conditional purchases had been gazetted forfeited and subsequently selected by one Mary Zelpha Walker, who also forfeited her claim, validation of Charles Henry Thatcher's title is necessary. (90-4,715 Cor.)



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
The Brooksdale Coal, Shale, Iron Mining Company.	a. r. p.	164	Clwyd ...	Cook ...	Lithgow, 28th July, 1881; 67...	25 Vic. No.	The necessary expenditure in mining operations was not effected during the three years' term, but the full amount, equal to £2 per acre, was effected within five years. (91-11,134 Dep.)
	40 0 0					19	
	40 0 0					19	
	40 0 0					19	
	60 0 0					19	
	75 0 0					19	
	75 0 0					19	
Western Kerosene Oil Company, Limited (now New South Wales Shale and Oil Company).	180 0 0	104, 137	Hartley...	Cook ...	Lithgow, 27th October, 1881; 98 Lithgow, 27th October, 1881; 99 Lithgow, 3rd Nov., 1881; 102... Lithgow, 3rd Nov., 1881; 103... Lithgow, 24th October, 1867; 2,580.	19 19 19 19	The two portions embraced by the mineral conditional purchase do not adjoin one another, but are now connected by other portions with which they have been consolidated. (89-3,672 Cor.)
	George Early Backhouse ...	600 0 0	1	Merilba ...	Kennedy ...	Parkes, 22nd December, 1887; 112.	48 Vic. No 18. 26
John Baldock ...	44 0 0	10	Wallabadah ...	Buckland ...	Murrundi, 31st December, 1885; 47.	26	Within the suburban boundaries of the village of Wallabadah at date of application, but such boundaries having been modified the purchase is not now situated therein. (90-8,555 Dep.; 91-1,254 Dep.)
Lucy Elizabeth Botterill ...	640 0 0	9	Bimbeen ...	Gipps ...	Condobolin, 8th May, 1890; 50	26	This application was received by the Land Agent at 1:30 p.m., at which hour the office was legally closed; but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
Samuel John Botterill ...	640 0 0	7	Younga Plain ...	Gipps ...	Condobolin, 8th May, 1890; 46	26	The application was received by the Land Agent at 1:30 p.m., at which hour the office was legally closed; but the Land Agent's error was not discovered till long after the application was confirmed. (92-9,005 Dep.)
William Earnshaw Botterill...	640 0 0	7	Bimbeen ...	Gipps ...	Condobolin, 8th May, 1890; 49	26	This application was received by the Land Agent at 1:30 p.m., at which hour the office was legally closed; but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
George Bouchier ...	40 0 0	200	Vulcan ...	Westmoreland...	Lithgow, 24th January, 1889; 10.	42	The original conditional purchase was not, at date of application, registered in Bouchier's name; but the defect was not discovered till long after date of confirmation. (92-13,589 Dep.)
Samuel Clift ...	135 1 0	162	Clift ...	Buckland ...	Tamworth, 24th June, 1886; 104.	42	The land is situated within the boundaries of water reserve 1,608, notified on 28th June, 1880. (90-6,645 Dep.)



## SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Oscar De Aubert Cayirelys (now the Commercial Bank- ing Company of Sydney).	a. r. p. 80 0 0	37	Munderoo	Selwyn	Albury, 22nd July, 1886; 41...	48 Vic. No. 18 42	Situated within the leasehold area of Jingellic pastoral holding. (90-17,544 Dep.)
Margaret Frances Daly (now Annie Daly).	40 0 0	7	Sherwood	Fitzroy	Grafton, 1st July, 1886; 99 ...	26	The land applied for encroaches to the extent of about 9 acres upon reserve No. 1,076, notified 21 January, 1884. (89-27,629 Dep.)
Arthur Swift Darby ..	63 2 0	16	Gladstone	Darling	Tamworth, 23rd September, 1886; 123.	42	Does not adjoin the previous conditional purchases of the series in virtue of which it was made. (90-2,918 Dep.)
John Ditton (now Albert Whitby Simpson).	50 0 0	29	Falconer	Sandon	Armidale, 20th August, 1885; 59.	42	Encroaches to the extent of about 17 acres upon water reserve 46, extended, notified on 14th November, 1871. (90-8,461 Dep.)
Flint Davidson	100 0 0	83	Piallamore	Parry	Tamworth, 5th November, 1885; 70.	42	The conditional purchase in question was applied for in virtue of a former additional conditional purchase, the original of which was not registered in the conditional purchaser's name. (91-1,703 Dep.)
Patrick Egan ...	100 0 0	...	Wilbetree	Phillip	Mudgee, 7th August, 1890; 38	26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)
John Elliott Forbes, deceased (now R. Armstrong and W. M. Royse).	40 0 0	60	Baan Baa	Pottinger	Narrabri, 6th August, 1885; 3.	26	The land at date of application formed part of village reserve No. 1,936, notified on 13th February, 1884. (88-20,711 Dep.)
John Ford	60 0 0	114	Billinudgel	Rous	Murwillumbah, 11th August, 1887; 26.	42	The basal conditional purchase did not stand in Ford's name at date of application, having been transferred by way of mort- gage to the Bank of New South Wales. (92-22,929 Dep.)
Catherine Ellen Fowler	57 0 0	196	Couridjah	Camden	Picton, 13th December, 1888; 76.	42	At date of application the basal conditional purchase did not stand in applicant's name. (C.S. 93-5,584 Dep.)
Donald Fraser...	640 0 0	13	Younga Plain	Gipps	Condobolin, 8th May, 1890; 48	26	This application was received by the Land Agent at 1.30 p.m., at which hour the office was legally closed, but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
John Halloran ... ..	a. r. p. 100 0 0	.....	Wilbetree	Phillip ...	Mudgee, 7th August, 1890; 52	<sup>48</sup> Vic. No. 18 26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)
Hermann Hallman ... ..	49 3 0	58	Dinoga ...	Murchison ...	Bingara, 24th February, 1887; 6	26	} Situated partly within travelling stock reserve No. 370, notified on 1st July, 1874. (89-28,224 Dep.)
Hermann Hallman ... ..	50 2 0	59	Dinoga ...	Murchison ...	Bingara, 23rd June, 1887; 14...	42	
James Hassett... ..	100 0 0	& 38	Wallace	Wynyard	Tumut, 15th July, 1886; 69	42	Applicant was not the registered holder of the basal conditional purchase at date of application. (92-26,543 Dep.)
Richard Hollow ... ..	250 0 0	.....	Wilbetree	Phillip ...	Mudgee, 7th August, 1890; 40	26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)
Thomas Murdoch ... ..	500 0 0	3	Merilba	Kennedy	Parkes, 9th February, 1888; 6	26	The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
John Murphy ... ..	59 0 0	229	Bala	King ...	Burrowa, 6th August, 1885; 22	42	At date of confirmation of the conditional purchase (85-22), an adjoining original conditional purchase (84-186), made by the selector, under the repealed Land Acts, was held to be void, but such voidance was subsequently reversed, and, as Murphy could not legally hold two originals, it has been decided to alter the section under which application was made for conditional purchase 85-22, and allow it to be held as an additional to conditional purchase 84-186 which it adjoins. (90-16,290 Dep.)
Frank Stavers Mitchell ... ..	473 0 0	15	Thuara ...	Clyde ...	Brewarrina East, 16th January, 1890; 1.	42	The land formed part of water reserve 475, notified 6th October, 1879, and cancelled on 14th December, 1889, and consequently sixty clear days had not elapsed at date of application, and the land was not therefore legally available for conditional purchase— <i>vide</i> section 102, Act of 1884. (C.S. 93-6,498 Dep.)
John M'Culloch ... ..	107 3 3	236	Muttama	Harden...	Cootamundra, 11th February, 1892; 16.	47	The application was for a measured portion, which portion is intersected by the Cootamundra to Gundagai railway line, and the conditional purchase should therefore have been restricted to one side of the line. (C.S. 93-16,913 Dep.)

Crown Lands Purchases and Leases Validation.

57<sup>o</sup> VICTORIAE, No. 9.



## SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
William Meyers ... ..	a. r. p. 98 3 0	16, 17	Tumut ... ..	Wynyard ... ..	Tumut, 10th February, 1887; 9	<sup>48 Vic. No. 18</sup> 26	The land is situated partly within a reserve for camping and water, notified under general notice of 24th December, 1861, and also wholly within reserve from sale pending completion of the Census of 1881, notified 6th April, 1881. (90-8,813 Dep.)
Annie Nash O'Brien ... ..	715 2 0	56, 60, 102, 103	{ Narrow Plains	Denison ... ..	Corowa, 6th August, 1885; 14	26	
Annie Nash O'Brien ... ..	142 3 0			106	Narrow Plains...	Denison ... ..	Corowa, 19th Nov., 1885; 60 ...
Bernard O'Neill ... ..	140 1 0	29	Ferrier .. ..	Buckland ... ..	Gunnedah, 20th May, 1886; 31	42	The land was at date of application included in travelling stock reserve No. 9, extended, notified 20th December, 1872. (91-1,704 Dep.)
William Philp... ..	100 0 0	62	Roumalla ... ..	Hardinge ... ..	Armidale, 4th November, 1886; 163.	26	The application was made under the 26th section of the Act of 1884, but through a misapprehension the condition of residence was not carried out. As, however, the case is one of hardship the section has been altered to 42nd, so as to allow applicant to hold the conditional purchase in virtue of his original conditional purchase 79-24, which is under mortgage, and stands in the name of the Bank of New South Wales. (90-21,847 Dep.)
George William Russell ... ..	40 0 0	36	Falconer ... ..	Sandon ... ..	Armidale, 20th August, 1885; 55.	42	Encroaches to the extent of about 15 acres upon water reserve 46, as extended, notified 14th November, 1871. (90-8,461 Dep.)
Checkley Hodges Ratliff ... ..	75 2 0	15	Tumut ... ..	Wynyard ... ..	Tumut, 10th February, 1887; 11	26	The land is situated wholly within a reserve for camping and water, notified under general notice of 24th December, 1861, and also wholly within reserve from sale pending completion of the Census of 1881, notified 6th April, 1881. (90-8,815 Dep.)
Frederick William Reid ... ..	100 0 0	14	Craven ... ..	Gloucester ... ..	Strout, 2nd December, 1886; 92	42	Within the Barrington gold-field. Reserved from conditional purchase 10th September, 1879. (92-26,724 Dep.)
Caroline Smith ... ..	640 0 0	5	Bimbeen ... ..	Gipps ... ..	Condobolin, 8th May, 1890; 47	26	This application was received by the Land Agent at 1.30 p.m., at which hour the office was legally closed, but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
The Australian Mortgage, Land, and Finance Company (Limited).	1,181 0 0	21	Cowal ... ..	Gipps ... ..	Condobolin, 26th November, 1891; 131.	42	The basal conditional purchase did not, at date of application, stand in the company's name. (C.S. 93-15,887 Dep.)

Crown Lands Purchases and Leases Validation.



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
The Bank of New South Wales	a. r. p. 60 2 0	224	Elrington ...	St. Vincent ...	Braidwood, 27th October, 1887; 38.	48 Vic. No. 18 42	The application was lodged and confirmed in the name of John O'Heire, who had, however, transferred the basal conditional purchase by way of mortgage to the Bank of New South Wales. (C.S. 93-8,789 Dep.)
The Bank of New South Wales	285 0 0	12	Whyaddra ...	Dowling ...	Condobolin, 30th August, 1888; 50.	42	The application was made by Edward Henry Moulder, who had transferred by way of mortgage the basal conditional purchase to the Bank of New South Wales. (92-24,832 Dep.)
The Commercial Banking Company of Sydney.	40 0 0	96	Puen Buen ...	Auckland ...	Bega, 30th September, 1886; 72	42	The application was made by William Francis Coman, who had transferred by way of mortgage the basal conditional purchase to the Commercial Banking Company of Sydney. (92-26,672 Dep.)
Charles Bede Trefle ...	80 0 0	154	Trigalong ...	Bland ...	Cootamundra, 25th June, 1890; 59.	26	Within water reserve 2,201, notified 8th November, 1880. (92-26,594 Dep.)
Charles Bede Trefle ...	66 0 0	153	Trigalong ...	Bland ...	Cootamundra, 25th June, 1890; 60.	42	
Alexander Hugh Watson ...	92 1 0	18, 19	Tumut ...	Wynyard ...	Tumut, 3rd March, 1887; 15...	26	The land is situated wholly within a reserve for camping and water, notified under general notice of 24th December, 1861, and also wholly within reserve from sale pending completion of the Census of 1881, notified 6th April, 1881. (90-8,814 Dep.)
Benjamin Woodhouse ...	50 0 0	16	Ingebirah ...	Wallace ...	Cooma, 7th August, 1890; 314	26	Owing to defective charting of travelling stock reserve No. 925, the measurement of this portion encroached on the said travelling stock reserve. (92-8,751 Dep.)
Thomas William Whitehead...	80 0 0	115	Greg Greg ...	Selwyn ...	Albury, 17th Dec., 1885; 65 ...	42	The land is situated within the external boundaries of the Bringenbrong pastoral holding leasehold area, which was not known to the Land Board when the application was confirmed. (92-6,989 Dep.)
Thomas Williams ...	68 0 0	.....	Wilbetree ...	Phillip ...	Mudgee, 7th August, 1890; 46	26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)

Crown Lands Purchases and Leases Validation.

57<sup>o</sup> VICTORIAE, No. 9.



## SCHEDULE B.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
Henry Althofer ... ..	a. r. p. 720 0 0	35	Mumbil ...	Wellington ...	5,372 (85-4)	Wellington	9th February, 1885.	9th August, 1886	48 Vic. No. 13. 54	At date of application the basal conditional purchases stood in the name of the Bank of New South Wales, to which Bank they had been transferred by way of mortgage by Althofer. (Leases 92-10,326.)
William O'Dillon Ambrose (now Bank of New South Wales).	1,200 0 0	63	Talmoi ...	Courallie ...	12,279 (85-54)	Moree ...	20th March, 1885.	27th October, 1885.	54	This lease was confirmed before survey, but upon survey it was found that as confirmed the lease encroached to the extent of 116 acres on water reserve 445 in existence at date of application, but since revoked. (Leases 91-1,227.)
William O'Dillon Ambrose (now Bank of New South Wales).	600 0 0	62	Talmoi ...	Courallie ...	12,938 (85-112)	Moree ...	27th August, 1885.	29th October, 1885.	48	This lease was confirmed before survey, but upon survey it was found to encroach to the extent of 37 acres on water reserve 445 in existence at date of application for the lease, but since revoked. (Leases 91-1,227.)
Lucy Elizabeth Botterill ...	1,920 0 0	10	Bimbeen ...	Gipps ...	15,325 (90-41)	Condobolin	8th May, 1890	28th January, 1891.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was not legally open, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
Samuel John Botterill ...	1,920 0 0	8	Younga Plain	Gipps ...	14,656 (90-37)	Condobolin	8th May, 1890	30th October, 1890.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was legally closed, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
William Earnshaw Botteril ..	1,920 0 0	8	Bimbeen ...	Gipps ...	..... (90-40)	Condobolin	8th May, 1890	19th January, 1891.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was not legally open, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)

Crown Lands Purchases and Leases Validation.

57<sup>th</sup> VICTORIAE, No. 9.



SCHEDULE B—continued.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
Oscar De Aubert Cayirelys (now the Commercial Banking Company of Sydney).	a. r. p. 240 0 0	2	Munderoo ...	Selwyn ...	10,396 (86-18)	Albury ...	22nd July, 1886.	31st October, 1888.	48 Vic. No.18.	Situated within the external boundaries of the leasehold area of Jingellic pastoral holding. (Leases 92-6,488.)
Thomas Ccughlan ... ..	195 0 0	144	Quialigo ...	Argyle ...	10,490 (86-28)	Goulburn	15th April, 1886.	6th December, 1886.	48	This is the second conditional lease confirmed in virtue of one conditional purchase. (Leases 88-4,799.)
William Crapp ... ..	1,920 0 0	Not numbered.	Saltash ...	Sandon ...	10,593	Armidale	20th January, 1885.	.....	52	The conditional purchase in virtue of which the lease was applied for was transferred to the applicant subsequent to 15th July, 1884. (Leases 91-7,803.)
William Ditchfield (now Edwin Ditchfield).	174 0 0	84	Napier ...	Urana ...	7,114 (85-64)	Urana ...	31st March, 1885.	24th July, 1886.	54	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 92-549.)
Thomas Downes (now the Commercial Banking Company, Sydney).	96 1 0	201	Alton ...	King ...	10,528 (86-84)	Burrowa	2nd September, 1886.	27th May, 1887	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 91-1,239.)
Patrick Filand ... ..	268 1 0	192, 193	Cullarin ...	King ...	10,495 (86-40)	Gunning	14th October, 1886.	7th December, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchases. (Leases 88-1889.)
Patrick Filand ... ..	64 1 0	50	Cullarin ...	King ...	10,496 (86-41)	Gunning	14th October, 1886.	16th August, 1887.	48	This is the third conditional lease confirmed in virtue of the same conditional purchases. (Leases 90-7,439.)
John Elliott Forbes (now R. Armstrong and W. M. Royse).	113 0 0	86	Tulla Mullen..	Pottinger ...	2,738 (85-17)	Narrabri	11th August, 1885.	16th October, 1885.	48	The greater part of the land was notified as village reserve on 23 September, 1885, prior to date of confirmation. (90-15,516 Ms.)
Donald Fraser ... ..	1,920 0 0	13	Younga Plain	Gipps ...	14,760 (90-39)	Condobolin	8th May, 1890	31st October, 1890.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was not legally open, but the lands agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)

Crown Lands Purchases and Leases Validation.



## SCHEDULE B—continued.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
James Gorham ... ..	a. r. p. 45 2 0	200	Ware...	King ... ..	10,484 (86-59)	Burrowa..	1st July, 1886	27th May, 1887	48 48 Vic. No. 18.	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-7,944.)
Henry Gregory ... ..	530 3 0	107, 111	Osborne ...	Denison ... ..	2,714 (85-42)	Corowa...	4th March, 1885.	3rd October, 1885.	54	The conditional lease was confirmed in two separate and distinct parts. (92-14 Ls.)
Henry Herbert ... ..	60 0 0	252	Uringalla ...	Argyle ... ..	10,487 (85-132)	Goulburn	10th December, 1885.	11th May, 1887	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-4,800.)
William Kelly... ..	100 0 0	125	Wallah ... ..	King ... ..	10,485 (86-71)	Burrowa..	29th July, 1886	26th October, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase (Leases 88-995.)
Alexander S. Manning ...	1,425 0 0	.....	Mikibri ... ..	Kennedy ... ..	3,248 (85-25)	Parkes ...	27th August, 1885.	11th November, 1885.	48	Partly within the leasehold area of Goobang holding and therefore not open to conditional lease at date of confirmation. (C.S. 90-8,787 Dep.)
Frederick Gibson Manning ...	480 0 0	.....	Mickibri, Davison	Kennedy ... ..	4,993 (85-61)	Parkes ...	31st December, 1885.	4th March, 1886.	48	Partly within the leasehold area of Goobang holding and therefore not open to conditional lease at date of confirmation. (Leases 91-7,913.)
Neil M'Donald ... ..	281 0 0	.....	Tarramia ...	Denison ... ..	2,710 (85-72)	Corowa...	30th March, 1885.	5th October, 1885.	54	This is the second conditional lease confirmed in virtue of the same conditional purchase. (91-4,910 Mis.)
James M'Donald ... ..	120 0 0	179	Tarlo... ..	Argyle ... ..	10,488 (86-21)	Goulburn	23rd March, 1886.	11th May, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-4,801.)
Frank Stavers Mitchell ...	806 0 0	16	Thuara ... ..	Clyde ... ..	18,457 (90-1)	Brewarrina East ...	16th January, 1890.	30th September, 1891.	48	The land formed part of water reserve 475, notified 6th October, 1879, and cancelled on 14th December, 1889, consequently sixty clear days had not elapsed at date of application, and the land was not therefore legally available for conditional lease. <i>Vide</i> section 102 Act of 1884. (C.S. 93-6,498 Dep.)
Thomas Murdoch ... ..	1,500 0 0	4	Merilba ... ..	Kennedy ... ..	9,778 (88-6)	Parkes ...	9th February, 1888.	9th August, 1888.	48	The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
Christopher O'Leary, jun. ...	60 0 0	168	Numby ... ..	King ... ..	10,486 (87-12)	Burrowa	24th March, 1887.	26th October, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-996.)



SCHEDULE B—continued.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
John O'Mara ... ..	a. r. p. 80 0 0	141	Quialigo ...	Argyle ...	10,491 (86-29)	Goulburn	20th April, 1886.	10th January, 1887.	48 Vic. No.18. 48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 89-5,654.)
William Peasley ... ..	1,516 0 0	14 & 15	Merilba ...	Kennedy ...	16,829 91-4	Parkes ...	21st January, 1891.	3rd September, 1891.	48	The portions encroach on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
Frederick William Reid ... ..	95 0 0	15	Craven ...	Gloucester ...	10,420 (86-17)	Stroud ...	2nd December, 1886.	9th March, 1888.	48	Within the Barrington Goldfield. Reserved from conditional purchase 10th September, 1879, and therefore not open to conditional lease. (92-26,724 Dep.)
Andrew Shean, jun. ... ..	1,500 0 0	13	Merilba ...	Kennedy ..	14,272 (90-20)	Parkes ...	20th February, 1890.	12th July, 1890.	48	The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
Caroline Smith ... ..	1,920 0 0	6	Bimbeen ...	Gipps ..	15,324 (90-38)	Condobolin	8th May, 1890	28th January, 1891.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was legally closed, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
John Thomas Sullivan, jun....	200 0 0	173	Merrill ...	King ...	10,494 (86-32)	Gunning .	31st August, 1886.	7th December, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 89-1,475.)
Thomas Walsh ... ..	413 3 0	109, 116 117, 118	Dungog ...	Durham ...	17,249 (91-1)	Dungog...	15th January, 1891.	10th March, 1891.	48	The basal conditional purchase together with the series was eight days prior to application transferred by Walsh to the Bank of New South Wales. (93-3,940 Ls.)
William Watson ... ..	622 0 0	2, 9	Carwoola ...	Murray ...	8,677 (86-21)	Quean- beyan.	2nd November, 1886.	23rd March, 1888.	48	The land is situated within part of the Gundaroo gold-field which was not open to conditional lease. (Leases 90-7,981.)
James Williams ... ..	142 1 0	105	Leighwood ...	Georgiana ...	10,493 (86-47)	Goulburn.	22nd July, 1886	15th March, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 86-4,803.)
Benjamin Woodhouse ..	150 0 0	17	Ingebirah ...	Wallace ...	16,520 (90-206)	Cooma ..	7th August, 1890.	27th May, 1891	48	Owing to defective charting of travelling stock reserve 925, the measurement of the portion encroached on the said travelling stock reserve. (92-8,751 Dep.)

Crown Lands Purchases and Leases Validation.

57° VICTORIA, No. 9.



## SCHEDULE C.

Name.	Description.				District.	Place of sale.	Date of sale.	Cause of illegality.
	Area.	Portion.	Parish.	County.				
John Bassett Christian ...	a. r. p.							{ The land at date of sale was not legally available for auction sale, being at that time held as a conditional purchase. (90-5,468 Cor.) The land at date of sale was not available for auction sale, having been 44 days previously notified as part of travelling stock reserve 1,442. (93-8,883 Aln.)
William Bassett Christian ...	280 0 0	69	Borambil ...	Buckland ...	Murrurundi ...	Murrurundi ...	8th March, 1886	
William Martin Christian ...								
James Gibb ...	255 0 0	219	Berthong ...	Bland... ...	Young ...	Young... ...	23rd Oct., 1878	

## SCHEDULE D.

Name.	Area.	Allotment.	Section.	County.	Parish.	Situation.	Cause of illegality.
Mary Ann Miller (widow) ...	a. r. p. 0 3 0	2	21	Murchison ...	Bingara ...	In the town of Bingara, fronting Keera-street.	There is no provision in the Land Acts for such a sale without competition. The land is sold to the purchaser in lieu of the same area of her original allotments, which is found to be below the level of the river Gwyder. (90-9,229 Aln.)

## SCHEDULE E.

Name of Grantee.	Area.	Situation.	Date of issue of Grant.	Cause of illegality.
The Secretary of the Australian Gaslight Company.	a. r. p. 0 0 1 $\frac{1}{4}$	At Woolloomooloo, parish of Alexandria, city of Sydney, the parcel of land within the following boundaries: Commencing on the east side of Bourke-street at a point 10 feet southerly from its intersection with the south side of Griffiths-street and bounded thence by the east side of Bourke-street bearing northerly 10 feet, on the north by the southern side of Griffiths-street bearing easterly 71 feet, and on the south-east by a line bearing south-westerly, to the point of commencement.	25th October, 1869.	This land was sold to the Australian Gaslight Company under the provisions of section eleven of the "Crown Lands Alienation Act of 1861" as adjoining land evidently assumed to have been held by that Company in fee simple, whereas although the latter had been agreed to be alienated the alienation had not taken place.



## SCHEDULE F.

Name.	Description.				District, date, and number of Improvement Purchase.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Bishop Lyne ...	a. r. p. 640 0 0	7	Dandaloo ...	Kennedy ...	Parkes. 25th April, 1881. 15 ...	<sup>39</sup> Vic. No. 13 2	The portion at date of application and date of issue of deed of grant formed part of water reserve 458. (93-2,102 Mis. Dep.)

## SCHEDULE G.

Name of proposed Grantee.	Area.	Situation.	Reason for issuing Grant.
The Secretary of the Australian Gaslight Company.	a. r. p. 0 0 14 $\frac{3}{4}$	At Woolloomooloo, parish of Alexandria, city of Sydney, the parcel of land within the following boundaries: Commencing on the east side of Bourke-street at a point 10 feet southerly from its intersection with the south side of Griffiths-street, and bounded thence on the west by the east side of Bourke-street bearing southerly to the north-west corner of the Australian Gaslight Company's allotment of 19 $\frac{1}{2}$ perches; thence by the northern boundary of that allotment, and that Company's allotment of 8 perches to the north-east corner of the latter allotment; thence by a line bearing northerly to Griffiths-street at the east corner of the allotment of 1 $\frac{1}{4}$ perches sold to the Gas Company under the eleventh clause of the Act of 1861; and thence by the south-eastern boundary of that allotment bearing south-westerly to the point of commencement.	In pursuance of a proposal made in the year 1867 by the then Minister for Lands, and agreed to by the Australian Gaslight Company in the year 1868, the land should have been included in the Schedule to Act 37 Victoria No. 2, intituled " <i>An Act to authorize certain grants of Land to be made by way of compensation for losses of Water-frontage in Woolloomooloo Bay,</i> " from which it would appear to have been inadvertently omitted.

*In the name and on the behalf of Her Majesty I assent to this Act.*

*Government House,  
4th March, 1894.*

*R. W. DUFF,  
Governor.*



SCHEDULE A

The Governor in Council.	The Governor in Council.	The Governor in Council.
The Governor in Council.	The Governor in Council.	The Governor in Council.
The Governor in Council.	The Governor in Council.	The Governor in Council.
The Governor in Council.	The Governor in Council.	The Governor in Council.
The Governor in Council.	The Governor in Council.	The Governor in Council.
The Governor in Council.	The Governor in Council.	The Governor in Council.
The Governor in Council.	The Governor in Council.	The Governor in Council.

SCHEDULE B

The Governor in Council.	The Governor in Council.	The Governor in Council.
The Governor in Council.	The Governor in Council.	The Governor in Council.
The Governor in Council.	The Governor in Council.	The Governor in Council.
The Governor in Council.	The Governor in Council.	The Governor in Council.
The Governor in Council.	The Governor in Council.	The Governor in Council.

In the name and on the behalf of Her Majesty I assent to this Act.  
 R. W. DEER, Governor.  
 Government House, Melbourne, 18th May 1864.

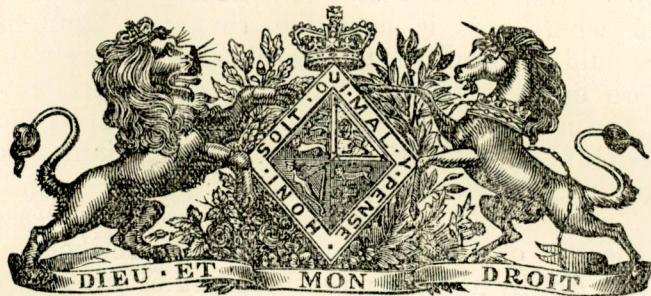


*I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

*Legislative Assembly Chamber,  
Sydney, 22 February, 1894. }*

*F. W. WEBB,  
Clerk of the Legislative Assembly.*

## New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

# VICTORIÆ REGINÆ.

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## No. IX.

An Act to legalize certain Conditional Purchases and Conditional Leases and Auction and other Purchases of Crown Lands, and to validate certain Crown grants in connection therewith; to confer special powers of reference to the Local Land Board and the Land Appeal Court where necessary; to permit the reversal of forfeiture of certain Conditional Purchases and Conditional Leases; to authorise the sale of certain Crown Lands and the issue of Crown grants therefor; and to authorise the granting of certain Crown Land by way of compensation. [Assented to, 4th March, 1894.]

**W**HEREAS the persons whose names are mentioned in Schedules Preamble. A and B hereto have made, or applied to make, conditional purchases or conditional leases of certain Crown lands, and the said purchases or leases, or applications therefor, as the case may be, have been found to be either wholly, or in part, illegal, or have been forfeited, for the causes respectively specified in the said Schedules: And whereas the persons whose names are mentioned in Schedule C hereto have purchased, or intended to purchase, at auction, certain Crown lands, but the said purchases are illegal for the causes specified in the said Schedule: And whereas the sale of the land specified in Schedule D hereto is not authorised by the law: And whereas the sale and grant of the land specified in

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

*NINIAN MELVILLE,  
Chairman of Committees of the Legislative Assembly.*



*Crown Lands Purchases and Leases Validation.*

in Schedule E hereto, which purported to have been made and issued under the provisions of section eleven of the "Crown Lands Alienation Act of 1861," were illegal: And whereas it is just and expedient that the sale of, or the respective titles to, or the applications for, the lands aforementioned should be authorised or made good and valid: And whereas the sale and grant of the land specified in Schedule F hereto which purported to have been made and issued under the provisions of section two of the "Lands Acts Amendment Act of 1875" were illegal: And whereas it is desirable that the land specified in Schedule G should be granted to the company therein mentioned: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Validation of conditional purchases and leases or applications therefor specified in Schedules A and B.

1. The conditional purchases and conditional leases, or the applications therefor of the lands specified and described in Schedules A and B to this Act by the persons whose names are respectively set opposite to the descriptions of the said lands shall be held to have been and to be valid and effectual in law, subject, nevertheless, to the performance of the conditions and requirements of any law applicable thereto, except the matters included in the causes of illegality or forfeiture described in the said Schedules respectively; and where any such conditional purchases or conditional leases have been notified as forfeited the forfeiture shall be reversed, and the reversal thereof shall relate back to the date of notification of such forfeiture in the *Government Gazette*. Upon reference by the Minister to the Local Land Board (as constituted under the Crown Lands Acts) of any of the aforementioned applications, which at the passing of this Act have not been confirmed, such Board shall deal therewith, and if no other valid objection be found to exist shall confirm the same: Provided that the provisions of the Crown Lands Acts with respect to appeals or references to the Land Appeal Court shall apply in such cases.

Reference to Land Board or Land Appeal Court.

Validation of purchases at auction specified in Schedule C.

2. The purchase at auction of the lands specified and described in Schedule C to this Act by, and the grants of such lands to, the persons whose names are set opposite to the descriptions of the said lands are hereby declared to have been and to be valid and effectual in law.

Validation of sale specified in Schedule D.

3. The Governor, with the advice of the Executive Council, may sell and grant the land described in Schedule D hereto to the person whose name is set opposite to the description of the said land at the price of fifteen pounds, and a deed fee of one pound; but if the said money be not paid within three months after the passing of this Act the sale shall be void, and no grant shall issue in respect thereof.

Validation of sale specified in Schedules E and F.

4. The sale and grant of the lands specified in Schedules E and F to this Act are hereby declared to have been and to be valid and effectual in law.

Validation of sale specified in Schedule G.

5. The Governor, with the advice of the Executive Council, may grant the land described in Schedule G to this Act to the Australian Gas-light Company (in the name of the secretary thereof and subject to the terms of the Australian Gas-light Company's Acts) in pursuance of a proposal made in the year one thousand eight hundred and sixty-seven by the then Minister for Lands, and agreed to by the company in the year one thousand eight hundred and sixty-eight in full compensation for the severance (by the reclamation of such lands) of land adjoining thereto from the waters of Woolloomooloo Bay.

Validation of conditional purchases and conditional leases against certain objections.

6. No original conditional purchase existing at the passing of this Act shall be held to have been or to be invalid by reason only that it was applied for by or in the name of two or more persons: No additional conditional purchase existing at the passing of this Act shall be held to have been or to be invalid by reason only that it

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*Crown Lands Purchases and Leases Validation.*

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was applied for by virtue of a conditional purchase made under section twenty-two of the "Crown Lands Alienation Act of 1861," whether the combined areas of the freehold and the conditional purchases and conditional leases of the series exceed the area limited by the Crown Lands Acts for ordinary conditional purchases and conditional leases or not: No conditional lease existing at the passing of this Act shall be held to have been or to be invalid by reason only that it was applied for by virtue of a conditional purchase of land within a special area: Provided that nothing in this section shall operate to revive any application, purchase, or lease which, prior to the passing of this Act has been, and at date of such passing shall stand as, disallowed, refused, withdrawn, or forfeited, or to validate any pending application which has not been confirmed.

7. Provided that nothing herein shall affect any proceedings, Proviso. either at law or in equity, instituted before the thirty-first day of October, one thousand eight hundred and ninety-three.

8. This Act may be cited as the "Crown Lands Purchases and Short title. Leases Validation Act of 1894."



SCHEDULES.

SCHEDULE A.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Robert William Armour ...	a. r. p. 64 0 0	73	Kowmung ...	Westmoreland...	Lithgow, 17th July, 1884; 58...	25 Vic. No. 1. 21	<p>At date of application for this purchase the original conditional purchase in virtue of which it was made was not registered in the name of the conditional purchaser, but in that of his wife. (90-5,595 Cor.; 91-332 Cor.)</p> <p>The validity of the conditional purchases is doubtful owing to a judgment of the Supreme Court on 3rd June, 1870, in the case Emery v. Barclay. Deeds have issued for portions 131 and 136. (C.S. 93-21,653 Dep.)</p> <p>The land applied for is within water reserve 1,394, notified 15 January, 1883, and the conditional purchaser made substantial improvements in ignorance of that fact. The Local Land Board now report him to be a <i>bonâ fide</i> selector, and that the reserve is not required in the public interest. (92-3,307 Dep.)</p> <p>Made in virtue of an additional conditional purchase held under section 22 of Act 25 Victoria No. 1. The land was fully improved before the title was questioned. (89-17,658 Misc.)</p> <p>The conditional purchaser was not at date of application the registered holder of the freehold in virtue of which the conditional purchase was taken. A transfer has since been effected. (89-31,689 Dep.)</p> <p>When these additional conditional purchases were applied for, the original in virtue of which they were made was not registered in the name of conditional purchaser, but in that of his wife. (90-2,644 Cor.)</p> <p>This additional conditional purchase does not adjoin the other conditional purchases of the series. Deed of grant has issued. (91-1,080 Dep.)</p> <p>Made in contravention of section 24 of Act 43 Victoria No. 29. (90-5,214 Dep.)</p>
Isaac Barclay ...	54 0 0	131	Illaroo ...	Camden ...	Nowra, 16th July, 1863; 2,132	13	
Isaac Barclay ...	40 0 0	136	Illaroo ...	Camden ...	Nowra, 6th August, 1863; 2,323	21	
Isaac Barclay ...	40 0 0	138	Illaroo ...	Camden ...	Nowra, 20th August, 1863; 2,447	21	
George Bradford ...	80 0 0	73	Buller ...	Acacia ...	Tenterfield, 4th September, 1884; 72.	13	
George Bradford ...	40 0 0	74	Buller ...	Acacia ...	Tenterfield, 18th December, 1884; 108.	21	
Joseph Carberry, junior (now Commercial Banking Company of Sydney).	156 0 0	165	Nowra ...	St. Vincent ...	Nowra, 21st March, 1878; 20...	21	
Joseph Carberry, junior (now Commercial Banking Company of Sydney).	57 1 0	157	Nowra ...	St. Vincent ...	Nowra, 13th May, 1880; 14 ...	21	
John Carey ...	80 0 0	120	Arakoon ...	Macquarie ...	Kempsey, 6th November, 1884; 267.	22	
Thomas George Carter ...	40 0 0	88	Rouchel ...	Durham ...	Scone, 3rd December, 1868; 3,021	21	
Thomas George Carter ...	60 0 0	89	Rouchel ...	Durham ...	Scone, 3rd December, 1868; 3,022	21	
Thomas George Carter ...	40 0 0	17	Rouchel ...	Durham ...	Scone, 6th September, 1883; 54	21	
Thomas George Carter ...	112 2 0	315	Rouchel ...	Durham ...	Scone, 11th March, 1886; 25 ...	48 Vic. No. 18. 42	
Henry Chew ...	175 0 0	208	Wambanumba	Monteagle ...	Young, 20 March, 1884; 23 ...	25 Vic. No. 1. 21	
Andrew Cochrane ...	137 2 33	56	Tiverton ...	Sandon ...	Armidale, 7th August, 1884; 276.	13	

Crown Lands Purchases and Leases Validation.



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Thomas Cruise (now Bank of New South Wales).	a. r. p. 60 0 0	90	Ditmas ...	Gough ...	Glen Innes, 27th November, 1884; 200.	<sup>25</sup> Vic. No. 1. 21	At date of application for this additional conditional purchase the original conditional purchase was not registered in applicant's name. (90-8,668 Dep.)
Owen Cuskely...	40 0 0	22	Donald ...	Sandon ...	Armidale, 4th January, 1866; 26.	21	The land embraced by the original conditional purchase not being available at date of application the application was cancelled, but this additional conditional purchase, which should also have been cancelled, was inadvertently allowed to remain on the books as a valid conditional purchase. (90-751 Dep.)
Frederick Dew (now Thomas Reynolds Hutchings).	40 0 0	162	Rodd ...	Pottinger ...	Murrurundi, 19th October, 1871; 3,902.	21	The conditional purchase was located on land other than that described, and is separated from the original conditional purchase by water reserve No. 507. (89-27,878 Dep.)
Emily Douse (now The Bank of New South Wales).	57 2 0	90	Arrawatta ...	Wardera ...	Inverell, 25th June, 1874; 7,150	21	The land had been applied for by one George Binks two minutes before Douse's application was lodged. Binks's application was subsequently withdrawn, owing to non-survey within twelve months. (90-6,510 Dep.)
Martin Flanagan ...	80 0 0	152	Yarraman ...	Brisbane ...	Muswellbrook, 22nd February, 1877; 18.	13	An area of 33 acres 1 rood 20 perches of this conditional purchase was included within J. Pike's (now George Ireland's) grant of 627 acres, and has now been purchased by the Crown, with a view to adding it to the conditional purchase, and so making good the title to the full area. (91-264 Cor.)
Michael Flanagan ...	50 0 0	23	Yarraman ...	Brisbane ...	Muswellbrook, 6th March, 1873; 2,072.	13	An area of 10 acres of this conditional purchase was included within J. Pike's (now George Ireland's) grant of 627 acres, and has now been purchased by the Crown, with a view to adding it to the conditional purchase, and so making good the title to the full area. (91-264 Cor.)
Neil Gallagher...	96 0 0	63	Barrajin ...	Ashburnham ...	Molong, 23 October, 1884; 166	21	} The land is partly within the Cargo population area, and also partly within reserve from conditional purchase proclaimed 4th September, 1877. (92,3,399 Cor.)
Neil Gallagher...	84 0 0	64	Barrajin ...	Ashburnham ...	Molong, 30 October, 1884; 169	21	
Eliza Jenkins ...	320 0 0	172	Kimo ...	Clarendon ...	Gundagai, 28th September, 1876; 403.	21	The basal conditional purchase was gazetted forfeited for non-fulfilment of the condition of residence. (92-23,098 Dep.)
Stephen Monck ...	40 0 0	92	Wallagoot ...	Auckland ...	Bega, 19th April, 1883; 42	21	} At date of application the original conditional purchase was not registered in the conditional purchaser's name, but in that of his wife. (90-3,211 Dep.; 90-24,859 Dep.)
Stephen Monck ...	40 0 0	115	Wallagoot ...	Auckland ...	Bega, 18th December, 1884; 143	21	
Stephen Monck ...	40 0 0	122	Wallagoot ...	Auckland ...	Bega, 10th February, 1887; 4...	<sup>48</sup> Vic. No. 18 42	



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
John Malcolm M'Intosh (now Thomas Whitehead).	a. r. p. 38 2 26	57	Pialligo ...	Murray ...	Queanbeyan, 28th July, 1870 ; 2,571.	25 Vic. No. 1. 13	The portion applied for is found after amendment of survey to contain less than 40 acres. (90-1,700 Dep.) The additional conditional purchases are separated from the original conditional purchase by a freehold of 30 acres, portion 26. (89-27,001 Dep.) The conditional purchase was gazetted lapsed on 5th March, 1888, for non-receipt of declaration, The lapsing was provisionally reversed by the Minister on 29th March, 1888. Subsequently (on the 12th April, 1888), the land was applied for by R. P. Johnston as a conditional lease, which was confirmed in ignorance of the fact of the action taken to restore Noyes' conditional purchase. As the law did not permit of a provisional reversal of forfeiture, and the Act 55 Vic. No. 1 does not meet the case, Noyes' conditional purchase requires validation. (93-10,351 Ls.)
William John Neeley (now Bank of New South Wales).	40 0 0	68	Tarago ...	Argyle ...	Goulburn, 25th February, 1862 ; 1,449.	21	
Henry Noyes (now George Noyes).	40 0 0	69	Tarago ...	Argyle ...	Goulburn, 1st April, 1862 ; 1,986	21	
	40 0 0	162	Talagandra ...	Murray ...	Yass, 28th June, 1883 ; 54 ...	14	
George Roberts (now the Bank of New Zealand).	172 0 0	95	Broadwater ...	Rous ...	Lismore, 5th October, 1882 ; 631	21	The land was not open for conditional purchase at date of application, being held by T. C. Bagot, under application for conditional purchases 82-579 and 82-597, which applications were subsequently withdrawn. (90-3,416 Dep.)
John Henry Secomb ...	40 0 0	39	Wittitrin ...	Dudley ...	Kempsey, 25th April, 1878 ; 111	21	The original conditional purchase (72-153) was not registered in applicant's name at date of application for this additional conditional purchase. (90-1,736 Dep.)
Annie Elizabeth Smith ...	69 1 0 130 3 0 132 3 0	332 } 325 } 327 }	Wallendoon ...	Harden ...	Young, 15th March, 1883 ; 21 ...	13	The land applied for formed part of reserve No. 28, which was cancelled on 12th February, 1883 ; the cancellation, however, was rescinded on 12th March, 1883, three days prior to date of application for the conditional purchase. (90-4,572 Misc.)
William Stenz (now Commercial Banking Company of Sydney).	204 0 0	70	Eden ...	Gough ...	Inverell, 18th March, 1880 ; 9 ...	13	At date of application for this conditional purchase the applicant held another incomplete conditional purchase (79-65) under section 13 of Act 25 Victoria No. 1, and his title has never been questioned. (89-22,488 Dep. ; 91-2,469 Cor.)
Charles Henry Thatcher ...	100 0 0	part of 133	Braulin ...	Forbes ...	Forbes, 1st April, 1880 ; 40 ...	14	A Select Committee in their report to Parliament recommended the case for the favourable consideration of the Government, but as the conditional purchases had been gazetted forfeited and subsequently selected by one Mary Zelpha Walker, who also forfeited her claim, validation of Charles Henry Thatcher's title is necessary. (90-4,715 Cor.)
	147 3 0	part of 133			Forbes, 12th August, 1880 ; 112	21	
	40 0 0	161			Forbes, 14th April, 1881 ; 95 ...	21	
	40 0 0	160			Forbes, 21st April, 1881 ; 104 ...	21	

Crown Lands Purchases and Leases Validation.



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
The Brooksdale Coal, Shale, Iron Mining Company.	a. r. p.					25 Vic. No.	The necessary expenditure in mining operations was not effected during the three years' term, but the full amount, equal to £2 per acre, was effected within five years. (91-11,134 Dep.)
	40 0 0	164	Clwyd ...	Cook ...	Lithgow, 28th July, 1881; 67...	19	
	40 0 0	166			Lithgow, 15th Sept., 1881; 80...	19	
	40 0 0	167			Lithgow, 15th Sept., 1881; 81...	19	
	60 0 0	168			Lithgow, 6th October, 1881; 84	19	
	75 0 0	24			Lithgow, 27th October, 1881; 98	19	
	75 0 0	25			Lithgow, 27th October, 1881; 99	19	
	60 0 0	27			Lithgow, 3rd Nov., 1881; 102...	19	
40 0 0	26	Lithgow, 3rd Nov., 1881; 103...			19		
Western Kerosene Oil Company, Limited (now New South Wales Shale and Oil Company).	180 0 0	104, 137	Hartley...	Cook ...	Lithgow, 24th October, 1867; 2,580.	19	The two portions embraced by the mineral conditional purchase do not adjoin one another, but are now connected by other portions with which they have been consolidated. (89-3,672 Cor.)
George Early Backhouse ...	600 0 0	1	Merilba ...	Kennedy ...	Parkes, 22nd December, 1887; 112.	48 Vic. No 18. 26	The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
John Baldock ...	44 0 0	10	Wallabadah ...	Buckland ...	Murrundi, 31st December, 1885; 47.	26	Within the suburban boundaries of the village of Wallabadah at date of application, but such boundaries having been modified the purchase is not now situated therein. (90-8,555 Dep.; 91-1,254 Dep.)
Lucy Elizabeth Botterill ...	640 0 0	9	Bimbeen ...	Gipps ...	Condobolin, 8th May, 1890; 50	26	This application was received by the Land Agent at 1.30 p.m., at which hour the office was legally closed; but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
Samuel John Botterill ...	640 0 0	7	Younga Plain ...	Gipps ...	Condobolin, 8th May, 1890; 46	26	The application was received by the Land Agent at 1.30 p.m., at which hour the office was legally closed; but the Land Agent's error was not discovered till long after the application was confirmed. (92-9,005 Dep.)
William Earnshaw Botterill...	640 0 0	7	Bimbeen ...	Gipps ...	Condobolin, 8th May, 1890; 49	26	This application was received by the Land Agent at 1.30 p.m., at which hour the office was legally closed; but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
George Bouchier ...	40 0 0	200	Vulcan ...	Westmoreland...	Lithgow, 24th January, 1889; 10.	42	The original conditional purchase was not, at date of application, registered in Bouchier's name; but the defect was not discovered till long after date of confirmation. (92-13,589 Dep.)
Samuel Clift ...	135 1 0	162	Clift ...	Buckland ...	Tamworth, 24th June, 1886; 104.	42	The land is situated within the boundaries of water reserve 1,608, notified on 28th June, 1880. (90-6,645 Dep.)

Crown Lands Purchases and Leases Validation.



## SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Oscar De Aubert Cayirelys (now the Commercial Banking Company of Sydney).	a. r. p. 80 0 0	37	Munderoo ...	Selwyn ...	Albury, 22nd July, 1886; 41...	48 Vic. No. 18. 42	Situated within the leasehold area of Jingellic pastoral holding. (90-17,544 Dep.)
Margaret Frances Daly (now Annie Daly).	40 0 0	7	Sherwood ...	Fitzroy ...	Grafton, 1st July, 1886; 99 ...	26	The land applied for encroaches to the extent of about 9 acres upon reserve No. 1,076, notified 21 January, 1884. (89-27,629 Dep.)
Arthur Swift Darby ...	63 2 0	16	Gladstone ...	Darling ...	Tamworth, 23rd September, 1886; 123.	42	Does not adjoin the previous conditional purchases of the series in virtue of which it was made. (90-2,918 Dep.)
John Ditton (now Albert Whitby Simpson).	50 0 0	29	Falconer ...	Sandon ...	Armidale, 20th August, 1885; 59.	42	Encroaches to the extent of about 17 acres upon water reserve 46, extended, notified on 14th November, 1871. (90-8,461 Dep.)
Flint Davidson ...	100 0 0	83	Piallamore ...	Parry ...	Tamworth, 5th November, 1885; 70.	42	The conditional purchase in question was applied for in virtue of a former additional conditional purchase, the original of which was not registered in the conditional purchaser's name. (91-1,703 Dep.)
Patrick Egan ...	100 0 0	...	Wilbetree ...	Phillip ...	Mudgee, 7th August, 1890; 38	26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)
John Elliott Forbes, deceased (now R. Armstrong and W. M. Royse).	40 0 0	60	Baan Baa ...	Pottinger ...	Narrabri, 6th August, 1885; 3..	26	The land at date of application formed part of village reserve No. 1,936, notified on 13th February, 1884. (88-20,711 Dep.)
John Ford ...	60 0 0	114	Billinudgel ...	Rous ...	Murwillumbah, 11th August, 1887; 26.	42	The basal conditional purchase did not stand in Ford's name at date of application, having been transferred by way of mortgage to the Bank of New South Wales. (92-22,929 Dep.)
Catherine Ellen Fowler ...	57 0 0	196	Couridjah ...	Camden ...	Picton, 13th December, 1888; 76.	42	At date of application the basal conditional purchase did not stand in applicant's name. (C.S. 93-5,584 Dep.)
Donald Fraser... ..	640 0 0	13	Younga Plain ...	Gipps ...	Condoblin, 8th May, 1890; 48	26	This application was received by the Land Agent at 1.30 p.m., at which hour the office was legally closed, but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)

Crown Lands Purchases and Leases Validation.

57° VICTORIAE, No. 9.



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
John Halloran ... ..	a. r. p. 100 0 0	...	Wilbetree	Phillip ...	Mudgee, 7th August, 1890; 52	48 Vic. No. 18 26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)
Hermann Hallman ... ..	49 3 0	58	Dinoga ...	Murchison ...	Bingara, 24th February, 1887; 6	26	} Situated partly within travelling stock reserve No. 370, notified on 1st July, 1874. (89-28,224 Dep.)
Hermann Hallman ... ..	50 2 0	59	Dinoga ...	Murchison ...	Bingara, 23rd June, 1887; 14...	42	
James Hassett... ..	100 0 0	& 38	Wallace	Wynyard	Tumut, 15th July, 1886; 69	42	Applicant was not the registered holder of the basal conditional purchase at date of application. (92-26,543 Dep.)
Richard Hollow ... ..	250 0 0	...	Wilbetree	Phillip ...	Mudgee, 7th August, 1890; 40	26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)
Thomas Murdoch ... ..	500 0 0	3	Merilba	Kennedy	Parkes, 9th February, 1888; 6	26	The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
John Murphy ... ..	59 0 0	229	Bala	King ...	Burrowa, 6th August, 1885; 22	42	At date of confirmation of the conditional purchase (85-22), an adjoining original conditional purchase (84-186), made by the selector, under the repealed Land Acts, was held to be void, but such voidance was subsequently reversed, and, as Murphy could not legally hold two originals, it has been decided to alter the section under which application was made for conditional purchase 85-22, and allow it to be held as an additional to conditional purchase 84-186 which it adjoins. (90-16,290 Dep.)
Frank Stavers Mitchell ... ..	473 0 0	15	Thuara ...	Clyde ...	Brewarrina East, 16th January, 1890; 1.	42	The land formed part of water reserve 475, notified 6th October, 1879, and cancelled on 14th December, 1889, and consequently sixty clear days had not elapsed at date of application, and the land was not therefore legally available for conditional purchase— <i>vide</i> section 102, Act of 1884. (C.S. 93-6,493 Dep.)
John M'Culloch ... ..	107 3 3	236	Muttama	Harden...	Cootamundra, 11th February, 1892; 16.	47	The application was for a measured portion, which portion is intersected by the Cootamundra to Gundagai railway line, and the conditional purchase should therefore have been restricted to one side of the line. (C.S. 93-16,913 Dep.)

Crown Lands Purchases and Leases Validation.

57<sup>th</sup> VICTORIAE, No. 9.



## SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
William Meyers ... ..	a. r. p. 98 3 0	16, 17	Tumut ... ..	Wynyard ... ..	Tumut, 10th February, 1887 ; 9	48 Vic. No. 18 26	The land is situated partly within a reserve for camping and water, notified under general notice of 24th December, 1861, and also wholly within reserve from sale pending completion of the Census of 1881, notified 6th April, 1881. (90-8,813 Dep.)
Annie Nash O'Brien ... ..	715 2 0	56, 60, 102, 103	Narrow Plains	Denison ... ..	Corowa, 6th August, 1885 ; 14	26	Forfeiture was Gazetted 4th December, 1890, for non-fulfilment of the condition of residence ; a Select Committee inquired into the case, and their report which was adopted by the House recommended validation of the conditional purchases. C.S. 93, 463 Corr.
Annie Nash O'Brien ... ..	142 3 0			106	Narrow Plains...	Denison ... ..	
Bernard O'Neill ... ..	140 1 0	29	Ferrier .. ..	Buckland ... ..	Gunnedah, 20th May, 1886 ; 31	42	The land was at date of application included in travelling stock reserve No. 9, extended, notified 20th December, 1872. (91-1,704 Dep.)
William Philp... ..	100 0 0	62	Roumalla ... ..	Hardinge ... ..	Armidale, 4th November, 1886 ; 163.	26	The application was made under the 26th section of the Act of 1884, but through a misapprehension the condition of residence was not carried out. As, however, the case is one of hardship the section has been altered to 42nd, so as to allow applicant to hold the conditional purchase in virtue of his original conditional purchase 79-24, which is under mortgage, and stands in the name of the Bank of New South Wales. (90-21,847 Dep.)
George William Russell ..	40 0 0	36	Falconer ... ..	Sandon ... ..	Armidale, 20th August, 1885 ; 55.	42	Encroaches to the extent of about 15 acres upon water reserve 46, as extended, notified 14th November, 1871. (90-8,461 Dep.)
Checkley Hodges Ratliff ...	75 2 0	15	Tumut ... ..	Wynyard ... ..	Tumut, 10th February, 1887 ; 11	26	The land is situated wholly within a reserve for camping and water, notified under general notice of 24th December, 1861, and also wholly within reserve from sale pending completion of the Census of 1881, notified 6th April, 1881. (90-8,815 Dep.)
Frederick William Reid ...	100 0 0	14	Craven ... ..	Gloucester ... ..	Strout, 2nd December, 1886 ; 92	42	Within the Barrington gold-field. Reserved from conditional purchase 10th September, 1879. (92-26,724 Dep.)
Caroline Smith ... ..	640 0 0	5	Bimbeen ... ..	Gipps ... ..	Condobolin, 8th May, 1890 ; 47	26	This application was received by the Land Agent at 1:30 p.m., at which hour the office was legally closed, but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
The Australian Mortgage, Land, and Finance Company (Limited).	1,181 0 0	21	Cowal ... ..	Gipps ... ..	Condobolin, 26th November, 1891 ; 131.	42	The basal conditional purchase did not, at date of application, stand in the company's name. (C.S. 93-15,887 Dep.)



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
The Bank of New South Wales	a. r. p. 60 2 0	224	Elrington ...	St. Vincent ...	Braidwood, 27th October, 1887; 38.	48 Vic. No. 18 42	The application was lodged and confirmed in the name of John O'Heire, who had, however, transferred the basal conditional purchase by way of mortgage to the Bank of New South Wales. (C.S. 93-8,789 Dep.)
The Bank of New South Wales	285 0 0	12	Whyaddra ...	Dowling ...	Condobolin, 30th August, 1888; 50.	42	The application was made by Edward Henry Moulder, who had transferred by way of mortgage the basal conditional purchase to the Bank of New South Wales. (92-24,832 Dep.)
The Commercial Banking Company of Sydney.	40 0 0	96	Puen Buen ...	Auckland ...	Bega, 30th September, 1886; 72	42	The application was made by William Francis Coman, who had transferred by way of mortgage the basal conditional purchase to the Commercial Banking Company of Sydney. (92-26,672 Dep.)
Charles Bede Trefle ...	80 0 0	154	Trigalong ...	Bland ...	Cootamundra, 25th June, 1890; 59.	26	Within water reserve 2,201, notified 8th November, 1880. (92-26,594 Dep.)
Charles Bede Trefle ...	66 0 0	153	Trigalong ...	Bland ...	Cootamundra, 25th June, 1890; 60.	42	
Alexander Hugh Watson ...	92 1 0	18, 19	Tumut ...	Wynyard ...	Tumut, 3rd March, 1887; 15...	26	The land is situated wholly within a reserve for camping and water, notified under general notice of 24th December, 1861, and also wholly within reserve from sale pending completion of the Census of 1881, notified 6th April, 1881. (90-8,814 Dep.)
Benjamin Woodhouse ...	50 0 0	16	Ingebirah ...	Wallace ...	Cooma, 7th August, 1890; 314	26	Owing to defective charting of travelling stock reserve No. 925, the measurement of this portion encroached on the said travelling stock reserve. (92-8,751 Dep.)
Thomas William Whitehead...	80 0 0	115	Greg Greg ...	Selwyn ...	Albury, 17th Dec., 1885; 65 ...	42	The land is situated within the external boundaries of the Bringenbrong pastoral holding leasehold area, which was not known to the Land Board when the application was confirmed. (92-6,989 Dep.)
Thomas Williams ...	68 0 0	.....	Wilbree ...	Phillip ...	Mudgee, 7th August, 1890; 46	26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)

Crown Lands Purchases and Leases Validation.

57<sup>o</sup> VICTORIAE, No. 9.



SCHEDULE B.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
Henry Althofer ... ..	a. r. p. 720 0 0	35	Mumbil ...	Wellington ...	5,372 (85-4)	Wellington	9th February, 1885.	9th August, 1886	48 Vic. No. 18. 54	At date of application the basal conditional purchases stood in the name of the Bank of New South Wales, to which Bank they had been transferred by way of mortgage by Althofer. (Leases 92-10,326.)
William O'Dillon Ambrose (now Bank of New South Wales).	1,200 0 0	63	Talmoi ...	Courallie ...	12,279 (85-54)	Moree ...	20th March, 1885.	27th October, 1885.	54	This lease was confirmed before survey, but upon survey it was found that as confirmed the lease encroached to the extent of 116 acres on water reserve 445 in existence at date of application, but since revoked. (Leases 91-1,227.)
William O'Dillon Ambrose (now Bank of New South Wales).	600 0 0	62	Talmoi ...	Courallie ...	12,938 (85-112)	Moree ...	27th August, 1885.	29th October, 1885.	48	This lease was confirmed before survey, but upon survey it was found to encroach to the extent of 37 acres on water reserve 445 in existence at date of application for the lease, but since revoked. (Leases 91-1,227.)
Lucy Elizabeth Botterill ...	1,920 0 0	10	Bimbeen ...	Gipps ...	15,325 (90-41)	Condobolin	8th May, 1890	28th January, 1891.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was not legally open, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
Samuel John Botterill ...	1,920 0 0	8	Younga Plain	Gipps ...	14,656 (90-37)	Condobolin	8th May, 1890	30th October, 1890.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was legally closed, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
William Earnshaw Botteril ..	1,920 0 0	8	Bimbeen ...	Gipps ...	..... (90-40)	Condobolin	8th May, 1890	19th January, 1891.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was not legally open, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)

Crown Lands Purchases and Leases Validation.

57° VICTORIÆ, No. 9.



SCHEDULE B—continued.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
Oscar De Aubert Cayirelys (now the Commercial Banking Company of Sydney).	a. r. p. 240 0 0	2	Munderoo ...	Selwyn ...	10,396 (86-18)	Albury ...	22nd July, 1886.	31st October, 1888.	48	Situated within the external boundaries of the leasehold area of Jingellic pastoral holding. (Leases 92-6,488.)
Thomas Coughlan ... ..	195 0 0	144	Quialigo ...	Argyle ...	10,490 (86-28)	Goulburn	15th April, 1886.	6th December, 1886.	48	This is the second conditional lease confirmed in virtue of one conditional purchase. (Leases 88-4,799.)
William Crapp ... ..	1,920 0 0	Not numbered.	Saltash ...	Sandon ...	10,593	Armidale	20th January, 1885.	.....	52	The conditional purchase in virtue of which the lease was applied for was transferred to the applicant subsequent to 15th July, 1884. (Leases 91-7,803.)
William Ditchfield (now Edwin Ditchfield).	174 0 0	84	Napier ...	Urana ...	7,114 (85-64)	Urana ...	31st March, 1885.	24th July, 1886.	54	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 92-549.)
Thomas Downes (now the Commercial Banking Company, Sydney).	96 1 0	201	Alton ...	King ...	10,528 (86-84)	Burrowa	2nd September, 1886.	27th May, 1887	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 91-1,239.)
Patrick Filand ... ..	268 1 0	192, 193	Cullarin ...	King ...	10,495 (86-40)	Gunning	14th October, 1886.	7th December, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchases. (Leases 88-1889.)
Patrick Filand ... ..	64 1 0	50	Cullarin ...	King ...	10,496 (86-41)	Gunning	14th October, 1886.	16th August, 1887.	48	This is the third conditional lease confirmed in virtue of the same conditional purchases. (Leases 90-7,439.)
John Elliott Forbes (now R. Armstrong and W. M. Royse).	113 0 0	86	Tulla Mullen..	Pottinger ...	2,738 (85-17)	Narrabri	11th August, 1885.	16th October, 1885.	48	The greater part of the land was notified as village reserve on 23 September, 1885, prior to date of confirmation. (90-15,516 Ms.)
Donald Fraser ... ..	1,920 0 0	13	Younga Plain	Gipps ...	14,760 (90-39)	Condobolin	8th May, 1890	31st October, 1890.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was not legally open, but the lands agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)

Crown Lands Purchases and Leases Validation.

57° VICTORIA, No. 9.



SCHEDULE B—continued.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
James Gorham ... ..	a. r. p. 45 2 0	200	Ware...	King ...	10,484 (86-59)	Burrowa..	1st July, 1886	27th May, 1887	48 48 Vic. No. 18.	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-7,944.)
Henry Gregory ... ..	530 3 0	107, 111	Osborne ...	Denison ...	2,714 (85-42)	Corowa...	4th March, 1885.	3rd October, 1885.	54	The conditional lease was confirmed in two separate and distinct parts. (92-14 Ls.)
Henry Herbert ... ..	60 0 0	252	Uringalla ...	Argyle ...	10,487 (85-132)	Goulburn	10th December, 1885.	11th May, 1887	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-4,800.)
William Kelly... ..	100 0 0	125	Wallah ...	King ...	10,485 (86-71)	Burrowa..	29th July, 1886	26th October, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase (Leases 88-995.)
Alexander S. Manning ...	1,425 0 0	.....	Mikibri ...	Kennedy ...	3,248 (85-25)	Parkes ...	27th August, 1885.	11th November, 1885.	48	Partly within the leasehold area of Goobang holding and therefore not open to conditional lease at date of confirmation. (C.S. 90-8,787 Dep.)
Frederick Gibson Manning ...	480 0 0	.....	Mickibri, Davison	Kennedy ...	4,993 (85-61)	Parkes ...	31st December, 1885.	4th March, 1886.	48	Partly within the leasehold area of Goobang holding and therefore not open to conditional lease at date of confirmation. (Leases 91-7,913.)
Neil M'Donald ... ..	281 0 0	.....	Tarramia ...	Denison ...	2,710 (85-72)	Corowa...	30th March, 1885.	5th October, 1885.	54	This is the second conditional lease confirmed in virtue of the same conditional purchase. (91-4,910 Mis.)
James M'Donald ... ..	120 0 0	179	Tarlo... ..	Argyle ...	10,488 (86-21)	Goulburn	23rd March, 1886.	11th May, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-4,801.)
Frank Stavers Mitchell ...	806 0 0	16	Thuara ...	Clyde ...	18,457 (90-1)	Brewarrina East ...	16th January, 1890.	30th September, 1891.	48	The land formed part of water reserve 475, notified 6th October, 1879, and cancelled on 14th December, 1889, consequently sixty clear days had not elapsed at date of application, and the land was not therefore legally available for conditional lease. <i>Vide</i> section 102 Act of 1884. (C.S. 93-6,498 Dep.)
Thomas Murdoch ... ..	1,500 0 0	4	Merilba ...	Kennedy ...	9,778 (88-6)	Parkes ...	9th February, 1888.	9th August, 1888.	48	The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
Christopher O'Leary, jun. ...	60 0 0	168	Numby ...	King ...	10,486 (87-12)	Burrowa	24th March, 1887.	26th October, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-996.)

Crown Lands Purchases and Leases Validation.



SCHEDULE B—continued.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
John O'Mara ... ..	a. r. p. 80 0 0	141	Quialigo ...	Argyle ...	10,491 (86-29)	Goulburn	20th April, 1886.	10th January, 1887.	48 Vic. No.18. 48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 89-5,654.)
William Peasley ... ..	1,516 0 0	14 & 15	Merilba ...	Kennedy ...	16,829 91-4	Parkes ...	21st January, 1891.	3rd September, 1891.	48	The portions encroach on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
Frederick William Reid ... ..	95 0 0	15	Craven ...	Gloucester ...	10,420 (86-17)	Stroud ...	2nd December, 1886.	9th March, 1888.	48	Within the Barrington Goldfield. Reserved from conditional purchase 10th September, 1879, and therefore not open to conditional lease. (92-26,724 Dep.)
Andrew Shean, jun. ... ..	1,500 0 0	13	Merilba ...	Kennedy ..	14,272 (90-20)	Parkes ...	20th February, 1890.	12th July, 1890.	48	The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
Caroline Smith ... ..	1,920 0 0	6	Bimbeen ...	Gipps ..	15,324 (90-38)	Condobolin	8th May, 1890	28th January, 1891.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was legally closed, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
John Thomas Sullivan, jun....	200 0 0	173	Merrill ...	King ... ..	10,494 (86-32)	Gunning .	31st August, 1886.	7th December, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 89-1,475.)
Thomas Walsh ... ..	413 3 0	109, 116 117, 118	Dungog ...	Durham ...	17,249 (91-1)	Dungog...	15th January, 1891.	10th March, 1891.	48	The basal conditional purchase together with the series was eight days prior to application transferred by Walsh to the Bank of New South Wales. (93-3,940 Ls.)
William Watson ... ..	622 0 0	2, 9	Carwoola ...	Murray ...	8,677 (86-21)	Quean- beyan.	2nd November, 1886.	23rd March, 1888.	48	The land is situated within part of the Gundaroo gold-field which was not open to conditional lease. (Leases 90-7,981.)
James Williams ... ..	142 1 0	105	Leighwood ...	Georgiana ...	10,493 (86-47)	Goulburn.	22nd July, 1886	15th March, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 86-4,803.)
Benjamin Woodhouse ... ..	150 0 0	17	Ingebirah ...	Wallace ...	16,520 (90-206)	Cooma ..	7th August, 1890.	27th May, 1891	48	Owing to defective charting of travelling stock reserve 925, the measurement of the portion encroached on the said travelling stock reserve. (92-8,751 Dep.)

Crown Lands Purchases and Leases Validation.



## SCHEDULE C.

Name.	Description.				District.	Place of sale.	Date of sale.	Cause of illegality.
	Area.	Portion.	Parish.	County.				
John Bassett Christian ...	a. r. p. 280 0 0	69	Borambil ...	Buckland ...	Murrurundi ...	Murrurundi ...	8th March, 1886	<p>{ The land at date of sale was not legally available for auction sale, being at that time held as a conditional purchase. (90-5,468 Cor.)</p> <p>The land at date of sale was not available for auction sale, having been 44 days previously notified as part of travelling stock reserve 1,442. (93-8,883 Aln.)</p>
William Bassett Christian ...								
William Martin Christian ...								
James Gibb ...	219	Berthong ...	Bland... ...	Young ...	Young... ...	23rd Oct., 1878		

## SCHEDULE D.

Name.	Area.	Allotment.	Section.	County.	Parish.	Situation.	Cause of illegality.
Mary Ann Miller (widow) ...	a. r. p. 0 3 0	2	21	Murchison ...	Bingara ...	In the town of Bingara, fronting Keera-street.	There is no provision in the Land Acts for such a sale without competition. The land is sold to the purchaser in lieu of the same area of her original allotments, which is found to be below the level of the river Gwyder. (90-9,229 Aln.)

## SCHEDULE E.

Name of Grantee.	Area.	Situation.	Date of issue of Grant.	Cause of illegality.
The Secretary of the Australian Gaslight Company.	a. r. p. 0 0 1 $\frac{1}{4}$	At Woolloomooloo, parish of Alexandria, city of Sydney, the parcel of land within the following boundaries: Commencing on the east side of Bourke-street at a point 10 feet southerly from its intersection with the south side of Griffiths-street and bounded thence by the east side of Bourke-street bearing northerly 10 feet, on the north by the southern side of Griffiths-street bearing easterly 71 feet, and on the south-east by a line bearing south-westerly, to the point of commencement.	25th October, 1869.	This land was sold to the Australian Gaslight Company under the provisions of section eleven of the "Crown Lands Alienation Act of 1861" as adjoining land evidently assumed to have been held by that Company in fee simple, whereas although the latter had been agreed to be alienated the alienation had not taken place.



## SCHEDULE F.

Name.	Description.				District, date, and number of Improvement Purchase.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Bishop Lyne ...	a. r. p. 640 0 0	7	Dandaloo ...	Kennedy ...	Parkes. 25th April, 1881. 15 ...	39 Vic. No. 13 2	The portion at date of application and date of issue of deed of grant formed part of water reserve 458. (93-2,102 Mis. Dep.)

## SCHEDULE G.

Name of proposed Grantee.	Area.	Situation.	Reason for issuing Grant.
The Secretary of the Australian Gaslight Company.	a. r. p. 0 0 14 $\frac{3}{4}$	At Woolloomooloo, parish of Alexandria, city of Sydney, the parcel of land within the following boundaries: Commencing on the east side of Bourke-street at a point 10 feet southerly from its intersection with the south side of Griffiths-street, and bounded thence on the west by the east side of Bourke-street bearing southerly to the north-west corner of the Australian Gaslight Company's allotment of 19 $\frac{1}{2}$ perches; thence by the northern boundary of that allotment, and that Company's allotment of 8 perches to the north-east corner of the latter allotment; thence by a line bearing northerly to Griffiths-street at the east corner of the allotment of 1 $\frac{1}{4}$ perches sold to the Gas Company under the eleventh clause of the Act of 1861; and thence by the south-eastern boundary of that allotment bearing south-westerly to the point of commencement.	In pursuance of a proposal made in the year 1867 by the then Minister for Lands, and agreed to by the Australian Gaslight Company in the year 1868, the land should have been included in the Schedule to Act 37 Victoria No. 2, intituled " <i>An Act to authorize certain grants of Land to be made by way of compensation for losses of Water-frontage in Woolloomooloo Bay,</i> " from which it would appear to have been inadvertently omitted.

*In the name and on the behalf of Her Majesty I assent to this Act.*

*Government House,  
4th March, 1894.*

*R. W. DUFF,  
Governor.*



Name of the person or firm	Address	Description of the property	Value	Date of valuation	Remarks
The Corporation of the City of Victoria	Government Buildings, Victoria	The Corporation of the City of Victoria	100,000	1861	The Corporation of the City of Victoria
The Corporation of the City of Victoria	Government Buildings, Victoria	The Corporation of the City of Victoria	100,000	1861	The Corporation of the City of Victoria
The Corporation of the City of Victoria	Government Buildings, Victoria	The Corporation of the City of Victoria	100,000	1861	The Corporation of the City of Victoria

In the name and on the behalf of Her Majesty the Queen to His Majesty's  
 R. W. DUFF,  
 Controller-General of the Public Works, Victoria, 1861.



CROWN LANDS PURCHASES AND LEASES VALIDATION BILL.

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*SCHEDULE of Amendments referred to in Message of 15th February, 1894.*

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Page 3, clause 6. At end of clause *add* “or to validate any pending application  
“ which has not been confirmed.”

Page 3, clause 8, line 18. *Omit* “1893” *insert* “1894”

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*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber,  
Sydney, 5 December, 1893.* }

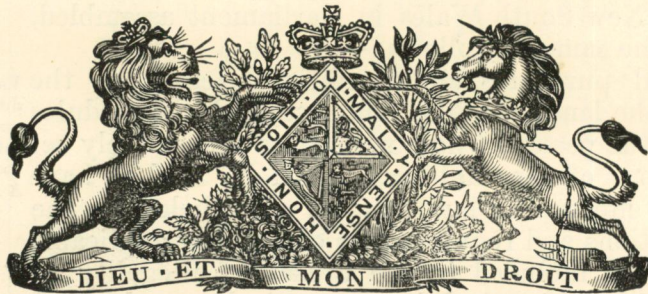
F. W. WEBB,  
*Clerk of the Legislative Assembly.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.*

*Legislative Council Chamber,  
Sydney, 15th February, 1894.* }

JOHN J. CALVERT,  
*Clerk of the Parliaments.*

## New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

No.

An Act to legalize certain Conditional Purchases and Conditional Leases and Auction and other Purchases of Crown Lands, and to validate certain Crown grants in connection therewith; to confer special powers of reference to the Local Land Board and the Land Appeal Court where necessary; to permit the reversal of forfeiture of certain Conditional Purchases and Conditional Leases; to authorise the sale of certain Crown Lands and the issue of Crown grants therefor; and to authorise the granting of certain Crown Land by way of compensation.

**W**HEREAS the persons whose names are mentioned in Schedules <sup>Preamble.</sup>  
A and B hereto have made, or applied to make, conditional purchases or conditional leases of certain Crown lands, and the said purchases or leases, or applications therefor, as the case may be, <sup>5</sup> have been found to be either wholly, or in part, illegal, or have been forfeited, for the causes respectively specified in the said Schedules: And whereas the persons whose names are mentioned in Schedule C hereto have purchased, or intended to purchase, at auction, certain Crown lands, but the said purchases are illegal <sup>10</sup> for the causes specified in the said Schedule: And whereas the sale of the land specified in Schedule D hereto is not authorised by the law: And whereas the sale and grant of the land specified in

109—A

in

NOTE.—The figures to be omitted are ruled through; the words and figures to be inserted are printed in black letter.



*Crown Lands Purchases and Leases Validation.*

in Schedule E hereto, which purported to have been made and issued under the provisions of section eleven of the "Crown Lands Alienation Act of 1861," were illegal: And whereas it is just and expedient that the sale of, or the respective titles to, or the applications for, the lands  
 5 aforementioned should be authorised or made good and valid: And whereas the sale and grant of the land specified in Schedule F hereto which purported to have been made and issued under the provisions of section two of the "Lands Acts Amendment Act of 1875" were  
 10 illegal: And whereas it is desirable that the land specified in Schedule G should be granted to the company therein mentioned: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

15 1. The conditional purchases and conditional leases, or the applications therefor of the lands specified and described in Schedules A and B to this Act by the persons whose names are respectively set opposite to the descriptions of the said lands shall be held to have  
 20 been and to be valid and effectual in law, subject, nevertheless, to the performance of the conditions and requirements of any law applicable thereto, except the matters included in the causes of illegality or forfeiture described in the said Schedules respectively; and where any such conditional purchases or conditional leases have been notified as forfeited the forfeiture shall be reversed, and the reversal thereof  
 25 shall relate back to the date of notification of such forfeiture in the *Government Gazette*. Upon reference by the Minister to the Local Land Board (as constituted under the Crown Lands Acts) of any of the aforementioned applications, which at the passing of this Act have not been confirmed, such Board shall deal therewith, and if no other valid  
 30 objection be found to exist shall confirm the same: Provided that the provisions of the Crown Lands Acts with respect to appeals or references to the Land Appeal Court shall apply in such cases.

Validation of conditional purchases and leases or applications therefor specified in Schedules A and B.

Reference to Land Board or Land Appeal Court.

2. The purchase at auction of the lands specified and described  
 in Schedule C to this Act by, and the grants of such lands to, the persons  
 35 whose names are set opposite to the descriptions of the said lands are hereby declared to have been and to be valid and effectual in law.

Validation of purchases at auction specified in Schedule C.

3. The Governor, with the advice of the Executive Council, may  
 sell and grant the land described in Schedule D hereto to the person  
 whose name is set opposite to the description of the said land at the  
 40 price of fifteen pounds, and a deed fee of one pound; but if the said money be not paid within three months after the passing of this Act the sale shall be void, and no grant shall issue in respect thereof.

Validation of sale specified in Schedule D.

4. The sale and grant of the lands specified in Schedules E  
 and F to this Act are hereby declared to have been and to be valid and  
 45 effectual in law.

Validation of sale specified in Schedules E and F.

5. The Governor, with the advice of the Executive Council, may grant the land described in Schedule G to this Act to the Australian Gas-light Company (in the name of the secretary thereof and subject to the terms of the Australian Gas-light Company's Acts) in pursuance  
 50 of a proposal made in the year one thousand eight hundred and sixty-seven by the then Minister for Lands, and agreed to by the company in the year one thousand eight hundred and sixty-eight in full compensation for the severance (by the reclamation of such lands) of land adjoining thereto from the waters of Woolloomooloo Bay.

Validation of sale specified in Schedule G.

6. No original conditional purchase existing at the passing of  
 this Act shall be held to have been or to be invalid by reason only  
 that it was applied for by or in the name of two or more persons: No additional conditional purchase existing at the passing of this Act shall be held to have been or to be invalid by reason only that it  
 55 was

Validation of conditional purchases and conditional leases against certain objections.

was



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*Crown Lands Purchases and Leases Validation.*

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- was applied for by virtue of a conditional purchase made under section twenty-two of the "Crown Lands Alienation Act of 1861," whether the combined areas of the freehold and the conditional purchases and conditional leases of the series exceed the area limited by the Crown
- 5 Lands Acts for ordinary conditional purchases and conditional leases or not: No conditional lease existing at the passing of this Act shall be held to have been or to be invalid by reason only that it was applied for by virtue of a conditional purchase of land within a special area:
- 10 Provided that nothing in this section shall operate to revive any application, purchase, or lease which, prior to the passing of this Act has been, and at date of such passing shall stand as, disallowed, refused, withdrawn, or forfeited, or to validate any pending application which has not been confirmed.
- 15 7. Provided that nothing herein shall affect any proceedings, Proviso. either at law or in equity, instituted before the thirty-first day of October, one thousand eight hundred and ninety-three.
8. This Act may be cited as the "Crown Lands Purchases and Short title. Leases Validation Act of 1893 1894."



SCHEDULES.

SCHEDULE A.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Robert William Armour ...	a. r. p. 64 0 0	73	Kowmung ...	Westmoreland...	Lithgow, 17th July, 1884; 58...	25 Vic. No. 1. 21	<p>At date of application for this purchase the original conditional purchase in virtue of which it was made was not registered in the name of the conditional purchaser, but in that of his wife. (90-5,595 Cor. ; 91-332 Cor.)</p> <p>The validity of the conditional purchases is doubtful owing to a judgment of the Supreme Court on 3rd June, 1870, in the case Emery v. Barclay. Deeds have issued for portions 131 and 136. (C.S. 93-21,653 Dep.)</p> <p>The land applied for is within water reserve 1,394, notified 15 January, 1883, and the conditional purchaser made substantial improvements in ignorance of that fact. The Local Land Board now report him to be a <i>bonâ fide</i> selector, and that the reserve is not required in the public interest. (92-3,307 Dep.)</p> <p>Made in virtue of an additional conditional purchase held under section 22 of Act 25 Victoria No. 1. The land was fully improved before the title was questioned. (89-17,658 Misc.)</p> <p>The conditional purchaser was not at date of application the registered holder of the freehold in virtue of which the conditional purchase was taken. A transfer has since been effected. (89-31,689 Dep.)</p> <p>When these additional conditional purchases were applied for, the original in virtue of which they were made was not registered in the name of conditional purchaser, but in that of his wife. (90-2,644 Cor.)</p> <p>This additional conditional purchase does not adjoin the other conditional purchases of the series. Deed of grant has issued. (91-1,080 Dep.)</p> <p>Made in contravention of section 24 of Act 43 Victoria No. 29. (90-5,214 Dep.)</p>
Isaac Barclay ...	54 0 0	131	Illaroo ...	Camden ...	Nowra, 16th July, 1863; 2,132	13	
Isaac Barclay ...	40 0 0	136	Illaroo ...	Camden ...	Nowra, 6th August, 1863; 2,323	21	
Isaac Barclay ...	40 0 0	138	Illaroo ...	Camden ...	Nowra, 20th August, 1863; 2,447	21	
George Bradford ...	80 0 0	73	Buller ...	Acacia ...	Tenterfield, 4th September, 1884; 72.	13	
George Bradford ...	40 0 0	74	Buller ...	Acacia ...	Tenterfield, 18th December, 1884; 108.	21	
Joseph Carberry, junior (now Commercial Banking Company of Sydney).	156 0 0	165	Nowra ...	St. Vincent ...	Nowra, 21st March, 1878; 20...	21	
Joseph Carberry, junior (now Commercial Banking Company of Sydney).	57 1 0	157	Nowra ...	St. Vincent ...	Nowra, 13th May, 1880; 14 ...	21	
John Carey ...	80 0 0	120	Arakoon ...	Macquarie ...	Kempsey, 6th November, 1884; 267.	22	
Thomas George Carter ...	40 0 0	88	Rouchel ...	Durham ...	Scone, 3rd December, 1868; 3,021	21	
Thomas George Carter ...	60 0 0	89	Rouchel ...	Durham ...	Scone, 3rd December, 1868; 3,022	21	
Thomas George Carter ...	40 0 0	17	Rouchel ...	Durham ...	Scone, 6th September, 1883; 54	21	
Thomas George Carter ...	112 2 0	315	Rouchel ...	Durham ...	Scone, 11th March, 1886; 25 ...	48 Vic. No. 18. 42	
Henry Chew ...	175 0 0	208	Wambanumba	Monteagle ...	Young, 20 March, 1884; 23 ...	25 Vic. No. 1. 21	
Andrew Cochrane ...	137 2 33	56	Tiverton ..	Sandon ...	Armidale, 7th August, 1884; 276.	13	

Crown Lands Purchases and Leases Validation.

57<sup>o</sup> VICTORIÆ, No.



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Thomas Cruise (now Bank of New South Wales).	a. r. p. 60 0 0	90	Ditmas ...	Gough ...	Glen Innes, 27th November, 1884; 200.	25 Vic. No. 1. 21	At date of application for this additional conditional purchase the original conditional purchase was not registered in applicant's name. (90-8,668 Dep.)
Owen Cuskely... ..	40 0 0	22	Donald ...	Sandon ...	Armidale, 4th January, 1866; 26.	21	The land embraced by the original conditional purchase not being available at date of application the application was cancelled, but this additional conditional purchase, which should also have been cancelled, was inadvertently allowed to remain on the books as a valid conditional purchase. (90-751 Dep.)
Frederick Dew (now Thomas Reynolds Hutchings).	40 0 0	162	Rodd ...	Pottinger ...	Murrurundi, 19th October, 1871; 3,902.	21	The conditional purchase was located on land other than that described, and is separated from the original conditional purchase by water reserve No. 507. (89-27,878 Dep.)
Emily Douse (now The Bank of New South Wales).	57 2 0	90	Arrawatta ...	Wardera ...	Inverell, 25th June, 1874; 7,150	21	The land had been applied for by one George Binks two minutes before Douse's application was lodged. Binks's application was subsequently withdrawn, owing to non-survey within twelve months. (90-6,510 Dep.)
Martin Flanagan ... ..	80 0 0	152	Yarraman ...	Brisbane ...	Muswellbrook, 22nd February, 1877; 18.	13	An area of 33 acres 1 rood 20 perches of this conditional purchase was included within J. Pike's (now George Ireland's) grant of 627 acres, and has now been purchased by the Crown, with a view to adding it to the conditional purchase, and so making good the title to the full area. (91-264 Cor.)
Michael Flanagan ... ..	50 0 0	23	Yarraman ...	Brisbane ...	Muswellbrook, 6th March, 1873; 2,072.	13	An area of 10 acres of this conditional purchase was included within J. Pike's (now George Ireland's) grant of 627 acres, and has now been purchased by the Crown, with a view to adding it to the conditional purchase, and so making good the title to the full area. (91-264 Cor.)
Neil Gallagher... ..	96 0 0	63	Barrajin ...	Ashburnham ...	Molong, 23 October, 1884; 166	21	} The land is partly within the Cargo population area, and also partly within reserve from conditional purchase proclaimed 4th September, 1877. (92,3,399 Cor.)
Neil Gallagher... ..	84 0 0	64	Barrajin ...	Ashburnham ...	Molong, 30 October, 1884; 169	21	
Eliza Jenkins ... ..	320 0 0	172	Kimo ...	Clarendon ...	Gundagai, 28th September, 1876; 403.	21	The basal conditional purchase was gazetted forfeited for non-fulfilment of the condition of residence. (92-23,098 Dep.)
Stephen Monck ... ..	40 0 0	92	Wallagoot ...	Auckland ...	Bega, 19th April, 1883; 42 ...	21	} At date of application the original conditional purchase was not registered in the conditional purchaser's name, but in that of his wife. (90-3,211 Dep.; 90-24,859 Dep.)
Stephen Monck ... ..	40 0 0	115	Wallagoot ...	Auckland ...	Bega, 18th December, 1884; 143	21	
Stephen Monck ... ..	40 0 0	122	Wallagoot ...	Auckland ...	Bega, 10th February, 1887; 4...	48 Vic. No. 18 42	

Crown Lands Purchases and Leases Validation.



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
John Malcolm M'Intosh (now Thomas Whitehead).	a. r. p. 38 2 26	57	Pialligo...	Murray...	Queanbeyan, 28th July, 1870 ; 2,571.	25 Vic. No. 1. 13	The portion applied for is found after amendment of survey to contain less than 40 acres. (90-1,700 Dep.) The additional conditional purchases are separated from the original conditional purchase by a freehold of 30 acres, portion 26. (89-27,001 Dep.) The conditional purchase was gazetted lapsed on 5th March, 1888, for non-receipt of declaration. The lapsing was provisionally reversed by the Minister on 29th March, 1888. Subsequently (on the 12th April, 1888), the land was applied for by R. P. Johnston as a conditional lease, which was confirmed in ignorance of the fact of the action taken to restore Noyes' conditional purchase. As the law did not permit of a provisional reversal of forfeiture, and the Act 55 Vic. No. 1 does not meet the case, Noyes' conditional purchase requires validation. (93-10,351 Ls.)
William John Neeley (now Bank of New South Wales).	{ 40 0 0	68	Tarago ...	Argyle ...	Goulburn, 25th February, 1862 ; 1,449.	21	
Henry Noyes (now George Noyes).	{ 40 0 0	69	Tarago ...	Argyle ...	Goulburn, 1st April, 1862 ; 1,986	21	
	{ 40 0 0	162	Talagandra ...	Murray ...	Yass, 28th June, 1883 ; 54 ...	14	
George Roberts (now the Bank of New Zealand).	172 0 0	95	Broadwater ...	Rous ...	Lismore, 5th October, 1882 ; 631	21	The land was not open for conditional purchase at date of application, being held by T. C. Bagot, under application for conditional purchases 82-579 and 82-597, which applications were subsequently withdrawn. (90-3,416 Dep.)
John Henry Secomb ...	40 0 0	39	Wittitrin ...	Dudley ...	Kempsey, 25th April, 1878 ; 111	21	The original conditional purchase (72-153) was not registered in applicant's name at date of application for this additional conditional purchase. (90-1,736 Dep.)
Annie Elizabeth Smith ...	{ 69 1 0 130 3 0 132 3 0	{ 332 325 327	Wallendoon ...	Harden...	Young, 15th March, 1883 ; 21...	13	The land applied for formed part of reserve No. 28, which was cancelled on 12th February, 1883 ; the cancellation, however, was rescinded on 12th March, 1883, three days prior to date of application for the conditional purchase. (90-4,572 Misc.) At date of application for this conditional purchase the applicant held another incomplete conditional purchase (79-65) under section 13 of Act 25 Victoria No. 1, and his title has never been questioned. (89-22,488 Dep. ; 91-2,469 Cor.) A Select Committee in their report to Parliament recommended the case for the favourable consideration of the Government, but as the conditional purchases had been gazetted forfeited and subsequently selected by one Mary Zelpha Walker, who also forfeited her claim, validation of Charles Henry Thatcher's title is necessary. (90-4,715 Cor.)
William Stenz (now Commercial Banking Company of Sydney).	204 0 0	70	Eden ...	Gough ...	Inverell, 18th March, 1880 ; 9...	13	
Charles Henry Thatcher ...	{ 100 0 0	{ part of 133	Braulin...	Forbes ...	{ Forbes, 1st April, 1880 ; 40 ...	14	
	{ 147 3 0	{ part of 133			{ Forbes, 12th August, 1880 ; 112	21	
	{ 40 0 0	{ 161			{ Forbes, 14th April, 1881 ; 95 ...	21	
	{ 40 0 0	{ 160			{ Forbes, 21st April, 1881 ; 104 ...	21	

Crown Lands Purchases and Leases Validation.

57° VICTORIÆ, No. 1.



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
The Brooksdale Coal, Shale, Iron Mining Company.	a. r. p.	164	Clwyd ...	Cook ...	Lithgow, 28th July, 1881; 67...	25 Vic. No.	The necessary expenditure in mining operations was not effected during the three years' term, but the full amount, equal to £2 per acre, was effected within five years. (91-11,134 Dep.)
	40 0 0					19	
	40 0 0					19	
	40 0 0					19	
	60 0 0					19	
	75 0 0					19	
	75 0 0					19	
Western Kerosene Oil Company, Limited (now New South Wales Shale and Oil Company).	180 0 0	104, 137	Hartley...	Cook ...	Lithgow, 27th October, 1881; 98 Lithgow, 27th October, 1881; 99 Lithgow, 3rd Nov., 1881; 102... Lithgow, 3rd Nov., 1881; 103... Lithgow, 24th October, 1867; 2,580.	19	The two portions embraced by the mineral conditional purchase do not adjoin one another, but are now connected by other portions with which they have been consolidated. (89-3,672 Cor.)
	George Early Backhouse ...	600 0 0	1	Merilba ...	Kennedy ...	Parkes, 22nd December, 1887; 112.	48 Vic. No 18. 26
John Baldock ...	44 0 0	10	Wallabadah ...	Buckland ...	Murrundi, 31st December, 1885; 47.	26	Within the suburban boundaries of the village of Wallabadah at date of application, but such boundaries having been modified the purchase is not now situated therein. (90-8,555 Dep.; 91-1,254 Dep.)
Lucy Elizabeth Botterill ...	640 0 0	9	Bimbeen ...	Gipps ...	Condobolin, 8th May, 1890; 50	26	This application was received by the Land Agent at 1:30 p.m., at which hour the office was legally closed; but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
Samuel John Botterill ...	640 0 0	7	Younga Plain ...	Gipps ...	Condobolin, 8th May, 1890; 46	26	The application was received by the Land Agent at 1:30 p.m., at which hour the office was legally closed; but the Land Agent's error was not discovered till long after the application was confirmed. (92-9,005 Dep.)
William Earnshaw Botterill...	640 0 0	7	Bimbeen ...	Gipps ...	Condobolin, 8th May, 1890; 49	26	This application was received by the Land Agent at 1:30 p.m., at which hour the office was legally closed; but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
George Bouchier ...	40 0 0	200	Vulcan ...	Westmoreland...	Lithgow, 24th January, 1889; 10.	42	The original conditional purchase was not, at date of application, registered in Bouchier's name; but the defect was not discovered till long after date of confirmation. (92-13,589 Dep.)
Samuel Clift ...	135 1 0	162	Clift ...	Buckland ...	Tamworth, 24th June, 1886; 104.	42	The land is situated within the boundaries of water reserve 1,608, notified on 28th June, 1880. (90-6,645 Dep.)

Crown Lands Purchases and Leases Validation.

57<sup>th</sup> VICTORIAE, NO.



SCHEDULE A—continued.

Name	Description.				District, date, and number of conditional purchase, &c.	Section	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Oscar De Aubert Cayirelys (now the Commercial Banking Company of Sydney).	a. r. p. 80 0 0	37	Munderoo ...	Selwyn ...	Albury, 22nd July, 1886; 41...	48 Vic. No. 18. 42	Situated within the leasehold area of Jingellic pastoral holding. (90-17,544 Dep.)
Margaret Frances Daly (now Annie Daly).	40 0 0	7	Sherwood ...	Fitzroy ...	Grafton, 1st July, 1886; 99 ...	26	The land applied for encroaches to the extent of about 9 acres upon reserve No. 1,076, notified 21 January, 1884. (89-27,629 Dep.)
Arthur Swift Darby ..	63 2 0	16	Gladstone ...	Darling ...	Tamworth, 23rd September, 1886; 123.	42	Does not adjoin the previous conditional purchases of the series in virtue of which it was made. (90-2,918 Dep.)
John Ditton (now Albert Whitby Simpson).	50 0 0	29	Falconer ...	Sandon ...	Armidale, 20th August, 1885; 59.	42	Encroaches to the extent of about 17 acres upon water reserve 46, extended, notified on 14th November, 1871. (90-8,461 Dep.)
Flint Davidson ...	100 0 0	83	Piallamore ...	Parry ...	Tamworth, 5th November, 1885; 70.	42	The conditional purchase in question was applied for in virtue of a former additional conditional purchase, the original of which was not registered in the conditional purchaser's name. (91-1,703 Dep.)
Patrick Egan ...	100 0 0	...	Wilbetree ...	Phillip ...	Mudgee, 7th August, 1890; 38	26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)
John Elliott Forbes, deceased (now R. Armstrong and W. M. Royse).	40 0 0	60	Baan Baa ...	Pottinger ...	Narrabri, 6th August, 1885; 3..	26	The land at date of application formed part of village reserve No. 1,936, notified on 13th February, 1884. (88-20,711 Dep.)
John Ford ...	60 0 0	114	Billinudgel ...	Rous ...	Murwillumbah, 11th August, 1887; 26.	42	The basal conditional purchase did not stand in Ford's name at date of application, having been transferred by way of mortgage to the Bank of New South Wales. (92-22,929 Dep.)
Catherine Ellen Fowler ...	57 0 0	196	Couridjah ...	Camden ...	Picton, 13th December, 1888; 76.	42	At date of application the basal conditional purchase did not stand in applicant's name. (C.S. 93-5,584 Dep.)
Donald Fraser... ..	640 0 0	13	Younga Plain ...	Gipps ...	Condobolin, 8th May, 1890; 48	26	This application was received by the Land Agent at 1.30 p.m., at which hour the office was legally closed, but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)

Crown Lands Purchases and Leases Validation.

87<sup>o</sup> VICTORIAE, No.



SCHEDULE A—continued.

109—B

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
John Halloran ... ..	a. r. p. 100 0 0	.....	Wilbetree	Phillip ...	Mudgee, 7th August, 1890; 52	48 Vic. No. 8 26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)
Hermann Hallman ... ..	49 3 0	58	Dinoga ...	Murchison ...	Bingara, 24th February, 1887; 6	26	} Situated partly within travelling stock reserve No. 370, notified on 1st July, 1874. (89-28,224 Dep.)
Hermann Hallman ... ..	50 2 0	59	Dinoga ...	Murchison ...	Bingara, 23rd June, 1887; 14...	42	
James Hassett... ..	100 0 0	& 38	Wallace	Wynyard ...	Tumut, 15th July, 1886; 69	42	Applicant was not the registered holder of the basal conditional purchase at date of application. (92-26,543 Dep.)
Richard Hollow ... ..	250 0 0	... ..	Wilbetree	Phillip ...	Mudgee, 7th August, 1890; 40	26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)
Thomas Murdoch ... ..	500 0 0	3	Merilba	Kennedy ...	Parkes, 9th February, 1888; 6	26	The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
John Murphy ... ..	59 0 0	229	Bala ...	King ...	Burrowa, 6th August, 1885; 22	42	At date of confirmation of the conditional purchase (85-22), an adjoining original conditional purchase (84-186), made by the selector, under the repealed Land Acts, was held to be void, but such voidance was subsequently reversed, and, as Murphy could not legally hold two originals, it has been decided to alter the section under which application was made for conditional purchase 85-22, and allow it to be held as an additional to conditional purchase 84-186 which it adjoins. (90-16,290 Dep.)
Frank Stavers Mitchell ... ..	473 0 0	15	Thuara ...	Clyde ...	Brewarrina East, 16th January, 1890; 1.	42	The land formed part of water reserve 475, notified 6th October, 1879, and cancelled on 14th December, 1889, and consequently sixty clear days had not elapsed at date of application, and the land was not therefore legally available for conditional purchase— <i>vide</i> section 102, Act of 1884. (C.S. 93-6,498 Dep.)
John M'Culloch ... ..	107 3 3	236	Muttama	Harden...	Cootamundra, 11th February, 1892; 16.	47	The application was for a measured portion, which portion is intersected by the Cootamundra to Gundagai railway line, and the conditional purchase should therefore have been restricted to one side of the line. (C.S. 93-16,913 Dep.)

Crown Lands Purchases and Leases Validation.

57° VICTORIA, No.



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
William Meyers ...	a. r. p. 98 3 0	16, 17	Tumut ...	Wynyard ...	Tumut, 10th February, 1887; 9	48 Vic. No. 18 26	The land is situated partly within a reserve for camping and water, notified under general notice of 24th December, 1861, and also wholly within reserve from sale pending completion of the Census of 1881, notified 6th April, 1881. (90-8,813 Dep.)
Annie Nash O'Brien ...	715 2 0	56, 60, 102, 103	Narrow Plains	Denison ...	Corowa, 6th August, 1885; 14	26	
Annie Nash O'Brien ...	142 3 0		106	Narrow Plains...	Denison ...	Corowa, 19th Nov., 1885; 60 ...	42
Bernard O'Neill ...	140 1 0	29	Ferrier ..	Buckland ...	Gunnedah, 20th May, 1886; 31	42	Forfeiture was Gazetted 4th December, 1890, for non-fulfilment of the condition of residence; a Select Committee inquired into the case, and their report which was adopted by the House recommended validation of the conditional purchases. C.S. 93,463 Corr. The land was at date of application included in travelling stock reserve No. 9, extended, notified 20th December, 1872. (91-1,704 Dep.)
William Philp... ..	100 0 0	62	Roumalla ...	Hardinge ...	Armidale, 4th November, 1886; 163.	26	The application was made under the 26th section of the Act of 1884, but through a misapprehension the condition of residence was not carried out. As, however, the case is one of hardship the section has been altered to 42nd, so as to allow applicant to hold the conditional purchase in virtue of his original conditional purchase 79-24, which is under mortgage, and stands in the name of the Bank of New South Wales. (90-21,847 Dep.)
George William Russell ...	40 0 0	36	Falconer ...	Sandon ...	Armidale, 20th August, 1885; 55.	42	Encroaches to the extent of about 15 acres upon water reserve 46, as extended, notified 14th November, 1871. (90-8,461 Dep.)
Checkley Hodges Ratliff ...	75 2 0	15	Tumut ...	Wynyard ...	Tumut, 10th February, 1887; 11	26	The land is situated wholly within a reserve for camping and water, notified under general notice of 24th December, 1861, and also wholly within reserve from sale pending completion of the Census of 1881, notified 6th April, 1881. (90-8,815 Dep.)
Frederick William Reid ...	100 0 0	14	Craven ...	Gloucester ...	Strout, 2nd December, 1886; 92	42	Within the Barrington gold-field. Reserved from conditional purchase 10th September, 1879. (92-26,724 Dep.)
Caroline Smith ...	640 0 0	5	Bimbeen ...	Gipps ...	Condobolin, 8th May, 1890; 47	26	This application was received by the Land Agent at 1:30 p.m., at which hour the office was legally closed, but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
The Australian Mortgage, Land, and Finance Company (Limited).	1,181 0 0	21	Cowal ...	Gipps ...	Condobolin, 26th November, 1891; 131.	42	The basal conditional purchase did not, at date of application, stand in the company's name. (C.S. 93-15,887 Dep.)

Crown Lands Purchases and Leases Validation.



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
The Bank of New South Wales	a. r. p. 60 2 0	224	Elrington ...	St. Vincent ...	Braidwood, 27th October, 1887; 38.	48 Vic. No. 18 42	The application was lodged and confirmed in the name of John O'Heire, who had, however, transferred the basal conditional purchase by way of mortgage to the Bank of New South Wales. (C.S. 93-8,789 Dep.)
The Bank of New South Wales	285 0 0	12	Whyaddra ...	Dowling ...	Condobolin, 30th August, 1888; 50.	42	The application was made by Edward Henry Moulder, who had transferred by way of mortgage the basal conditional purchase to the Bank of New South Wales. (92-24,832 Dep.)
The Commercial Banking Company of Sydney.	40 0 0	96	Puen Buen ...	Auckland ...	Bega, 30th September, 1886; 72	42	The application was made by William Francis Coman, who had transferred by way of mortgage the basal conditional purchase to the Commercial Banking Company of Sydney. (92-26,672 Dep.)
Charles Bede Trefle ...	80 0 0	154	Trigalong ...	Bland ...	Cootamundra, 25th June, 1890; 59.	26	Within water reserve 2,201, notified 8th November, 1880. (92-26,594 Dep.)
Charles Bede Trefle ...	66 0 0	153	Trigalong ...	Bland ...	Cootamundra, 25th June, 1890; 60.	42	
Alexander Hugh Watson ...	92 1 0	18, 19	Tumut ...	Wyayard ...	Tumut, 3rd March, 1887; 15...	26	The land is situated wholly within a reserve for camping and water, notified under general notice of 24th December, 1861, and also wholly within reserve from sale pending completion of the Census of 1881, notified 6th April, 1881. (90-8,814 Dep.)
Benjamin Woodhouse ...	50 0 0	16	Ingebirah ...	Wallace ...	Cooma, 7th August, 1890; 314	26	Owing to defective charting of travelling stock reserve No. 925, the measurement of this portion encroached on the said travelling stock reserve. (92-8,751 Dep.)
Thomas William Whitehead...	80 0 0	115	Greg Greg ...	Selwyn ...	Albury, 17th Dec., 1885; 65 ...	42	The land is situated within the external boundaries of the Bringenbrong pastoral holding leasehold area, which was not known to the Land Board when the application was confirmed. (92-6,989 Dep.)
Thomas Williams ...	68 0 0	.....	Wilbetree ...	Phillip ...	Mudgee, 7th August, 1890; 46	26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)

Crown Lands Purchases and Leases Validation.



SCHEDULE B.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
Henry Althofer ... ..	a. r. p. 720 0 0	35	Mumbil ...	Wellington ...	5,372 (85-4)	Wellington	9th February, 1885.	9th August, 1886.	48 Vic. No. 18. 54	At date of application the basal conditional purchases stood in the name of the Bank of New South Wales, to which Bank they had been transferred by way of mortgage by Althofer. (Leases 92-10,326.)
William O'Dillon Ambrose (now Bank of New South Wales).	1,200 0 0	63	Talmoi ...	Courallie ...	12,279 (85-54)	Moree ...	20th March, 1885.	27th October, 1885.	54	This lease was confirmed before survey, but upon survey it was found that as confirmed the lease encroached to the extent of 116 acres on water reserve 445 in existence at date of application, but since revoked. (Leases 91-1,227.)
William O'Dillon Ambrose (now Bank of New South Wales).	600 0 0	62	Talmoi ...	Courallie ...	12,938 (85-112)	Moree ...	27th August, 1885.	29th October, 1885.	48	This lease was confirmed before survey, but upon survey it was found to encroach to the extent of 37 acres on water reserve 445 in existence at date of application for the lease, but since revoked. (Leases 91-1,227.)
Lucy Elizabeth Botterill ...	1,920 0 0	10	Bimbeen ...	Gipps ...	15,325 (90-41)	Condobolin	8th May, 1890	28th January, 1891.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was not legally open, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
Samuel John Botterill ...	1,920 0 0	8	Younga Plain	Gipps ...	14,656 (90-37)	Condobolin	8th May, 1890	30th October, 1890.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was legally closed, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
William Earnshaw Botteril ..	1,920 0 0	8	Bimbeen ...	Gipps ...	..... (90-40)	Condobolin	8th May, 1890	19th January, 1891.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was not legally open, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)

Crown Lands Purchases and Leases Validation.



SCHEDULE B—continued.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
Oscar De Aubert Cayirelys (now the Commercial Banking Company of Sydney).	a. r. p. 240 0 0	2	Munderoo ...	Selwyn ...	10,396 (86-18)	Albury ...	22nd July, 1886.	31st October, 1888.	48 48 Vic. No.18.	Situated within the external boundaries of the leasehold area of Jingellic pastoral holding. (Leases 92-6,488.)
Thomas Coughlan ... ..	195 0 0	144	Quialigo ...	Argyle ...	10,490 (86-28)	Goulburn	15th April, 1886.	6th December, 1886.	48	This is the second conditional lease confirmed in virtue of one conditional purchase. (Leases 88-4,799.)
William Crapp ... ..	1,920 0 0	Not numbered.	Saltash ...	Sandon ...	10,593	Armidale	20th January, 1885.	.....	52	The conditional purchase in virtue of which the lease was applied for was transferred to the applicant subsequent to 15th July, 1884. (Leases 91-7,803.)
William Ditchfield (now Edwin Ditchfield).	174 0 0	84	Napier ...	Urana ...	7,114 (85-64)	Urana ...	31st March, 1885.	24th July, 1886.	54	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 92-549.)
Thomas Downes (now the Commercial Banking Company, Sydney).	96 1 0	201	Alton ...	King ...	10,528 (86-84)	Burrowa	2nd September, 1886.	27th May, 1887	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 91-1,239.)
Patrick Filand ... ..	268 1 0	192, 193	Cullarin ...	King ...	10,495 (86-40)	Gunning	14th October, 1886.	7th December, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchases. (Leases 88-1889.)
Patrick Filand ... ..	64 1 0	50	Cullarin ...	King ...	10,496 (86-41)	Gunning	14th October, 1886.	16th August, 1887.	48	This is the third conditional lease confirmed in virtue of the same conditional purchases. (Leases 90-7,439.)
John Elliott Forbes (now R. Armstrong and W. M. Royse).	113 0 0	86	Tulla Mullen..	Pottinger ...	2,738 (85-17)	Narrabri	11th August, 1885.	16th October, 1885.	48	The greater part of the land was notified as village reserve on 23 September, 1885, prior to date of confirmation. (90-15,516 Ms.)
Donald Fraser ... ..	1,920 0 0	13	Younga Plain	Gipps ...	14,760 (90-39)	Condobolin	8th May, 1890	31st October, 1890.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was not legally open, but the lands agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)

Crown Lands Purchases and Leases Validation.

57° VICTORIAE, No.



SCHEDULE B—continued.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
James Gorham ... ..	a. r. p. 45 2 0	200	Ware...	King ... ..	10,484 (86-59)	Burrowa..	1st July, 1886	27th May, 1887	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-7,944.)
Henry Gregory ... ..	530 3 0	107, 111	Osborne ...	Denison ... ..	2,714 (85-42)	Corowa...	4th March, 1885.	3rd October, 1885.	54	The conditional lease was confirmed in two separate and distinct parts. (92-14 Ls.)
Henry Herbert ... ..	60 0 0	252	Uringalla ...	Argyle ... ..	10,487 (85-132)	Goulburn	10th December, 1885.	11th May, 1887	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-4,800.)
William Kelly... ..	100 0 0	125	Wallah ... ..	King ... ..	10,485 (86-71)	Burrowa..	29th July, 1886	26th October, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase (Leases 88-995.)
Alexander S. Manning ... ..	1,425 0 0	.....	Mikibri ... ..	Kennedy ... ..	3,248 (85-25)	Parkes ...	27th August, 1885.	11th November, 1885.	48	Partly within the leasehold area of Goobang holding and therefore not open to conditional lease at date of confirmation. (C.S. 90-8,787 Dep.)
Frederick Gibson Manning ... ..	480 0 0	.....	Mickibri, Davison	Kennedy ... ..	4,993 (85-61)	Parkes ...	31st December, 1885.	4th March, 1886.	48	Partly within the leasehold area of Goobang holding and therefore not open to conditional lease at date of confirmation. (Leases 91-7,913.)
Neil M'Donald ... ..	281 0 0	.....	Tarramia ...	Denison ... ..	2,710 (85-72)	Corowa...	30th March, 1885.	5th October, 1885.	54	This is the second conditional lease confirmed in virtue of the same conditional purchase. (91-4,910 Mis.)
James M'Donald ... ..	120 0 0	179	Tarlo... ..	Argyle ... ..	10,488 (86-21)	Goulburn	23rd March, 1886.	11th May, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-4,801.)
Frank Stavers Mitchell ... ..	806 0 0	16	Thuara ... ..	Clyde ... ..	18,457 (90-1)	Brewarrina East ...	16th January, 1890.	30th September, 1891.	48	The land formed part of water reserve 475, notified 6th October, 1879, and cancelled on 14th December, 1889, consequently sixty clear days had not elapsed at date of application, and the land was not therefore legally available for conditional lease. <i>Vide</i> section 102 Act of 1884. (C.S. 93-6,498 Dep.)
Thomas Murdoch ... ..	1,500 0 0	4	Merilba ... ..	Kennedy ... ..	9,778 (88-6)	Parkes ...	9th February, 1888.	9th August, 1888.	48	The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
Christopher O'Leary, jun. ... ..	60 0 0	168	Numby ... ..	King ... ..	10,486 (87-12)	Burrowa	24th March, 1887.	26th October, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-996.)

Crown Lands Purchases and Leases Validation.

57<sup>th</sup> VICTORIAE, No.



SCHEDULE B—continued.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
John O'Mara ... ..	a. r. p. 80 0 0	141	Quialigo ...	Argyle ...	10,491 (86-29)	Goulburn	20th April, 1886.	10th January, 1887.	48 Vic. No.18. 48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 89-5,654.)
William Peasley ... ..	1,516 0 0	14 & 15	Merilba ...	Kennedy ...	16,829 91-4	Parkes ...	21st January, 1891.	3rd September, 1891.	48	The portions encroach on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
Frederick William Reid ... ..	95 0 0	15	Craven ...	Gloucester ...	10,420 (86-17)	Stroud ...	2nd December, 1886.	9th March, 1888.	48	Within the Barrington Goldfield. Reserved from conditional purchase 10th September, 1879, and therefore not open to conditional lease. (92-26,724 Dep.)
Andrew Shean, jun. ... ..	1,500 0 0	13	Merilba ...	Kennedy ..	14,272 (90-20)	Parkes ...	20th February, 1890.	12th July, 1890.	48	The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
Caroline Smith ... ..	1,920 0 0	6	Bimbeen ...	Gipps ...	15,324 (90-38)	Condobolin	8th May, 1890	28th January, 1891.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was legally closed, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
John Thomas Sullivan, jun....	200 0 0	173	Merrill ...	King ...	10,494 (86-32)	Gunning .	31st August, 1886.	7th December, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 89-1,475.)
Thomas Walsh ... ..	413 3 0	109, 116 117, 118	Dungog ...	Durham ...	17,249 (91-1)	Dungog...	15th January, 1891.	10th March, 1891.	48	The basal conditional purchase together with the series was eight days prior to application transferred by Walsh to the Bank of New South Wales. (93-3,940 Ls.)
William Watson ... ..	622 0 0	2, 9	Carwoola ...	Murray ...	8,677 (86-21)	Quean- beyan.	2nd November, 1886.	23rd March, 1888.	48	The land is situated within part of the Gundaroo gold-field which was not open to conditional lease. (Leases 90-7,981.)
James Williams ... ..	142 1 0	105	Leighwood ...	Georgiana ...	10,493 (86-47)	Goulburn.	22nd July, 1886	15th March, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 86-4,803.)
Benjamin Woodhouse ..	150 0 0	17	Ingebirah ...	Wallace ...	16,520 (90-206)	Cooma ..	7th August, 1890.	27th May, 1891	48	Owing to defective charting of travelling stock reserve 925, the measurement of the portion encroached on the said travelling stock reserve. (92-8,751 Dep.)

Crown Lands Purchases and Leases Validation.

57° VICTORIAE, No. 15

SCHEDULE C

15



SCHEDULE C.

Name.	Description.				District.	Place of sale.	Date of sale.	Cause of illegality.
	Area.	Portion.	Parish.	County.				
John Bassett Christian ...	a. r. p. 280 0 0	69	Borambil ...	Buckland ...	Murrurundi ...	Murrurundi ...	8th March, 1886	{ The land at date of sale was not legally available for auction sale, being at that time held as a conditional purchase. (90-5,468 Cor.) The land at date of sale was not available for auction sale, having been 44 days previously notified as part of travelling stock reserve 1,442. (93-8,883 Aln.)
William Bassett Christian ...								
William Martin Christian ...								
James Gibb ...	255 0 0	219	Berthong ...	Bland...	Young ...	Young] ...	23rd Oct., 1878	

SCHEDULE D.

Name.	Area.	Allotment.	Section.	County.	Parish.	Situation.	Cause of illegality.
Mary Ann Miller (widow) ...	a. r. p. 0 3 0	2	21	Murchison ...	Bingara ...	In the town of Bingara, fronting Keera-street.	There is no provision in the Land Acts for such a sale without competition. The land is sold to the purchaser in lieu of the same area of her original allotments, which is found to be below the level of the river Gwyder. (90-9,229 Aln.)

SCHEDULE E.

Name of Grantee.	Area.	Situation.	Date of issue of Grant.	Cause of illegality.
The Secretary of the Australian Gaslight Company.	a. r. p. 0 0 1 $\frac{1}{4}$	At Woolloomooloo, parish of Alexandria, city of Sydney, the parcel of land within the following boundaries: Commencing on the east side of Bourke-street at a point 10 feet southerly from its intersection with the south side of Griffiths-street and bounded thence by the east side of Bourke-street bearing northerly 10 feet, on the north by the southern side of Griffiths-street bearing easterly 71 feet, and on the south-east by a line bearing south-westerly, to the point of commencement.	25th October, 1869.	This land was sold to the Australian Gaslight Company under the provisions of section eleven of the "Crown Lands Alienation Act of 1861" as adjoining land evidently assumed to have been held by that Company in fee simple, whereas although the latter had been agreed to be alienated the alienation had not taken place.



## SCHEDULE F.

Name.	Description.				District, date, and number of Improvement Purchase.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Bishop Lyne ...	a. r. p. 640 0 0	7	Dandaloo ...	Kennedy ...	Parkes. 25th April, 1881. 15 ...	39 Vic. No. 13 2	The portion at date of application and date of issue of deed of grant formed part of water reserve 458. (93-2,102 Mis. Dep.)

## SCHEDULE G.

Name of proposed Grantee.	Area.	Situation.	Reason for issuing Grant.
The Secretary of the Australian Gaslight Company.	a. r. p. 0 0 14 $\frac{3}{4}$	At Woolloomooloo, parish of Alexandria, city of Sydney, the parcel of land within the following boundaries : Commencing on the east side of Bourke-street at a point 10 feet southerly from its intersection with the south side of Griffiths-street, and bounded thence on the west by the east side of Bourke-street bearing southerly to the north-west corner of the Australian Gaslight Company's allotment of 19 $\frac{1}{2}$ perches ; thence by the northern boundary of that allotment, and that Company's allotment of 8 perches to the north-east corner of the latter allotment ; thence by a line bearing northerly to Griffiths-street at the east corner of the allotment of 1 $\frac{1}{4}$ perches sold to the Gas Company under the eleventh clause of the Act of 1861 ; and thence by the south-eastern boundary of that allotment bearing south-westerly to the point of commencement.	In pursuance of a proposal made in the year 1867 by the then Minister for Lands, and agreed to by the Australian Gaslight Company in the year 1868, the land should have been included in the Schedule to Act 37 Victoria No. 2, intituled " <i>An Act to authorize certain grants of Land to be made by way of compensation for losses of Water-frontage in Woolloomooloo Bay,</i> " from which it would appear to have been inadvertently omitted.



THE VICTORIA

NAME	RANK	REGIMENT	COMPANY
[Faint Name]	[Faint Rank]	[Faint Regiment]	[Faint Company]
[Faint Name]	[Faint Rank]	[Faint Regiment]	[Faint Company]
[Faint Name]	[Faint Rank]	[Faint Regiment]	[Faint Company]
[Faint Name]	[Faint Rank]	[Faint Regiment]	[Faint Company]
[Faint Name]	[Faint Rank]	[Faint Regiment]	[Faint Company]
[Faint Name]	[Faint Rank]	[Faint Regiment]	[Faint Company]
[Faint Name]	[Faint Rank]	[Faint Regiment]	[Faint Company]



CROWN LANDS PURCHASES AND LEASES VALIDATION BILL.

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*SCHEDULE of Amendments referred to in Message of 15th February, 1894.*

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Page 3, clause 6. At end of clause *add* “or to validate any pending application  
“ which has not been confirmed.”

Page 3, clause 8, line 18. *Omit* “1893” *insert* “1894”

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THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 311

EXAMINATION



*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber,  
Sydney, 5 December, 1893.* }

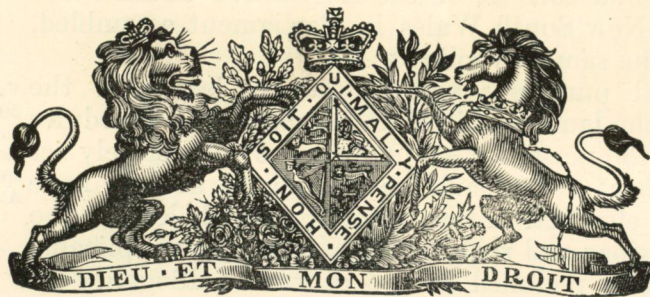
F. W. WEBB,  
*Clerk of the Legislative Assembly.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.*

*Legislative Council Chamber,  
Sydney, 15th February, 1894.* }

JOHN J. CALVERT,  
*Clerk of the Parliaments.*

## New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

# VICTORIÆ REGINÆ.

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No.

An Act to legalize certain Conditional Purchases and Conditional Leases and Auction and other Purchases of Crown Lands, and to validate certain Crown grants in connection therewith; to confer special powers of reference to the Local Land Board and the Land Appeal Court where necessary; to permit the reversal of forfeiture of certain Conditional Purchases and Conditional Leases; to authorise the sale of certain Crown Lands and the issue of Crown grants therefor; and to authorise the granting of certain Crown Land by way of compensation.

**W**HEREAS the persons whose names are mentioned in Schedules Preamble.  
A and B hereto have made, or applied to make, conditional purchases or conditional leases of certain Crown lands, and the said purchases or leases, or applications therefor, as the case may be, have been found to be either wholly, or in part, illegal, or have been forfeited, for the causes respectively specified in the said Schedules: And whereas the persons whose names are mentioned in Schedule C hereto have purchased, or intended to purchase, at auction, certain Crown lands, but the said purchases are illegal for the causes specified in the said Schedule: And whereas the sale of the land specified in Schedule D hereto is not authorised by the law: And whereas the sale and grant of the land specified

109—A

in

NOTE.—The figures to be omitted are ruled through; the words and figures to be inserted are printed in black letter.



*Crown Lands Purchases and Leases Validation.*

in Schedule E hereto, which purported to have been made and issued under the provisions of section eleven of the "Crown Lands Alienation Act of 1861," were illegal: And whereas it is just and expedient that the sale of, or the respective titles to, or the applications for, the lands  
 5 aforementioned should be authorised or made good and valid: And whereas the sale and grant of the land specified in Schedule F hereto which purported to have been made and issued under the provisions of section two of the "Lands Acts Amendment Act of 1875" were illegal: And whereas it is desirable that the land specified in  
 10 Schedule G should be granted to the company therein mentioned: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

15 1. The conditional purchases and conditional leases, or the applications therefor of the lands specified and described in Schedules A and B to this Act by the persons whose names are respectively set opposite to the descriptions of the said lands shall be held to have  
 20 been and to be valid and effectual in law, subject, nevertheless, to the performance of the conditions and requirements of any law applicable thereto, except the matters included in the causes of illegality or forfeiture described in the said Schedules respectively; and where  
 25 any such conditional purchases or conditional leases have been notified as forfeited the forfeiture shall be reversed, and the reversal thereof shall relate back to the date of notification of such forfeiture in the *Government Gazette*. Upon reference by the Minister to the Local  
 30 Land Board (as constituted under the Crown Lands Acts) of any of the aforementioned applications, which at the passing of this Act have not been confirmed, such Board shall deal therewith, and if no other valid objection be found to exist shall confirm the same: Provided that the provisions of the Crown Lands Acts with respect to appeals or references to the Land Appeal Court shall apply in such cases.

Validation of conditional purchases and leases or applications therefor specified in Schedules A and B.

Reference to Land Board or Land Appeal Court.

35 2. The purchase at auction of the lands specified and described in Schedule C to this Act by, and the grants of such lands to, the persons whose names are set opposite to the descriptions of the said lands are hereby declared to have been and to be valid and effectual in law.

Validation of purchases at auction specified in Schedule C.

40 3. The Governor, with the advice of the Executive Council, may sell and grant the land described in Schedule D hereto to the person whose name is set opposite to the description of the said land at the price of fifteen pounds, and a deed fee of one pound; but if the said money be not paid within three months after the passing of this Act the sale shall be void, and no grant shall issue in respect thereof.

Validation of sale specified in Schedule D.

45 4. The sale and grant of the lands specified in Schedules E and F to this Act are hereby declared to have been and to be valid and effectual in law.

Validation of sale specified in Schedules E and F.

50 5. The Governor, with the advice of the Executive Council, may grant the land described in Schedule G to this Act to the Australian Gas-light Company (in the name of the secretary thereof and subject to the terms of the Australian Gas-light Company's Acts) in pursuance of a proposal made in the year one thousand eight hundred and sixty-seven by the then Minister for Lands, and agreed to by the company in the year one thousand eight hundred and sixty-eight in full compensation for the severance (by the reclamation of such lands) of land adjoining thereto from the waters of Woolloomooloo Bay.

Validation of sale specified in Schedule G.

55 6. No original conditional purchase existing at the passing of this Act shall be held to have been or to be invalid by reason only that it was applied for by or in the name of two or more persons: No additional conditional purchase existing at the passing of this Act shall be held to have been or to be invalid by reason only that it

Validation of conditional purchases and conditional leases against certain objections.

was



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*Crown Lands Purchases and Leases Validation.*

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was applied for by virtue of a conditional purchase made under section twenty-two of the "Crown Lands Alienation Act of 1861," whether the combined areas of the freehold and the conditional purchases and conditional leases of the series exceed the area limited by the Crown  
5 Lands Acts for ordinary conditional purchases and conditional leases or not: No conditional lease existing at the passing of this Act shall be held to have been or to be invalid by reason only that it was applied for by virtue of a conditional purchase of land within a special area:  
10 Provided that nothing in this section shall operate to revive any application, purchase, or lease which, prior to the passing of this Act has been, and at date of such passing shall stand as, disallowed, refused, withdrawn, or forfeited, **or to validate any pending application which has not been confirmed.**

7. Provided that nothing herein shall affect any proceedings, Proviso.  
15 either at law or in equity, instituted before the thirty-first day of October, one thousand eight hundred and ninety-three.

8. This Act may be cited as the "Crown Lands Purchases and Short title.  
Leases Validation Act of ~~1893~~ **1894.**"



SCHEDULES.

SCHEDULE A.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Robert William Armour ...	a. r. p. 64 0 0	73	Kowmung ...	Westmoreland...	Lithgow, 17th July, 1884; 58...	<sup>25</sup> Vic. No. 1. 21	<p>At date of application for this purchase the original conditional purchase in virtue of which it was made was not registered in the name of the conditional purchaser, but in that of his wife. (90-5,595 Cor. ; 91-332 Cor.)</p> <p>The validity of the conditional purchases is doubtful owing to a judgment of the Supreme Court on 3rd June, 1870, in the case Emery v. Barclay. Deeds have issued for portions 131 and 136. (C.S. 93-21,653 Dep.)</p> <p>The land applied for is within water reserve 1,394, notified 15 January, 1883, and the conditional purchaser made substantial improvements in ignorance of that fact. The Local Land Board now report him to be a <i>bond fide</i> selector, and that the reserve is not required in the public interest. (92-3,307 Dep.)</p> <p>Made in virtue of an additional conditional purchase held under section 22 of Act 25 Victoria No. 1. The land was fully improved before the title was questioned. (89-17,658 Misc.)</p> <p>The conditional purchaser was not at date of application the registered holder of the freehold in virtue of which the conditional purchase was taken. A transfer has since been effected. (89-31,689 Dep.)</p> <p>When these additional conditional purchases were applied for, the original in virtue of which they were made was not registered in the name of conditional purchaser, but in that of his wife. (90-2,644 Cor.)</p> <p>This additional conditional purchase does not adjoin the other conditional purchases of the series. Deed of grant has issued. (91-1,080 Dep.)</p> <p>Made in contravention of section 24 of Act 43 Victoria No. 29. (90-5,214 Dep.)</p>
Isaac Barclay ...	54 0 0	131	Illaroo ...	Camden ...	Nowra, 16th July, 1863; 2,132	13	
Isaac Barclay ...	40 0 0	136	Illaroo ...	Camden ...	Nowra, 6th August, 1863; 2,323	21	
Isaac Barclay ...	40 0 0	138	Illaroo ...	Camden ...	Nowra, 20th August, 1863; 2,447	21	
George Bradford ...	80 0 0	73	Buller ...	Acacia ...	Tenterfield, 4th September, 1884; 72.	13	
George Bradford ...	40 0 0	74	Buller ...	Acacia ...	Tenterfield, 18th December, 1884; 108.	21	
Joseph Carberry, junior (now Commercial Banking Company of Sydney).	156 0 0	165	Nowra ...	St. Vincent ...	Nowra, 21st March, 1878; 20...	21	
Joseph Carberry, junior (now Commercial Banking Company of Sydney).	57 1 0	157	Nowra ...	St. Vincent ...	Nowra, 13th May, 1880; 14 ...	21	
John Carey ...	80 0 0	120	Arakoon ...	Macquarie ...	Kempsey, 6th November, 1884; 267.	22	
Thomas George Carter ...	40 0 0	88	Rouchel ...	Durham ...	Scone, 3rd December, 1868; 3,021	21	
Thomas George Carter ...	60 0 0	89	Rouchel ...	Durham ...	Scone, 3rd December, 1868; 3,022	21	
Thomas George Carter ...	40 0 0	17	Rouchel ...	Durham ...	Scone, 6th September, 1883; 54	21	
Thomas George Carter ...	112 2 0	315	Rouchel ...	Durham ...	Scone, 11th March, 1886; 25 ...	<sup>48</sup> Vic. No. 18. 42	
Henry Chew ...	175 0 0	208	Wambanumba	Monteagle ...	Young, 20 March, 1884; 23 ...	<sup>25</sup> Vic. No. 1. 21	
Andrew Cochrane ...	137 2 33	56	Tiverton ..	Sandon ...	Armidale, 7th August, 1884; 276.	13	

Crown Lands Purchases and Leases Validation.

57<sup>o</sup> VICTORIAE, No. .



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Thomas Cruise (now Bank of New South Wales).	a. r. p. 60 0 0	90	Ditmas ...	Gough ...	Glen Innes, 27th November, 1884; 200.	<sup>25</sup> Vic. No. 1. 21	At date of application for this additional conditional purchase the original conditional purchase was not registered in applicant's name. (90-8,668 Dep.)
Owen Cuskely... ..	40 0 0	22	Donald ...	Sandon ...	Armidale, 4th January, 1866; 26.	21	
Frederick Dew (now Thomas Reynolds Hutchings).	40 0 0	162	Rodd ...	Pottinger ...	Murrurundi, 19th October, 1871; 3,902.	21	The land embraced by the original conditional purchase not being available at date of application the application was cancelled, but this additional conditional purchase, which should also have been cancelled, was inadvertently allowed to remain on the books as a valid conditional purchase. (90-751 Dep.)
Emily Douse (now The Bank of New South Wales).	57 2 0	90	Arrawatta ...	Wardera ...	Inverell, 25th June, 1874; 7,150	21	The conditional purchase was located on land other than that described, and is separated from the original conditional purchase by water reserve No. 507. (89-27,878 Dep.)
Martin Flanagan ... ..	80 0 0	152	Yarraman ...	Brisbane ...	Muswellbrook, 22nd February, 1877; 18.	13	The land had been applied for by one George Binks two minutes before Douse's application was lodged. Binks's application was subsequently withdrawn, owing to non-survey within twelve months. (90-6,510 Dep.)
Michael Flanagan ... ..	50 0 0	23	Yarraman ...	Brisbane ...	Muswellbrook, 6th March, 1873; 2,072.	13	An area of 33 acres 1 rood 20 perches of this conditional purchase was included within J. Pike's (now George Ireland's) grant of 627 acres, and has now been purchased by the Crown, with a view to adding it to the conditional purchase, and so making good the title to the full area. (91-264 Cor.)
Neil Gallagher... ..	96 0 0	63	Barrajin ...	Ashburnham ...	Molong, 23 October, 1884; 166	21	An area of 10 acres of this conditional purchase was included within J. Pike's (now George Ireland's) grant of 627 acres, and has now been purchased by the Crown, with a view to adding it to the conditional purchase, and so making good the title to the full area. (91-264 Cor.)
Neil Gallagher... ..	84 0 0	64	Barrajin ...	Ashburnham ...	Molong, 30 October, 1884; 169	21	
Eliza Jenkins ... ..	320 0 0	172	Kimo ...	Clarendon ...	Gundagai, 28th September, 1876; 403.	21	The land is partly within the Cargo population area, and also partly within reserve from conditional purchase proclaimed 4th September, 1877. (92,3,399 Cor.)
Stephen Monck ... ..	40 0 0	92	Wallagoot ...	Auckland ...	Bega, 19th April, 1883; 42	21	The basal conditional purchase was gazetted forfeited for non-fulfilment of the condition of residence. (92-23,098 Dep.)
Stephen Monck ... ..	40 0 0	115	Wallagoot ...	Auckland ...	Bega, 18th December, 1884; 143	21	
Stephen Monck ... ..	40 0 0	122	Wallagoot ...	Auckland ...	Bega, 10th February, 1887; 4...	<sup>48</sup> Vic. No. 18 42	

Crown Lands Purchases and Leases Validation.



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
John Malcolm M'Intosh (now Thomas Whitehead).	a. r. p. 38 2 26	57	Pialligo ...	Murray ...	Queanbeyan, 28th July, 1870 ; 2,571.	25 Vic. No. 1. 13	The portion applied for is found after amendment of survey to contain less than 40 acres. (90-1,700 Dep.)
William John Neeley (now Bank of New South Wales).	{ 40 0 0	68	Tarago ...	Argyle ...	Goulburn, 25th February, 1862 ; 1,449.	21	} The additional conditional purchases are separated from the original conditional purchase by a freehold of 30 acres, portion 26. (89-27,001 Dep.)
Henry Noyes (now George Noyes).	{ 40 0 0	69	Tarago ...	Argyle ...	Goulburn, 1st April, 1862 ; 1,986	21	
	{ 40 0 0	162	Talagandra ...	Murray ...	Yass, 28th June, 1883 ; 54 ...	14	
George Roberts (now the Bank of New Zealand).	172 0 0	95	Broadwater ...	Rous ...	Lismore, 5th October, 1882 ; 631	21	The land was not open for conditional purchase at date of application, being held by T. C. Bagot, under application for conditional purchases 82-579 and 82-597, which applications were subsequently withdrawn. (90-3,416 Dep.)
John Henry Secomb ...	40 0 0	39	Wittitrin ...	Dudley ...	Kempsey, 25th April, 1878 ; 111	21	The original conditional purchase (72-153) was not registered in applicant's name at date of application for this additional conditional purchase. (90-1,736 Dep.)
Annie Elizabeth Smith ...	{ 69 1 0 130 3 0 132 3 0	{ 332 325 327	Wallendoon ...	Harden ...	Young, 15th March, 1883 ; 21...	13	} The land applied for formed part of reserve No. 28, which was cancelled on 12th February, 1883 ; the cancellation, however, was rescinded on 12th March, 1883, three days prior to date of application for the conditional purchase. (90-4,572 Misc.)
William Stenz (now Commercial Banking Company of Sydney).	204 0 0	70	Eden ...	Gough ...	Inverell, 18th March, 1880 ; 9...	13	
Charles Henry Thatcher ...	{ 100 0 0 147 3 0 40 0 0 40 0 0	{ part of 133 part of 133 161 160	Braulin ...	Forbes ...	{ Forbes, 1st April, 1880 ; 40 ... Forbes, 12th August, 1880 ; 112 Forbes, 14th April, 1881 ; 95 ... Forbes, 21st April, 1881 ; 104 ...	{ 14 21 21 21	} A Select Committee in their report to Parliament recommended the case for the favourable consideration of the Government, but as the conditional purchases had been gazetted forfeited and subsequently selected by one Mary Zelpha Walker, who also forfeited her claim, validation of Charles Henry Thatcher's title is necessary. (90-4,715 Cor.)

Crown Lands Purchases and Leases Validation.

57<sup>o</sup> VICTORIA, No.



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
The Brooksdale Coal, Shale, Iron Mining Company.	a. r. p.					25 Vic. No.	The necessary expenditure in mining operations was not effected during the three years' term, but the full amount, equal to £2 per acre, was effected within five years. (91-11,134 Dep.)
	40 0 0	164	Clwyd ...	Cook ...	Lithgow, 28th July, 1881 ; 67...	19	
	40 0 0	166			Lithgow, 15th Sept., 1881 ; 80...	19	
	40 0 0	167			Lithgow, 15th Sept., 1881 ; 81...	19	
	60 0 0	168			Lithgow, 6th October, 1881 ; 84	19	
	75 0 0	24			Lithgow, 27th October, 1881 ; 98	19	
	75 0 0	25			Lithgow, 27th October, 1881 ; 99	19	
	60 0 0	27			Lithgow, 3rd Nov., 1881 ; 102...	19	
40 0 0	26	Lithgow, 3rd Nov., 1881 ; 103...			19		
Western Kerosene Oil Company, Limited (now New South Wales Shale and Oil Company).	180 0 0	104, 137	Hartley...	Cook ...	Lithgow, 24th October, 1867 ; 2,580.	19	The two portions embraced by the mineral conditional purchase do not adjoin one another, but are now connected by other portions with which they have been consolidated. (89-3,672 Cor.)
George Early Backhouse ...	600 0 0	1	Merilba ...	Kennedy ...	Parkes, 22nd December, 1887 ; 112.	48 Vic. No 18. 26	The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
John Baldock ...	44 0 0	10	Wallabadah ...	Buckland ...	Murrundi, 31st December, 1885 ; 47.	26	Within the suburban boundaries of the village of Wallabadah at date of application, but such boundaries having been modified the purchase is not now situated therein. (90-8,555 Dep. ; 91-1,254 Dep.)
Lucy Elizabeth Botterill ...	640 0 0	9	Bimbeen ...	Gipps ...	Condobolin, 8th May, 1890 ; 50	26.	This application was received by the Land Agent at 1:30 p.m., at which hour the office was legally closed ; but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
Samuel John Botterill ...	640 0 0	7	Younga Plain ...	Gipps ...	Condobolin, 8th May, 1890 ; 46	26	The application was received by the Land Agent at 1:30 p.m., at which hour the office was legally closed ; but the Land Agent's error was not discovered till long after the application was confirmed. (92-9,005 Dep.)
William Earnshaw Botterill...	640 0 0	7	Bimbeen ...	Gipps ...	Condobolin, 8th May, 1890 ; 49	26	This application was received by the Land Agent at 1:30 p.m., at which hour the office was legally closed ; but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
George Bouchier ...	40 0 0	200	Vulcan ...	Westmoreland...	Lithgow, 24th January, 1889 ; 10.	42	The original conditional purchase was not, at date of application, registered in Bouchier's name ; but the defect was not discovered till long after date of confirmation. (92-13,589 Dep.)
Samuel Clift ...	135 1 0	162	Clift ...	Buckland ...	Tamworth, 24th June, 1886 ; 104.	42	The land is situated within the boundaries of water reserve 1,608, notified on 28th June, 1880. (90-6,645 Dep.)

Crown Lands Purchases and Leases Validation.

57<sup>o</sup> VICTORIAE, No. .



SCHEDULE A—continued.

Name	Description.				District, date, and number of conditional purchase, &c.	Section	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Oscar De Aubert Cayirelys (now the Commercial Banking Company of Sydney).	a. r. p. 80 0 0	37	Munderoo ...	Selwyn ...	Albury, 22nd July, 1886; 41....	48 Vic. No. 18. 42	Situated within the leasehold area of Jingellic pastoral holding. (90-17,544 Dep.)
Margaret Frances Daly (now Annie Daly).	40 0 0	7	Sherwood ...	Fitzroy ...	Grafton, 1st July, 1886; 99 ...	26	The land applied for encroaches to the extent of about 9 acres upon reserve No. 1,076, notified 21 January, 1884. (89-27,629 Dep.)
Arthur Swift Darby ..	63 2 0	16	Gladstone ...	Darling ...	Tamworth, 23rd September, 1886; 123.	42	Does not adjoin the previous conditional purchases of the series in virtue of which it was made. (90-2,918 Dep.)
John Ditton (now Albert Whitby Simpson).	50 0 0	29	Falconer ...	Sandon ...	Armidale, 20th August, 1885; 59.	42	Encroaches to the extent of about 17 acres upon water reserve 46, extended, notified on 14th November, 1871. (90-8,461 Dep.)
Flint Davidson ...	100 0 0	83	Piallamore ...	Parry ...	Tamworth, 5th November, 1885; 70.	42	The conditional purchase in question was applied for in virtue of a former additional conditional purchase, the original of which was not registered in the conditional purchaser's name. (91-1,703 Dep.)
Patrick Egan ...	100 0 0	...	Wilbetree ...	Phillip ...	Mudgee, 7th August, 1890; 38	26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)
John Elliott Forbes, deceased (now R. Armstrong and W. M. Royse).	40 0 0	60	Baan Baa ...	Pottinger ...	Narrabri, 6th August, 1885; 3..	26	The land at date of application formed part of village reserve No. 1,936, notified on 13th February, 1884. (88-20,711 Dep.)
John Ford ...	60 0 0	114	Billinudgel ...	Rous ...	Murwillumbah, 11th August, 1887; 26.	42	The basal conditional purchase did not stand in Ford's name at date of application, having been transferred by way of mortgage to the Bank of New South Wales. (92-22,929 Dep.)
Catherine Ellen Fowler ...	57 0 0	196	Couridjah ...	Camden ...	Picton, 13th December, 1888; 76.	42	At date of application the basal conditional purchase did not stand in applicant's name. (C.S. 93-5,584 Dep.)
Donald Fraser....	640 0 0	13	Younga Plain ...	Gipps ...	Condobolin, 8th May, 1890; 48	26	This application was received by the Land Agent at 1.30 p.m., at which hour the office was legally closed, but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)

Crown Lands Purchases and Leases Validation.

57° VICTORIAE, No. .



SCHEDULE A—continued.

109—B

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
John Halloran ... ..	a. r. p. 100 0 0	.....	Wilbetree	Phillip ...	Mudgee, 7th August, 1890; 52	48 Vic. No. 8 26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)
Hermann Hallman ... ..	49 3 0	58	Dinoga ...	Murchison	Bingara, 24th February, 1887; 6	26	} Situated partly within travelling stock reserve No. 370, notified on 1st July, 1874. (89-28,224 Dep.)
Hermann Hallman ... ..	50 2 0	59	Dinoga ...	Murchison	Bingara, 23rd June, 1887; 14...	42	
James Hassett... ..	100 0 0	& 38	Wallace	Wynyard	Tumut, 15th July, 1886; 69	42	Applicant was not the registered holder of the basal conditional purchase at date of application. (92-26,543 Dep.)
Richard Hollow ... ..	250 0 0	...	Wilbetree	Phillip ...	Mudgee, 7th August, 1890; 40	26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)
Thomas Murdoch ... ..	500 0 0	3	Merilba	Kennedy	Parkes, 9th February, 1888; 6	26	The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
John Murphy ... ..	59 0 0	229	Bala	King	Burrowa, 6th August, 1885; 22	42	At date of confirmation of the conditional purchase (85-22), an adjoining original conditional purchase (84-186), made by the selector, under the repealed Land Acts, was held to be void, but such voidance was subsequently reversed, and, as Murphy could not legally hold two originals, it has been decided to alter the section under which application was made for conditional purchase 85-22, and allow it to be held as an additional to conditional purchase 84-186 which it adjoins. (90-16,290 Dep.)
Frank Stavers Mitchell ... ..	473 0 0	15	Thuara ...	Clyde ...	Brewarrina East, 16th January, 1890; 1.	42	The land formed part of water reserve 475, notified 6th October, 1879, and cancelled on 14th December, 1889, and consequently sixty clear days had not elapsed at date of application, and the land was not therefore legally available for conditional purchase— <i>vide</i> section 102, Act of 1884. (C.S. 93-6,498 Dep.)
John M'Culloch ... ..	107 3 3	236	Muttama	Harden...	Cootamundra, 11th February, 1892; 16.	47	The application was for a measured portion, which portion is intersected by the Cootamundra to Gundagai railway line, and the conditional purchase should therefore have been restricted to one side of the line. (C.S. 93-16,913 Dep.)

Crown Lands Purchases and Leases Validation.

57° VICTORIA, No.



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
William Meyers ... ..	a. r. p. 98 3 0	16, 17	Tumut ... ..	Wynyard ... ..	Tumut, 10th February, 1887; 9	<sup>48</sup> Vic. No. 18 26	The land is situated partly within a reserve for camping and water, notified under general notice of 24th December, 1861, and also wholly within reserve from sale pending completion of the Census of 1881, notified 6th April, 1881. (90-8,813 Dep.)
Annie Nash O'Brien ... ..	715 2 0	56, 60, 102, 103	Narrow Plains	Denison ... ..	Corowa, 6th August, 1885; 14	26	
Annie Nash O'Brien ... ..	142 3 0			Narrow Plains...	Denison .. ..	Corowa, 19th Nov., 1885; 60 ...	42
Bernard O'Neill ... ..	140 1 0	29	Ferrier .. ..	Buckland ... ..	Gunnedah, 20th May, 1886; 31	42	The land was at date of application included in travelling stock reserve No. 9, extended, notified 20th December, 1872. (91-1,704 Dep.)
William Philp... ..	100 0 0	62	Roumalla ... ..	Hardinge .. ..	Armidale, 4th November, 1886; 163.	26	The application was made under the 26th section of the Act of 1884, but through a misapprehension the condition of residence was not carried out. As, however, the case is one of hardship the section has been altered to 42nd, so as to allow applicant to hold the conditional purchase in virtue of his original conditional purchase 79-24, which is under mortgage, and stands in the name of the Bank of New South Wales. (90-21,847 Dep.)
George William Russell ... ..	40 0 0	36	Falconer ... ..	Sandon ... ..	Armidale, 20th August, 1885; 55.	42	Encroaches to the extent of about 15 acres upon water reserve 46, as extended, notified 14th November, 1871. (90-8,461 Dep.)
Checkley Hodges Ratliff ... ..	75 2 0	15	Tumut ... ..	Wynyard ... ..	Tumut, 10th February, 1887; 11	26	The land is situated wholly within a reserve for camping and water, notified under general notice of 24th December, 1861, and also wholly within reserve from sale pending completion of the Census of 1881, notified 6th April, 1881. (90-8,815 Dep.)
Frederick William Reid ... ..	100 0 0	14	Craven ... ..	Gloucester ... ..	Strout, 2nd December, 1886; 92	42	Within the Barrington gold-field. Reserved from conditional purchase 10th September, 1879. (92-26,724 Dep.)
Caroline Smith ... ..	640 0 0	5	Bimbeen ... ..	Gipps ... ..	Condobolin, 8th May, 1890; 47	26	This application was received by the Land Agent at 1:30 p.m., at which hour the office was legally closed, but the Land Agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
The Australian Mortgage, Land, and Finance Company (Limited).	1,181 0 0	21	Cowal ... ..	Gipps ... ..	Condobolin, 26th November, 1891; 131.	42	The basal conditional purchase did not, at date of application, stand in the company's name. (C.S. 93-15,887 Dep.)

Crown Lands Purchases and Leases Validation.

57<sup>o</sup> VICTORIAE, No. .



SCHEDULE A—continued.

Name.	Description.				District, date, and number of conditional purchase, &c.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
The Bank of New South Wales	a. r. p. 60 2 0	224	Elrington ...	St. Vincent ...	Braidwood, 27th October, 1887; 38.	48 Vic. No. 18 42	The application was lodged and confirmed in the name of John O'Heire, who had, however, transferred the basal conditional purchase by way of mortgage to the Bank of New South Wales. (C.S. 93-8,789 Dep.)
The Bank of New South Wales	285 0 0	12	Whyaddra ...	Dowling ...	Condobolin, 30th August, 1888; 50.	42	The application was made by Edward Henry Moulder, who had transferred by way of mortgage the basal conditional purchase to the Bank of New South Wales. (92-24,832 Dep.)
The Commercial Banking Company of Sydney.	40 0 0	96	Puen Buen ...	Auckland ...	Bega, 30th September, 1886; 72	42	The application was made by William Francis Coman, who had transferred by way of mortgage the basal conditional purchase to the Commercial Banking Company of Sydney. (92-26,672 Dep.)
Charles Bede Trefle ...	80 0 0	154	Trigalong ...	Bland ...	Cootamundra, 25th June, 1890; 59.	26	Within water reserve 2,201, notified 8th November, 1880. (92-26,594 Dep.)
Charles Bede Trefle ...	66 0 0	153	Trigalong ...	Bland ...	Cootamundra, 25th June, 1890; 60.	42	
Alexander Hugh Watson ...	92 1 0	18, 19	Tumut ...	Wynyard ...	Tumut, 3rd March, 1887; 15...	26	The land is situated wholly within a reserve for camping and water, notified under general notice of 24th December, 1861, and also wholly within reserve from sale pending completion of the Census of 1881, notified 6th April, 1881. (90-8,814 Dep.)
Benjamin Woodhouse ...	50 0 0	16	Ingebirah ...	Wallace ...	Cooma, 7th August, 1890; 314	26	Owing to defective charting of travelling stock reserve No. 925, the measurement of this portion encroached on the said travelling stock reserve. (92-8,751 Dep.)
Thomas William Whitehead...	80 0 0	115	Greg Greg ...	Selwyn ...	Albury, 17th Dec., 1885; 65 ...	42	The land is situated within the external boundaries of the Bringibrong pastoral holding leasehold area, which was not known to the Land Board when the application was confirmed. (92-6,989 Dep.)
Thomas Williams ...	68 0 0	.....	Wilbetree ...	Phillip ...	Mudgee, 7th August, 1890; 46	26	This land at time of application was within gold-field reserve No. 43, proclaimed 9th October, 1868. (92-16,505 Dep.)

Crown Lands Purchases and Leases Validation.

87<sup>th</sup> VICTORIAE, No. .



SCHEDULE B.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
Henry Althofer ... ..	a. r. p. 720 0 0	35	Mumbil ...	Wellington ...	5,372 (85-4)	Wellington	9th February, 1885.	9th August, 1886.	48 Vic. No. 18. 54	At date of application the basal conditional purchases stood in the name of the Bank of New South Wales, to which Bank they had been transferred by way of mortgage by Althofer. (Leases 92-10,326.)
William O'Dillon Ambrose (now Bank of New South Wales).	1,200 0 0	63	Talmoi ...	Courallie ...	12,279 (85-54)	Moree ...	20th March, 1885.	27th October, 1885.	54	This lease was confirmed before survey, but upon survey it was found that as confirmed the lease encroached to the extent of 116 acres on water reserve 445 in existence at date of application, but since revoked. (Leases 91-1,227.)
William O'Dillon Ambrose (now Bank of New South Wales).	600 0 0	62	Talmoi ...	Courallie ...	12,938 (85-112)	Moree ...	27th August, 1885.	29th October, 1885.	48	This lease was confirmed before survey, but upon survey it was found to encroach to the extent of 37 acres on water reserve 445 in existence at date of application for the lease, but since revoked. (Leases 91-1,227.)
Lucy Elizabeth Botterill ...	1,920 0 0	10	Bimbeen ...	Gipps ...	15,325 (90-41)	Condobolin	8th May, 1890	28th January, 1891.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was not legally open, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
Samuel John Botterill ...	1,920 0 0	8	Younga Plain	Gipps ...	14,656 (90-37)	Condobolin	8th May, 1890	30th October, 1890.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was legally closed, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)
William Earnshaw Botterill ..	1,920 0 0	8	Bimbeen ...	Gipps ...	..... (90-40)	Condobolin	8th May, 1890	19th January, 1891.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was not legally open, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)

Crown Lands Purchases and Leases Validation.

57° VICTORIAE, No. 1.



SCHEDULE B—continued.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
Oscar De Aubert Cayirelys (now the Commercial Banking Company of Sydney).	a. r. p.	2	Munderoo ...	Selwyn ...	10,396 (86-18)	Albury ...	22nd July, 1886.	31st October, 1888.	48	Situated within the external boundaries of the leasehold area of Jingellic pastoral holding. (Leases 92-6,488.)
Thomas Coughlan ... ..	195 0 0	144	Quialigo ...	Argyle ...	10,490 (86-28)	Goulburn	15th April, 1886.	6th December, 1886.	48	This is the second conditional lease confirmed in virtue of one conditional purchase. (Leases 88-4,799.)
William Crapp ... ..	1,920 0 0	Not numbered.	Saltash ...	Sandon ...	10,593	Armidale	20th January, 1885.	.....	52	The conditional purchase in virtue of which the lease was applied for was transferred to the applicant subsequent to 15th July, 1884. (Leases 91-7,803.)
William Ditchfield (now Edwin Ditchfield).	174 0 0	84	Napier ...	Urana ...	7,114 (85-64)	Urana ...	31st March, 1885.	24th July, 1886.	54	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 92-549.)
Thomas Downes (now the Commercial Banking Company, Sydney).	96 1 0	201	Alton ...	King ...	10,528 (86-84)	Burrowa	2nd September, 1886.	27th May, 1887	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 91-1,239.)
Patrick Filand ... ..	268 1 0	192, 193	Cullarin ...	King ...	10,495 (86-40)	Gunning	14th October, 1886.	7th December, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchases. (Leases 88-1889.)
Patrick Filand ... ..	64 1 0	50	Cullarin ...	King ...	10,496 (86-41)	Gunning	14th October, 1886.	16th August, 1887.	48	This is the third conditional lease confirmed in virtue of the same conditional purchases. (Leases 90-7,439.)
John Elliott Forbes (now R. Armstrong and W. M. Royse).	113 0 0	86	Tulla Mullen..	Pottinger ...	2,738 (85-17)	Narrabri	11th August, 1885.	16th October, 1885.	48	The greater part of the land was notified as village reserve on 23 September, 1885, prior to date of confirmation. (90-15,516 Ms.)
Donald Fraser ... ..	1,920 0 0	13	Younga Plain	Gipps ...	14,760 (90-39)	Condobolin	8th May, 1890	31st October, 1890.	48	This application was received by the land agent at 1.30 p.m., at which hour the office was not legally open, but the lands agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.)

Crown Lands Purchases and Leases Validation.



SCHEDULE B—continued.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
James Gorham ... ..	a. r. p. 45 2 0	200	Ware...	King ...	10,484 (86-59)	Burrowa..	1st July, 1886	27th May, 1887	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-7,944.)
Henry Gregory ... ..	530 3 0	107, 111	Osborne ...	Denison ...	2,714 (85-42)	Corowa...	4th March, 1885.	3rd October, 1885.	54	The conditional lease was confirmed in two separate and distinct parts. (92-14 Ls.)
Henry Herbert ... ..	60 0 0	25 <sup>2</sup>	Uringalla ...	Argyle ...	10,487 (85-132)	Goulburn	10th December, 1885.	11th May, 1887	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-4,800.)
William Kelly... ..	100 0 0	125	Wallah ...	King ...	10,485 (86-71)	Burrowa..	29th July, 1886	26th October, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase (Leases 88-995.)
Alexander S. Manning ...	1,425 0 0	.....	Mikibri ...	Kennedy ...	3,248 (85-25)	Parkes ...	27th August, 1885.	11th November, 1885.	48	Partly within the leasehold area of Goobang holding and therefore not open to conditional lease at date of confirmation. (C.S. 90-8,787 Dep.)
Frederick Gibson Manning ...	480 0 0	.....	Mickibri, Davison	Kennedy ...	4,993 (85-61)	Parkes ...	31st December, 1885.	4th March, 1886.	48	Partly within the leasehold area of Goobang holding and therefore not open to conditional lease at date of confirmation. (Leases 91-7,913.)
Neil M'Donald ... ..	281 0 0	.....	Tarramia ...	Denison ...	2,710 (85-72)	Corowa...	30th March, 1885.	5th October, 1885.	54	This is the second conditional lease confirmed in virtue of the same conditional purchase. (91-4,910 Mis.)
James M'Donald ... ..	120 0 0	179	Tarlo... ..	Argyle ...	10,488 (86-21)	Goulburn	23rd March, 1886.	11th May, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-4,801.)
Frank Stavers Mitchell ...	806 0 0	16	Thuara ...	Clyde ...	18,457 (90-1)	Brewarrina East ...	16th January, 1890.	30th September, 1891.	48	The land formed part of water reserve 475, notified 6th October, 1879, and cancelled on 14th December, 1889, consequently sixty clear days had not elapsed at date of application, and the land was not therefore legally available for conditional lease. <i>Vide</i> section 102 Act of 1884. (C.S. 93-6,498 Dep.)
Thomas Murdoch ... ..	1,500 0 0	4	Merilba ...	Kennedy ...	9,778 (88-6)	Parkes ...	9th February, 1888.	9th August, 1888.	48	The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.)
Christopher O'Leary, jun. ...	60 0 0	168	Numby ...	King ...	10,486 (87-12)	Burrowa	24th March, 1887.	26th October, 1887.	48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 88-996.)

Crown Lands Purchases and Leases Validation.

57° VICTORIA, No.



SCHEDULE B—continued.

Name.	Description.				Conditional Lease Number.	District.	Date of Application.	Date of Confirmation.	Section.	Cause of illegality.
	Area.	Portion.	Parish.	County.						
John O'Mara ... ..	a. r. p. 80 0 0	141	Quialigo ...	Argyle ...	10,491 (86-29)	Goulburn	20th April, 1886.	10th January, 1887.	48 Vic. No.18. 48	This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 89-5,654.) The portions encroach on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.) Within the Barrington Goldfield. Reserved from conditional purchase 10th September, 1879, and therefore not open to conditional lease. (92-26,724 Dep.) The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2,094 Dep.) This application was received by the land agent at 1.30 p.m., at which hour the office was legally closed, but the land agent's error was not discovered till long after the application had been confirmed. (92-9,005 Dep.) This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 89-1,475.) The basal conditional purchase together with the series was eight days prior to application transferred by Walsh to the Bank of New South Wales. (93-3,940 Ls.) The land is situated within part of the Gundaroo gold-field which was not open to conditional lease. (Leases 90-7,981.) This is the second conditional lease confirmed in virtue of the same conditional purchase. (Leases 86-4,803.) Owing to defective charting of travelling stock reserve 925, the measurement of the portion encroached on the said travelling stock reserve. (92-8,751 Dep.)
William Peasley ... ..	1,516 0 0	14 & 15	Merilba ...	Kennedy ...	16,829 91-4	Parkes ...	21st January, 1891.	3rd September, 1891.	48	
Frederick William Reid ... ..	95 0 0	15	Craven ...	Gloucester ...	10,420 (86-17)	Stroud ...	2nd December, 1886.	9th March, 1888.	48	
Andrew Shean, jun. ... ..	1,500 0 0	13	Merilba ...	Kennedy ..	14,272 (90-20)	Parkes ...	20th February, 1890.	12th July, 1890.	48	
Caroline Smith ... ..	1,920 0 0	6	Bimbeen ...	Gipps ...	15,324 (90-38)	Condobolin	8th May, 1890	28th January, 1891.	48	
John Thomas Sullivan, jun....	200 0 0	173	Merrill ...	King ...	10,494 (86-32)	Gunning .	31st August, 1886.	7th December, 1887.	48	
Thomas Walsh ... ..	413 3 0	109, 116 117, 118	Dungog ...	Durham ...	17,249 (91-1)	Dungog...	15th January, 1891.	10th March, 1891.	48	
William Watson ... ..	622 0 0	2, 9	Carwoola ...	Murray ...	8,677 (86-21)	Quean- beyan.	2nd November, 1886.	23rd March, 1888.	48	
James Williams ... ..	142 1 0	105	Leighwood ...	Georgiana ...	10,493 (86-47)	Goulburn.	22nd July, 1886	15th March, 1887.	48	
Benjamin Woodhouse ... ..	150 0 0	17	Ingebirah ...	Wallace ...	16,520 (90-206)	Cooma ..	7th August, 1890.	27th May, 1891	48	

Crown Lands Purchases and Leases Valuation.

57, VICTORIA, No.



SCHEDULE C.

Name.	Description.				District.	Place of sale.	Date of sale.	Cause of illegality.
	Area.	Portion.	Parish.	County.				
John Bassett Christian ... William Bassett Christian ... William Martin Christian ... James Gibb ...	a. r. p. 280 0 0 255 0 0	69 219	Borambil ... Berthong ...	Buckland ... Bland...	Murrurundi ... Young ...	Murrurundi ... Young]	8th March, 1886 23rd Oct., 1878	{ The land at date of sale was not legally available for auction sale, being at that time held as a conditional purchase. (90-5,468 Cor.) The land at date of sale was not available for auction sale, having been 44 days previously notified as part of travelling stock reserve 1,442. (93-8,883 Aln.)

SCHEDULE D.

Name.	Area.	Allotment.	Section.	County.	Parish.	Situation.	Cause of illegality.
Mary Ann Miller (widow) ...	a. r. p. 0 3 0	2	21	Murchison ...	Bingara ...	In the town of Bingara, fronting Keera-street.	There is no provision in the Land Acts for such a sale without competition. The land is sold to the purchaser in lieu of the same area of her original allotments, which is found to be below the level of the river Gwyder. (90-9,229 Aln.)

SCHEDULE E.

Name of Grantee.	Area.	Situation.	Date of issue of Grant.	Cause of illegality.
The Secretary of the Australian Gaslight Company.	a. r. p. 0 0 1 $\frac{1}{4}$	At Woolloomooloo, parish of Alexandria, city of Sydney, the parcel of land within the following boundaries: Commencing on the east side of Bourke-street at a point 10 feet southerly from its intersection with the south side of Griffiths-street and bounded thence by the east side of Bourke-street bearing northerly 10 feet, on the north by the southern side of Griffiths-street bearing easterly 71 feet, and on the south-east by a line bearing south-westerly, to the point of commencement.	25th October, 1869.	This land was sold to the Australian Gaslight Company under the provisions of section eleven of the "Crown Lands Alienation Act of 1861" as adjoining land evidently assumed to have been held by that Company in fee simple, whereas although the latter had been agreed to be alienated the alienation had not taken place.



SCHEDULE F.

Name.	Description.				District, date, and number of Improvement Purchase.	Section.	Cause of illegality of purchase.
	Area.	Portion.	Parish.	County.			
Bishop Lyne ...	a. r. p. 640 0 0	7	Dandaloo ...	Kennedy ...	Parkes. 25th April, 1881. 15 ...	39 Vic. No. 13 2	The portion at date of application and date of issue of deed of grant formed part of water reserve 458. (93-2,102 Mis. Dep.)

SCHEDULE G.

Name of proposed Grantee.	Area.	Situation.	Reason for issuing Grant.
The Secretary of the Australian Gaslight Company.	a. r. p. 0 0 14 $\frac{3}{4}$	At Woolloomooloo, parish of Alexandria, city of Sydney, the parcel of land within the following boundaries : Commencing on the east side of Bourke-street at a point 10 feet southerly from its intersection with the south side of Griffiths-street, and bounded thence on the west by the east side of Bourke-street bearing southerly to the north-west corner of the Australian Gaslight Company's allotment of 19 $\frac{1}{2}$ perches ; thence by the northern boundary of that allotment, and that Company's allotment of 8 perches to the north-east corner of the latter allotment ; thence by a line bearing northerly to Griffiths-street at the east corner of the allotment of 1 $\frac{1}{4}$ perches sold to the Gas Company under the eleventh clause of the Act of 1861 ; and thence by the south-eastern boundary of that allotment bearing south-westerly to the point of commencement.	In pursuance of a proposal made in the year 1867 by the then Minister for Lands, and agreed to by the Australian Gaslight Company in the year 1868, the land should have been included in the Schedule to Act 37 Victoria No. 2, intituled " <i>An Act to authorize certain grants of Land to be made by way of compensation for losses of Water-frontage in Woolloomooloo Bay,</i> " from which it would appear to have been inadvertently omitted.



Name	Rank	Regiment	Company	Service	Remarks
Adams, John	Private	1st Regt	A	1861-1862	Killed in action
Adams, William	Private	2nd Regt	B	1861-1862	Discharged
Adams, James	Private	3rd Regt	C	1861-1862	Discharged
Adams, George	Private	4th Regt	D	1861-1862	Discharged
Adams, Thomas	Private	5th Regt	E	1861-1862	Discharged
Adams, Charles	Private	6th Regt	F	1861-1862	Discharged
Adams, Henry	Private	7th Regt	G	1861-1862	Discharged
Adams, John	Private	8th Regt	H	1861-1862	Discharged
Adams, William	Private	9th Regt	I	1861-1862	Discharged
Adams, James	Private	10th Regt	J	1861-1862	Discharged
Adams, George	Private	11th Regt	K	1861-1862	Discharged
Adams, Henry	Private	12th Regt	L	1861-1862	Discharged
Adams, John	Private	13th Regt	M	1861-1862	Discharged
Adams, William	Private	14th Regt	N	1861-1862	Discharged
Adams, James	Private	15th Regt	O	1861-1862	Discharged
Adams, George	Private	16th Regt	P	1861-1862	Discharged
Adams, Henry	Private	17th Regt	Q	1861-1862	Discharged
Adams, John	Private	18th Regt	R	1861-1862	Discharged
Adams, William	Private	19th Regt	S	1861-1862	Discharged
Adams, James	Private	20th Regt	T	1861-1862	Discharged
Adams, George	Private	21st Regt	U	1861-1862	Discharged
Adams, Henry	Private	22nd Regt	V	1861-1862	Discharged
Adams, John	Private	23rd Regt	W	1861-1862	Discharged
Adams, William	Private	24th Regt	X	1861-1862	Discharged
Adams, James	Private	25th Regt	Y	1861-1862	Discharged
Adams, George	Private	26th Regt	Z	1861-1862	Discharged
Adams, Henry	Private	27th Regt	AA	1861-1862	Discharged
Adams, John	Private	28th Regt	BB	1861-1862	Discharged
Adams, William	Private	29th Regt	CC	1861-1862	Discharged
Adams, James	Private	30th Regt	DD	1861-1862	Discharged
Adams, George	Private	31st Regt	EE	1861-1862	Discharged
Adams, Henry	Private	32nd Regt	FF	1861-1862	Discharged
Adams, John	Private	33rd Regt	GG	1861-1862	Discharged
Adams, William	Private	34th Regt	HH	1861-1862	Discharged

Adams, James

Adams, George

Adams, Henry