

1912.

—  
VICTORIA.

---

THE LAND ACTS.

---

REPORT

FOR

THE EIGHTEEN MONTHS ENDED 30<sup>TH</sup> JUNE, 1912.

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PRESENTED TO BOTH HOUSES OF PARLIAMENT BY HIS EXCELLENCY'S COMMAND.

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By Authority:

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# R E P O R T .

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*To His Excellency Sir John Michael Fleetwood Fuller, Baronet, Governor of  
the State of Victoria and its Dependencies, &c., &c., &c.*

Department of Lands and Survey,  
Melbourne, 23rd September, 1912.

YOUR EXCELLENCY,

I have the honour to submit the annexed Report by the Secretary for Lands of proceedings under the Land Acts during the eighteen months ended 30th June, 1912.

The Report has reference to the undermentioned subjects, which are dealt with in the order indicated:—

- |                           |                   |
|---------------------------|-------------------|
| I.—Settlement.            | IV.—Mallee.       |
| II.—Sales by auction.     | V.—Miscellaneous. |
| III.—Pastoral occupation. |                   |

Appendix A gives a detailed report by the Surveyor-General on the Professional Division of the Department.

I have the honour to be,

Your Excellency's most obedient Servant,

H. McKENZIE,

Commissioner of Crown Lands and Survey,  
and President of the Board of Land and Works.

To the Honorable Hugh McKenzie, Commissioner of Crown Lands and Survey.

Department of Lands and Survey,  
Melbourne, 23rd September, 1912.

SIR,

I have the honour to submit the following Report of proceedings under the Land Acts during the eighteen months ended 30th June, 1912 :—

### I.—SETTLEMENT.

The general methods of alienation of Crown lands in Victoria, from the first sales to the 30th June, 1912, are shown in the following Table (A) :—

TABLE A.

	BY AUCTION.				BY SELECTION.						General Total. Area.
	Country Lands.	Town Lands.	Suburban Lands.	Totals by Auction, &c.	Selection and Lease.		Certificate Selection.		42nd Section, Act 1865, &c.		
					No.	Area.	No.	Area.	No.	Area.	
	Acres.	Acres.	Acres.	Acres.		Acres.		Acres.		Acres.	Acres.
Under Imperial Acts ...	...	...	...	3,944,237	...	...	...	...	...	...	3,944,237
„ Land Act 1860 ...	392,610	1,273	4,979	398,862	...	410,600	...	...	...	...	809,462
„ „ 1862 ...	422,610	2,800	31,295	456,705	...	1,363,243	...	59,992	...	...	1,879,940
„ „ 1865 ...	639,761	6,709	34,137	680,607	5,900	1,499,910	3,078	559,423	...	753,459	3,493,399
„ „ 1869 ...	986,175	17,229	32,693	1,036,097	Section 19. 65,523 10,460,979		...	...	Section 49. 11,603 181,885		11,678,961
„ „ 1878 ...	...	...	...	...	Section 11. 453 76,100		...	...	Section 10. 401 1,202		77,302
„ „ 1884-1890	120,177	31,198	3,924	155,299	Section 42. 4,286 400,207		Section 49. 118 6,232		...	...	561,738
„ „ 1891-1901	...	...	...	...	...	...	...	...	Sections 22 and 106. 199 609		609
Totals ...	...	...	...	6,671,807	...	14,211,039	...	625,647	...	987,155	22,445,648
During year—	Land Act 1898-1901.				Land Act 1898-1901.						
1899 ...	3,353	860	...	4,213	...	...	...	...	Sections 49, 50, 59, and 54. Non-residence.		4,213
1900 ...	4,977	1,668	...	6,645	657	79,376	532	96,786	198	28,879	211,686
1901 ...	4,080	2,126	...	6,206	1,249	152,262	1,323	297,518	319	50,257	506,243
1902 ...	3,297	2,259	...	5,556	557	70,211	744	166,830	111	17,332	259,929
1903 ...	4,936	1,957	...	6,893	675	83,283	679	122,351	217	33,165	245,692
1904 ...	3,154	1,924	...	5,078	747	59,590	586	139,119	143	25,262	229,049
1905 ...	3,267	2,129	...	5,396	727	54,257	417	98,705	108	25,412	183,770
1906 ...	2,060	1,946	...	4,006	946	56,172	300	61,299	123	20,128	141,605
1907 ...	2,776	1,369	...	4,145	901	55,079	263	67,923	168	34,328	161,475
1908 ...	2,805	1,630	...	4,435	824	54,620	355	95,136	123	27,994	182,185
1909 ...	2,729	2,062	...	4,791	734	48,047	372	97,748	143	33,023	183,609
1910 ...	2,469	1,789	...	4,258	749	38,601	341	96,621	189	35,692	175,172
1.1.11 to 30.6.12 ...	2,002	2,147	...	4,149	1,189	51,533	373	97,113	209	41,393	194,208
Totals ...	41,905	23,866	...	65,771	9,955	803,051	6,285	1,437,149	2,051	372,865	2,678,836
	Auction	...	...	...	...	...	...	6,737,578 acres			
	Selection	...	...	...	...	...	...	*18,386,906 "			
	Total	...	...	...	...	...	...	25,124,484 acres.			

NOTE.—Forfeitures have been deducted from the area selected.

\* Exclusive of selection in Mallee Country and Mallee Border.

### SECTION 20, LAND ACT 1869.

This section, the rights of which are preserved by section 2 of the *Land Act* 1901, bestowed on licensees under Part II. of *The Land Act* 1869 the right to acquire, on expiration of the term of their licences, the fee-simple of their selections, either by paying the balance of purchase money in one sum, or by deferred payments under lease.

The following Table shows the transactions during the eighteen months ended 30th June, 1912:—

TABLE B.

Purchases Completed.	Area Purchased.	Area Leased and afterwards Purchased.	Amount Paid by Lessees as Balance of Purchase money.		
	Acres.	Acres.	£	s.	d.
61	12,849	12,849	937	12	11

NOTE.—The transactions of a like nature under section 11, *Land Act* 1878, are included in this Table.

## SECTION 31, LAND ACT 1869.

This section, the rights of which are preserved by section 2 of the *Land Act* 1901, conferred on holders of licences, obtained under the repealed Acts of 1862 and 1865, to occupy lands for other than pastoral purposes, the right to acquire the fee-simple of the lands so held, credit being given in the purchase for all moneys paid by them as rent and survey fees.

In cases in which purchase has not been allowed on account of the auriferous character of the land, or of portions thereof being required or likely to be required for railways or other public purposes, such of the licensees whose payments represent an amount equivalent to the estimated value per acre of the land have continued in occupation at a nominal rental of One shilling per annum pending removal of objections or decision as to public requirements.

Table C shows the transactions during the eighteen months ended 30th June, 1912:—

TABLE C.

Purchases Completed.	Area Purchased.	Balances of Purchase Money Received.	Survey Fees Allowed.		
	Acres.	£ s. d.	£	s.	d.
9	244	15 14 6	16	7	6

## SECTION 44, LAND ACT 1890.

This section, the rights of which are preserved by section 2 of the *Land Act* 1901, enables licensees under Division 3, Part I., of the *Land Act* 1890 to acquire, on expiration of the term of their licences, the fee-simple of their licensed holdings either by paying the balance of purchase money in one sum or by deferred payments under lease. The following Table shows the transactions during the eighteen months ended 30th June, 1912:—

TABLE D.

Purchases Completed.	Area Purchased.	Area Leased and afterwards Purchased.	Amount Paid by Lessees as Balance of Purchase Money.		
	Acres.	Acres.	£	s.	d.
399	42,184	42,184	3,544	5	3

NOTE.—This Table includes particulars of a like nature under section 50, *Land Act* 1890.

## THE LAND ACT 1901.

*Division 1, Part I.*

Section 18 of this Act confers on licensees under section 49 of *The Land Act* 1869 the exclusive right of purchasing their holdings at a price to be determined by the Board of Land and Works. Thirty-four applications, representing 552 acres, were approved during the eighteen months ended 30th June, 1912, and the sum of £159 was received.

*Division 3, Part 1.—Agricultural and Grazing Lands.*

Under this Division provision is made for the occupation of Crown lands for the combined purposes of agriculture and grazing, and section 35 of the *Land Act* 1901 provides for the issue of grazing area leases for a term of years expiring not later than the 29th December, 1920.

Table E shows the transactions during the eighteen months ended 30th June, 1912 :—

TABLE E.

Number of Applications Approved.	Area Leased.	Annual Rental.
	Aces.	£ s. d.
89	30,279	142 15 9

Sections 47 and 50 provide for the issue of licences of agricultural allotments, and section 54 allows the issue of licences of grazing allotments.

Table F shows the transactions under these sections during the eighteen months ended 30th June, 1912 :—

TABLE F.

Section.	Number of Applications Approved.	Area Licensed.	Annual Rental.
		Aces.	£ s. d.
47. (Residence) <i>Land Act</i> 1901 ...	1,455	80,879	3,767 15 10
50. (Non-residence) „ 1901 ...	136	10,641	489 13 10
54. (Residence) „ 1901 ...	551	148,719	2,873 16 0
54. (Non-residence) „ 1901 ...	99	33,680	830 7 8
Total ... ..	2,241	273,919	7,961 13 4

NOTE.—This Table includes selections of enhanced value.

The transactions under sections 49, 51, and 56 of the *Land Act* 1901 during the eighteen months ended 30th June, 1912, are set forth in Table G.

TABLE G.

Grants Gazetted as Approved.	Leases Gazetted as Approved.	Purchases Completed.	Area Purchased.	Area Leased.	Balance of Purchase Money paid by Licensees.	Area Leased and afterwards Purchased.	Amount Paid by Lessees as Balance of Purchase Money.
			Aces.	Aces.	£ s. d.	Aces.	£ s. d.
807	1,251	1,133	78,457	200,054	7,256 6 1	57,242	13,354 7 6

Under section 70 of the *Land Act* 1901 a lessee of an agricultural or grazing allotment can give an “order” for the delivery of the Crown grant to any person who has made an advance of money on the security of a lease, the mortgage being transferred from the lease to the Crown grant. Eleven orders, representing in all an area of 2,237 acres, were registered during the eighteen months ended 30th June, 1912.

Sections 71 and 72 of the *Land Act* 1901 as amended by section 70 of the *Land Act* 1911 empower licensees of agricultural or grazing allotments to register liens in the Crown Lands Office upon the security of the permanent improvements effected on their holdings up to the value of such improvements. One hundred and four liens, comprising an area of 51,508 acres, were registered during the eighteen months ended 30th June, 1912, representing, as advanced on this kind of security, £14,678 8s. 5d.

*Division 4, Part I.—Auriferous Lands.*

This Division provides for the occupation of Crown lands classed "Auriferous." Under section 103, licences for the purpose of residence or cultivation may be issued for lands not included within any city or town, and not exceeding 20 acres in extent.

In the *Land Act* 1904 provision is made whereby licensees under section 103 of the *Land Act* 1901 can apply to surrender their licences with a view to obtain agricultural or grazing allotment licences in lieu thereof.

The transactions during the eighteen months ended 30th June, 1912, under section 103, are shown in Table H:—

TABLE H.

Section 103.		
Number of Applications Approved.	Area Licensed.	Annual Rental.
	Acres.	£ s. d.
549	9,497	492 12 0

WORKED-OUT AURIFEROUS LANDS.

By the 106th section of the *Land Act* 1901 it is provided that whenever it appears to be no longer profitable to mine for gold within 50 feet of the surface of any unalienated lands of the Crown, such lands may, after inquiry by a warden, be declared to be "worked-out auriferous lands," and licensed in allotments not exceeding five (5) acres in extent. Every licensee who shall have complied with the conditions of his licence will, at the expiration of seven (7) years, be entitled to the fee-simple of the land at a price to be fixed by the Board of Land and Works, and the amount paid as annual licence-fees will be deducted from the purchase money payable.

During the eighteen months ended 30th June, 1912, three applications under this section were approved for an area of 15 acres, at an annual rental of £1 7s. 6d.

PROGRESS OF SELECTION.

Table I. shows the progress of selection under section 65 of *The Land Act* 1890, and sections 29, 42, and 59 of the *Land Act* 1898 and corresponding sections of the *Land Act* 1901. Similar particulars of selection under sections 32, 42, 49, and 65 of the *Land Acts* 1884–1890, from the year 1886 to the year 1898 inclusive, will be found in the departmental Report for 1908:—

TABLE I.—LAND SELECTED.

Year.	Under Section 29, L.A. '98, and Section 35, L.A. '01.		Under Sections 42, 47, 54, and 59.		Under Sections 49, 50, 54, and 59. Non-Residence.		Under Sections 65 and 103.	
	Applications Approved.	Acreage.	Applications Approved.	Acreage.	Applications Approved.	Acreage.	Applications Approved.	Acreage.
1899	41	13,591	616	66,998	14	924	116	1,987
1900	1,558	701,504	1,349	196,127	202	29,042	178	2,946
1901	3,663	1,642,054	2,654	466,084	319	50,257	400	7,085
1902	1,173	507,403	1,459	281,569	118	18,115	245	4,584
1903	905	574,482	1,544	251,441	217	33,165	492	7,420
1904	524	290,043	1,455	226,925	156	26,667	689	12,587
1905	372	179,488	1,325	189,442	123	27,977	437	6,952
1906	219	95,647	1,439	149,893	140	23,220	477	8,623
1907	96	23,323	1,321	151,865	197	39,367	517	9,290
1908	178	85,362	1,402	184,942	131	28,941	407	7,145
1909	101	47,791	1,550	214,999	186	42,180	318	5,478
1910	84	36,089	1,527	210,331	213	38,363	304	4,864
1.1.11 to 30.6.12	89	30,279	2,006	229,598	235	44,321	549	9,457

NOTE.—This Table includes selections under section 17, *Land Act* 1891.

## LICENCES AND LEASES SURRENDERED, REVOKED, OR DECLARED EXPIRED.

The following Table shows the number of licences and leases, together with areas under the sections specified, surrendered, revoked, or declared expired during the eighteen months ended 30th June, 1912 :—

TABLE J.

	No.	Extent.
		Acres.
Licences—Section 42, <i>Amending Land Act</i> 1865 ...	7	115
Section 49, <i>Land Act</i> 1869 ...	2	29
Section 42, <i>Land Acts</i> 1890–1898, and Section 47, <i>Land Act</i> 1901 ...	262	28,501
Section 49, <i>Land Acts</i> 1890–1898, and Section 50, <i>Land Act</i> 1901 ...	17	939
Section 59, <i>Land Act</i> 1898, and Section 54, <i>Land Act</i> 1901 (Residence) ...	172	49,787
Section 59, <i>Land Act</i> 1898, and Section 54, <i>Land Act</i> 1901 (Non-residence) ...	9	1,989
Section 65, <i>Land Act</i> 1890, and Section 103, <i>Land Act</i> 1901 ...	*806	14,930
Section 22, <i>Land Act</i> 1891, and Section 106, <i>Land Act</i> 1901 ...	14	66
Leases—Section 20, <i>Land Acts</i> 1869–1878 ...	3	10
Section 44, <i>Land Act</i> 1890 ...	1	99
Section 44, <i>Land Act</i> 1890–1898, and Section 49, <i>Land Act</i> 1901 ...	4	825
Section 61, <i>Land Act</i> 1898, and Section 56, <i>Land Act</i> 1901 (Residence) ...	6	1,819
Section 85, <i>Land Act</i> 1890, and Section 131, <i>Land Act</i> 1901 ...	2	37
Section 29, <i>Land Act</i> 1898, and Section 35, <i>Land Act</i> 1901 ...	359	165,108
Section 80, <i>Land Act</i> 1898, and Sections 63–130, <i>Land Acts</i> 1901–1904 ...	75	16,244

\* Includes licences surrendered to enable holders to obtain concessions allowed by Land Acts.

## II.—SALES OF CROWN LANDS BY AUCTION.

The principle of deferred payments introduced in Part V. of *The Land Act* 1884, has been continued and extended by the provisions of Division 5, Part I., of the *Land Act* 1901, one-eighth of the price bid being paid at the time of sale, and the remaining seven-eighths spread over a period not exceeding twenty years, payable half-yearly, in instalments of equal amounts, bearing interest at the rate of £4 per centum per annum.

During the eighteen months ended 30th June, 1912, 4,149 acres were sold for £67,174. Interest to the amount of £6,518 10s. 11d. was paid with the purchase money or instalments as they fell due.

The area of country lands sold at auction during the eighteen months ended 30th June, 1912, was 2,002 acres, of which about 660 acres were improved, and 1,342 acres unimproved.

In consequence of several purchasers having failed to pay the instalments of their purchase money as they became due, as required by the conditions of sale, steps were taken during the eighteen months ended 30th June, 1912, to forfeit to the Crown the amounts already paid and declare the sales void. As a result of this action, which was not taken until after repeated and fruitless notices to the purchasers, an area of 311a. 0r. 38p. reverted to the Crown, and the instalments of purchase money and survey fees already paid thereon, amounting to £423 19s. 1d., were forfeited.



Table K shows the proceeds of sales by auction of country lands during each year from 1901. Similar particulars for each year from the commencement of the *Land Act* 1869 to the year 1891 inclusive will be found in the departmental Report for that year, and for the several subsequent years to 1900 inclusive in the departmental Report for 1903 :—

TABLE K.

Year.	Area Sold.			Amount Realized.			Average per Acre.		
	A.	R.	P.	£	s.	d.	£	s.	d.
1901—6 months ending 30th June—									
Unimproved land ... ..	376	1	11	1,465	16	9	3	18	0
Improved " ... ..	1,232	0	37	4,471	13	8	3	12	6
" 6 months ending 31st December—									
Unimproved land ... ..	661	1	31	2,035	8	0	3	1	6
Improved " ... ..	1,809	0	27	6,167	0	10	3	7	9
1902—6 months ending 30th June—									
Unimproved land ... ..	760	0	15	1,843	14	8	2	8	6
Improved " ... ..	1,415	3	1	4,825	8	0	3	8	1
" 6 months ending 31st December—									
Unimproved land ... ..	283	3	24	980	5	9	3	9	0
Improved " ... ..	837	0	9	3,415	14	0	4	1	7
1903—6 months ending 30th June—									
Unimproved land ... ..	1,160	3	9	4,160	0	0	3	11	8
Improved " ... ..	2,949	3	20	18,572	18	5	6	6	0
" 6 months ending 31st December—									
Unimproved land ... ..	431	3	2	1,058	19	4	2	9	0
Improved " ... ..	393	3	17	1,710	13	9	4	6	10
1904—6 months ending 30th June—									
Unimproved land ... ..	779	0	1	1,558	9	9	2	0	0
Improved " ... ..	1,402	1	14	3,081	16	0	2	3	11
" 6 months ending 31st December—									
Unimproved land ... ..	235	1	35	639	18	9	2	10	3
Improved " ... ..	737	0	0	940	15	3	1	5	6
1905—6 months ending 30th June—									
Unimproved land ... ..	878	2	8	5,242	16	9	5	19	5
Improved " ... ..	599	0	24	1,508	13	7	2	10	4
" 6 months ending 31st December—									
Unimproved land ... ..	816	3	14	3,569	13	0	4	7	4
Improved " ... ..	972	2	37	2,194	9	6	2	5	1
1906—6 months ending 30th June—									
Unimproved land ... ..	869	0	33	1,816	16	8	2	2	0
Improved " ... ..	578	2	21	1,415	15	0	2	9	0
" 6 months ending 31st December—									
Unimproved land ... ..	401	1	9	3,303	2	7	8	4	8
Improved " ... ..	211	0	26	718	4	10	3	8	0
1907—6 months ending 30th June—									
Unimproved land ... ..	1,198	1	39	3,544	1	4	2	19	2
Improved " ... ..	895	2	38	10,212	18	1	11	8	0
" 6 months ending 31st December—									
Unimproved land ... ..	469	2	9	1,666	10	6	3	11	0
Improved " ... ..	212	0	28	763	18	2	3	12	0
1908—6 months ending 30th June—									
Unimproved land ... ..	734	0	39	3,728	7	3	5	1	6
Improved " ... ..	1,138	1	32	18,164	19	2	15	19	2
" 6 months ending 31st December—									
Unimproved land ... ..	472	0	27	1,833	3	2	3	17	8
Improved " ... ..	460	1	25	1,861	14	3	4	0	10
1909—6 months ending 30th June—									
Unimproved land ... ..	647	1	18	2,462	2	6	3	16	1
Improved " ... ..	483	3	25	4,963	0	7	10	5	1
" 6 months ending 31st December—									
Unimproved land ... ..	1,245	3	18	4,782	4	0	3	16	9
Improved " ... ..	352	0	8	860	5	6	2	8	10
1910—6 months ending 30th June—									
Unimproved land ... ..	695	1	24	3,926	11	5	5	12	11
Improved " ... ..	1,116	2	16	6,692	0	7	5	19	10
" 6 months ending 31st December—									
Unimproved land ... ..	318	2	12	1,172	7	2	3	13	7
Improved " ... ..	338	0	35	3,520	15	5	10	8	2
1911—6 months ending 30th June—									
Unimproved land ... ..	408	2	9	1,294	2	9	3	3	5
Improved " ... ..	215	2	28	1,843	16	4	8	11	5
" 6 months ending 31st December—									
Unimproved land ... ..	356	3	23	1,427	13	11	4	0	0
Improved " ... ..	115	1	7	475	15	6	4	2	7
1912—6 months ending 30th June—									
Unimproved land ... ..	576	2	27	1,567	2	6	2	14	5
Improved " ... ..	328	1	32	1,178	17	1	3	11	10

Table L shows the alienation by auction, during the eighteen months ended 30th June, 1912, of town and country lands, and the amounts derived therefrom :—

TABLE L.

Town Lands.			Country Lands.					
Area.		Amount.	Average per Acre.	Area.		Amount.	Average per Acre.	
A.	R.	P.	£	s.	d.	£	s.	d.
2,147	0	0	59,386	12	6	27	13	2
A.	R.	P.	£	s.	d.	A.	R.	P.
2,001	2	6	7,787	8	3	3	17	9

### III.—PASTORAL OCCUPATION.

The sum of £22,282 10s. 9d. was received during the eighteen months ended 30th June, 1912, for licences under section 187 of the *Land Act* 1901.

### IV.—MALLEE.

The *Land Act* 1901, Part II., as amended by the Land Acts 1904 and 1911 and the *Murray Settlements Act* 1907, deal with about 11,354,571 acres of land, exclusive of Mildura (62,222 acres), in the north-western district of the State. In addition to the area of 11,354,571 acres, 155,207 acres have been laid off as roads, &c., through the Mallee to facilitate travelling in this portion of the State, and 397,881 acres have been retained as reserves. The transactions for the period from 1st January, 1911, to 30th June, 1912, are as under:—

			No.	Area in Acres.	
Leases issued or approved ...	...	{	Agricultural leases ...	431	258,063
			Perpetual leases ...	29	18,709
			Conditional Purchase leases ...	131	4,509
			Selection Purchase leases ...	296	189,440
Licences issued or approved	...	{	Agricultural allotments ...	812	513,640
			Garden, Store, &c. ...	253	—
Licences cancelled for non-payment of rent, &c. ...	...	...	55	—	
Leases transferred	...	{	Mallee allotments ...	23	9,374
			Agricultural leases ...	932	559,530
			Perpetual leases ...	30	17,880
Number of Local Land Boards held ...	...	...	78	—	
„ cases dealt with...	...	...	13,387	—	

On 1st July, 1912, the areas available or held under lease and licence were as follow:—

			No.	Area in Acres.	
Available under section 187, <i>Land Act</i> 1901 ...	...	...	—	904,139	
Available as agricultural allotments ...	..	...	—	164,280	
Areas held under section 187, <i>Land Act</i> 1901 ...	...	...	197	4,952,175	
Mallee allotments held under lease ...	...	...	307	321,417	
Irrigation allotments held under conditional purchase lease	...	...	387	14,036	
Agricultural allotments occupied under ...	...	{	Agricultural leases ...	4,772	3,021,627
			Perpetual leases ...	635	575,529
			Licences ...	1,844	1,211,928
			Selection purchase leases	296	189,440

The revenue derived was as follows:—

					£	s.	d.
Rents on Mallee allotments	...	...	...	...	548	12	0
Rents on perpetual leases	...	...	...	...	1,737	15	6
Rents on conditional purchase leases	...	...	...	...	1,443	0	2
Rents on agricultural allotments	...	...	...	...	93,547	7	3
Rents on selection purchase leases	...	...	...	...	113	8	4
Rents under section 187, <i>Land Act</i> 1901	...	...	...	...	10,021	14	5
Valuation of improvements and cost of resumption	...	...	...	...	2,020	11	0
Interest on improvements and cost of resumption	...	...	...	...	541	0	0
Penalties and Fines	...	...	...	...	1,551	1	0
Fees—					£	s.	d.
Application	...	...	...	...	3,345	0	0
Licence	...	...	...	...	800	0	0
Lease	...	...	...	...	878	0	0
Mortgage	...	...	...	...	100	0	0
Transfer	...	...	...	...	20	0	0
					<hr/>		
					5,143	0	0
					<hr/>		
Total	...	...	...	...	£116,667	9	8

Section 222, *Land Act* 1901, enables any licensee, at the expiration of licence or on obtaining a lease, to demand and obtain a Crown grant at any time upon payment of the difference between the amount of rent actually paid and the balance due according to classification of land. The following Table shows the transactions during the period 1st January, 1911, to 30th June, 1912:—

Purchases Completed.	Area Purchased.	Balance of Purchase Money Paid.		
		£	s.	d.
98	Acres. 42,809	16,525	10	6

Two irrigation areas have been laid out in the Mallee under the *Murray Settlements Act* 1907, one at White Cliffs, and the other at Nyah.

All of the available allotments at White Cliffs have been selected under Conditional Purchase Lease, while only two are available at Nyah.

Some of the existing holders found, however, that areas from 50 to 70 acres were too large for them to manage successfully, and action is now being taken to reduce the size of their respective holdings to not more than 30 acres, and to make the excess acreage available for other persons.

## V.—MISCELLANEOUS.

### SECTION 130, LAND ACT 1901.

Under section 130 of the *Land Act* 1901, 27 Conditional Purchase Leases were issued for 716 acres of swamp or reclaimed land at an annual rental of £112 6s. 8d.

### SECTION 146, LAND ACT 1901.

Under this section provision is made whereby a licensee under section 145 of the *Land Act* 1901 of a site for a butter factory or creamery, or a site for a residence, garden, inn, store, smithy, or similar building not within the boundaries of any city may apply for the exclusive right to purchase such site after having been in possession thereof for a period of five years and erected buildings or made other improvements thereon credit being given for the amount of rent paid during the period of possession.

During the eighteen months ended 30th June, 1912, 238 applications under this section were granted for an area of 589 acres.

### SECTION 147, LAND ACT 1901 (as amended by Section 16, *Land Act* 1904, and Section 9, *Land Act* 1905).

#### BEE FARMS.

During the eighteen months ended 30th June, 1912, 27 applications were granted for an area of 44 acres.

## SECTION 14, LAND ACT 1905.—BEE RANGE AREAS.

During the eighteen months ended 30th June, 1912, eleven applications were granted in respect of an area of 17,018 acres.

## SECTION 154, LAND ACT 1901.—COMMONS.

Commons were diminished by proclamation to the extent of 24,160 acres. Eight commons which were found to be no longer required were abolished.

## SECTION 164, LAND ACT 1901.—PENALTIES.

The amount of penalties, at the rate of Five shillings per acre, received during the eighteen months ended 30th June, 1912, for non-improvement by lessees under the Land Acts of 1862 and 1865, and interest on rents in arrear, was £2,981 14s. 5d.

## SECTION 184, LAND ACT 1901.

In this section provision is made for the alienation of portions of land not exceeding 20 acres in extent at a price determined by appraisal. During the eighteen months ended 30th June, 1912, 1,320 acres were ordered to be sold in this manner, the total purchase money being £5,040 14s. 1d.

## SECTION 193, LAND ACT 1901.—PUBLIC HEARINGS.

During the eighteen months ended 30th June, 1912, 571 sittings of Local Land Boards were held, at which applications for land and other business, comprising in all 19,601 subjects (including applications for mallee lands), were dealt with.

Ninety cases were publicly heard by the Minister during the eighteen months ended 30th June, 1912.

## SECTIONS 344, 345, AND 346, LAND ACT 1901.

Any holder of a Conditional Purchase Lease under sections 344, 345, and 346 of the *Land Act* 1901 can acquire the fee-simple of the land after the expiration of six years from the issue of the lease, provided all the covenants and conditions thereof are complied with. Table M shows the transactions during the eighteen months ended 30th June, 1912:—

TABLE M.

Purchases Completed.	Area Purchased.			Balance of Purchase Money Paid.		
	A.	R.	P.	£	s.	d.
61	1,496	0	0	2,034	15	0

## SECTION 49, LAND ACT 1911.

Sub-section (4) of section 49 of the *Land Act* 1911 provides that where any licensee or lessee is required by a covenant or condition contained in his licence or lease to reside on the land thereby licensed or demised, or within a limited distance thereof (if it is proved to the satisfaction of the Minister that owing to ill health or prolonged drought such licensee or lessee is unable to reside as required), the Minister may in his discretion waive compliance with the residence condition during the period or periods of ill health or prolonged drought or such portion of any such period or periods.

Table N shows the names of persons and the periods for which they have been granted exemption in consequence of ill-health.

TABLE N.

Name.	Parish.	Area.			Period.
		A.	R.	P.	
Robt. Saml. Hutson ...	Yarroweyah	20	0	0	10.6.09 to 31.12.11
Edward Daniel ...	Yalca ...	8	0	3½	1.1.10 to 31.12.10
Patrick Watt ...	Byambynee	8	3	20	1.4.10 to 1.4.11
Miles Gibbons*	Dimboola...	14	3	24	10.5.11 to 30.10.12

\* Died on 26th May, 1912.

## CROWN GRANTS AND LEASES.

Five thousand one hundred and seven Crown grants and 3,037 leases were prepared and passed from the head office during the eighteen months ended 30th June, 1912.

## FEES AND CERTIFICATES.

The sum of £20,333 13s. 8d. was received during the eighteen months ended 30th June, 1912, for certificates and transfers under the Land Acts, and for miscellaneous fees, including those payable for grants, leases, and survey charges.

## REVENUE.

Table O shows in detail the revenue contributed by the Department to the Treasury during the eighteen months ended 30th June, 1912:—

TABLE O.

<i>Temporary Occupation.</i>		£	s.	d.	£	s.	d.
Rents under section 29, <i>Land Act</i> 1898, section 35, <i>Land Act</i> 1901, and section 187, <i>Land Act</i> 1901	...	44,516	6	10			
Rents under section 47, <i>Land Act</i> 1869, Divisions 6 and 8, of Part I., <i>Land Acts</i> 1890–1901, permits under section 318, <i>Land Act</i> 1901	...	53,687	11	7			
Perpetual Leases, section 80, <i>Land Act</i> 1898, and section 63, <i>Land Act</i> 1901, and Licences section 103, <i>Land Act</i> 1901	...				98,203	18	5
<i>Alienated in Fee simple by Auction and Deferred Payments, also Rents received towards Alienation.</i>							
	A.	R.	P.				
By auction—Town land	...	2,147	0	0	*73,323	5	3
„ Country land	...	2,001	2	6			
Sundry payments on account of purchase in fee simple	...	7,691	6	11			
Rents under sections 42 and 49, <i>Land Acts</i> 1890–1898, and section 59, <i>Land Act</i> 1898, sections 47, 50, and 54, <i>Land Act</i> 1901, and section 106, <i>Land Act</i> 1901	...	168,677	19	9			
Rents and balances of purchase money under section 20, <i>Land Act</i> 1869, section 11, <i>Land Act</i> 1878, section 44, <i>Land Acts</i> 1890–1898, section 61, <i>Land Act</i> 1898, and sections 49 and 56, <i>Land Act</i> 1901	...						
Rents and balances of purchase money under sections 5–10 and 20–24, <i>Settlement on Lands Act</i> 1893, and sections 318–322, 332–335, 344, 345, and 346, <i>Land Act</i> 1901	...				249,692	11	11
Penalties under section 164, <i>Land Act</i> 1901, and interest	...	2,981	14	5			
Fees for grants, leases, licences, surveys, &c.	...	20,333	13	8			
Sale of plans and sundries	...	20,186	19	5			
					43,502	7	6
<b>Total Revenue</b>	...	...	...	...	391,398	17	10

\* This item includes interest £6,518 10s. 11d., and instalments on account of some sales prior to 1911.

## VERMIN DESTRUCTION.

The following is the expenditure under this head for the eighteen months ended 30th June, 1912:—

	£	s.	d.
Subsidy paid shire councils, &c., for destruction of dogs and foxes	...	762	14 5
Wages of men working Crown lands, material, &c.	...	22,009	14 11
Salaries of inspectors	...	17,370	6 11
<b>Total</b>	...	40,142	16 3

## THE LAND ACT 1911.

The principal features of this Act which came into operation on 24th October, 1911, may be summarized as follow:—

## PART I.

The substitution of Selection Purchase Allotments for Agricultural Allotments and Grazing Allotments, and the issue of Selection Purchase Leases for twenty or forty years instead of Agricultural Allotment Licences or Grazing Allotment Licences for six years and subsequent Leases for fourteen or thirty-four years. The conditions of Selection Purchase Leases will be similar during the first six years of the term to those embodied in Agricultural Allotment Licences or Grazing Allotment Licences.

The limitation of occupation of Selection Purchase Allotments to persons who are not respectively beneficial owners of lands the unimproved value of which, together with the unimproved value of the land included in an allotment, will exceed £2,500. (Section 10.)

## PART II.

The insertion in licences dated on or after 1st January, 1909, in respect of Agricultural Allotments and Leases of Selection Purchase Allotments in the Mallee country or Mallee border of conditions with a view to secure *bonâ fide* occupation and permanent settlement of Mallee lands and the insertion of conditions with a like object in every lease and Crown Grant thereof. (Section 34.)

The proclamation as a "Special Settlement Area" of unalienated Crown lands in connexion with which expenditure has been incurred by the Crown and the subdivision of the area into allotments not exceeding, as a rule, 200 acres each according to the quality of the soil and the situation of the land. (Sections 35-39.) Every Crown Grant of land in a Special Settlement Area will contain (*inter alia*) conditions to the effect that the land shall be at all times maintained and used for the purpose of agriculture and residence.

## PART III.

The issue of a lease of a Village Community Allotment save only by virtue of any permit in force is prohibited, and discretionary power is given to the Minister to accept substantial and permanent improvements on the land to the total value of £2 per acre in lieu of compliance with the cultivation condition when the land is not suitable for the purpose, and the Board of Land and Works is at liberty to waive compliance with the covenant as to residence where, in its opinion, the allotment is unfit or unsuitable for habitation, and residence on any land (outside the "Village Community" land) not more than five miles distant from the allotment is sufficient compliance with the residence condition.

## PART IV.

Provision is made to waive compliance with residence condition in case of insanity, ill-health, or prolonged drought. (Section 49.)

Power to the Board to permit the suspension of payment of licence-fees, rents, or instalments to an amount equivalent to not more than 60 per cent. of the value of the improvements on the land. (Section 57.)

The right of a transferee of part of a Grazing Area to select such part even although a previous holder of the Grazing Area may have exercised his right of selection. (Section 59.)

The conversion of perpetual leases of swamp or reclaimed lands into Conditional Purchase Leases. (Section 60.)

The power of the Governor in Council to close certain unused roads on Crown lands (Section 63); and to set apart portions of roads for tree planting (Section 64).

The protection from interference of any Crown land in the Mallee country or Mallee border which is set out for the purposes of roads or windbreaks. (Section 65.)

## PART V.

The surrender by a married woman of part of her Grazing Area or Mallee Allotment to her husband or any of her children over eighteen years of age and the surrender by a widow of part of her Grazing Area or Mallee Allotment to any of her children of a like age. (Sections 67 and 78.)

The issue of leases under Section 142 of the *Land Act* 1901 for Rifle Ranges, or for purposes of amusement and recreation. (Sections 72-73.)

Amendment of Section 17 of the *Unused Roads and Water Frontages Act* 1903, with a view to admit of the alienation in fee-simple, at any time, of a road or water frontage other than a permanent reservation. (Section 85.)

I have the honour to be, Sir,

Your obedient servant,

JNO. MACGIBBON,

Secretary for Lands.

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## APPENDIX A.

Department of Lands and Survey,  
Melbourne, 13th August, 1912.

The Honorable Hugh McKenzie, M.P.,  
Commissioner of Crown Lands and Survey.

SIR,

I have the honour to submit my Report on the Professional Division of this Department for the term ending 30th June, 1912. In consequence of the alteration in the Act, providing for the departmental year terminating on 30th June instead of on 31st December, the period covered by this report is eighteen months.

The settlement in the Mallee country has again been active, and a large area of land has been surveyed prior to occupation. Owing no doubt to a succession of favorable seasons, and attracted especially by the advance railway provision and by the bore water supply over a considerable area, the Mallee, as regards Crown Lands Settlement, has been most in demand. It is to be regretted that the later boring operations have proved that the good underground water supply does not extend as far easterly towards Ouyen as was hoped, and, consequently, the eastern section of the Ouyen to Murrayville area must for the present depend on local catchment and storage.

The new railway line from Ouyen to Murrayville—68 miles in length—was formally opened on 25th June, 1912, and the general development along its route in the work of rolling, clearing, and cultivation is very satisfactory. By the construction of this line it has been possible to settle an area of approximately 660,000 acres of country which previously had been used merely as a stock run for a portion of the year, and which has now been subdivided into 1,000 selections. It is estimated that 150,000 acres will be under crop this season.

With the building of this line a number of townships has been established. Surveys have been made at Ouyen (extension), Walpeup, Underbool, Boinka, and at the terminus—Murrayville. Sales of allotments have taken place and high prices realized.

On the expiry of the Mildura concession agreement in March, 1911, it became possible to deal with land along a portion of the Mildura railway line, and about 40,000 acres were subdivided and made available. The demand for this land has not been so keen as for other Mallee areas; in fact, for Mallee land generally the number of applications has been very much reduced. This may have been the result of the unfavorable rainfall conditions which have prevailed during a portion of the period. Additional areas east of the Mildura line are now under survey in the parishes of Yatpool and Carwarp East. A practical difficulty in dealing with this country is experienced in the matter of water supply. A deep bore, 1,267 feet, was put down near Yatpool Station, but proved unsatisfactory, and the surface catchment areas are limited.

The total area of Mallee land surveyed was 416,000 acres, in 622 holdings.

In anticipation of the expiry of the term of the large grazing licences comprising the Murray frontage country and extending back from the river, rapid surveys of the existing fenced boundaries, water storages, &c., were made over an area of 800,000 acres, a new subdivision of 1,349,000 acres in 27 portions ranging from 3,000 acres to 162,000 acres was projected, and tenders for the grazing rights for seven years were invited. These licences, however, do not in any way restrict the right of the Department to deal with the whole or any part of a block whenever the railway extension or water schemes render it possible to occupy under Settlement conditions.

The Railways Standing Committee has before it the question of constructing a line from Merbein westerly towards the boundary between Victoria and South Australia. Such a line would render it possible to subdivide a large tract of country now too remote from the railway line for profitable settlement.

An acknowledgment is due to the Railways Commissioners for the assistance rendered by the posting at all railway stations in the State of poster plans of lands made available for selection, this being one of the most effective means of disseminating full information.



The surveys effected under the various sections of the Lands Acts, including grazing area leases, selections out of grazing area leases, new selections, auriferous area holdings, and garden licence areas, numbered 1,475, with an aggregate area of 212,000 acres.

Outside the Mallee country there has not been a keen demand for such Crown lands as have been made available, and of which special plans were issued. This may be attributed to the relatively inferior quality of the land generally, the heavy cost of bringing it into a productive condition—most of it being rough and more or less heavily timbered—to the distance from railway communication, and the consequent difficulty of access.

In addition to the land included in the published lists, special plans of 367 allotments were issued, and of these only 181 were applied for.

#### CLOSER SETTLEMENT SURVEYS.

The great attention given to irrigation and to the development of the immigration policy have led to the repurchase of a large extent of private land. All these areas have been surveyed, together with the dry estates purchased in other districts.

The following list gives particulars as to locality, number of allotments, and area:—

			Allotments.		Acres.
Cornelia Creek (part)	...	...	88	...	32,200
Morven	...	...	28	...	8,029
Mount Widderin	...	...	23	...	8,300
Tooronga	...	...	223	...	101
Nerrin Nerrin	...	...	30	...	6,802
Deepdene	...	...	17	...	2,985
Glenaladale	...	...	16	...	2,109
Cremona	...	...	13	...	1,291
Boisdale	...	...	57	...	2,520
Tongala	...	...	235	...	13,400
Pannoo	...	...	43	...	15,101
Marathon and Willow Grove	...	...	27	...	14,782
Dunrobin	...	...	80	...	18,813
Kilmany Park	...	...	75	...	8,746
Shepparton	...	...	139	...	5,866
Waubra	...	...	14	...	47
Werribee Police Paddock	...	...	16	...	55
Bamawn	...	...	198	...	13,526
Nanneella	...	...	117	...	8,665
Cohuna (part)	...	...	65	...	5,800
Swan Hill (part)	...	...	20	...	1,504
Werribee (part)	...	...	32	...	275
Karadoc	...	...	9	...	2,235
Winnindoo	...	...	15	...	3,084
Miscellaneous purchases under Section 6 of the <i>Closer Settlement Act</i> 1904			19	...	3,244
Total	...	...	<u>1,599</u>		<u>179,480</u>

All the subdivisions of the irrigation areas purchased have been made in co-operation with the State Rivers and Water Supply Commission.

#### SURVEY STAFF.

The District Surveyors—in which staff no change was made—have devoted a good portion of their time to forest inspection as provided for in the Forests Acts, and to the review of land classifications. They have also carried out the work of general inspection and reporting on various cases, as well as the direction of survey work in their respective districts.

## STAFF SURVEYORS.

Two new appointments were made. Mr. J. Paterson was selected to fill the vacancy caused by the resignation of Mr. W. H. Brown, and Mr. D. Barker was appointed as a Staff Surveyor—2nd Grade. Four, and at times five, were engaged on Closer Settlement and township subdivisional surveys; one continued the preliminary and base line surveys in the Mallee country; two were chiefly engaged in the rangy country on the grading and survey of selected roads; and one undertook a variety of work in the Melbourne district.

## PUPIL DRAUGHTSMEN AND SURVEYORS.

Two of the pupils obtained their qualification by examination in March, 1912; two will present themselves for examination in September; four are now obtaining field experience; and six are undergoing their preliminary training in the office.

## CONTRACT SURVEYS.

Contract survey work has proceeded as usual in the assigned districts. About 35 surveyors were employed, the work in some of the divisions being very limited. Messrs. John Lynch and Edward Scanlon, who were engaged as Contract Surveyors for many years, died during the year 1911.

As indicated in my last Report the utmost difficulty is experienced in getting work executed in some of the districts. The work is very fragmentary, widely distributed, and the time occupied in travelling from one survey to another is so excessive in proportion to the work required and the fee earned that orders are frequently held up for possible additional ones in the locality.

The surveyors are urging the payment of increased fees, and this matter is now under consideration.

A classification of the expenditure is given below :—

## SUMMARY OF EXPENDITURE ON SURVEYS (INCLUDING COST OF THE WORK OF STAFF SURVEYORS).

	£	s.	d.
Main road surveys	4,546	13	11
*Mallee subdivisions	4,048	4	2
Feature surveys	1,111	6	6
Subdivision of land for sale	1,904	5	4
Selection surveys (departmental)	1,548	16	10
Balances of fees on selection surveys (to be repaid in instalments by applicants)	434	3	0
Check surveys and connexion lines	283	1	4
Re-surveys for sale, selection, &c.	290	13	7
Reserves and other sites	536	1	11
Miscellaneous surveys	1,047	8	4
	<hr/>		
	15,750	14	11
Trust Fund Fees collected from applicants for selection surveys	11,280	0	9
	<hr/>		
	£27,030	15	8
	<hr/>		
Amount collected and deposited in Trust Fund Account	£18,663	12	8
	<hr/>		
Payments made to authorized surveyors (including fees collected from applicants), amounts refunded to applicants, and amounts transferred to Revenue	£26,956	10	1
	<hr/>		

\* Paid by Department, and fees subsequently collected from applicants and passed to Revenue.

## OFFICE STAFF.

*Computing and Adjusting Branch.*

Plans of Closer Settlement, Mallee, and other subdivisions, road surveys, &c., were fully examined, together with surveyors' field notes; closures and areas checked ...	937
Plans of individual selection surveys examined and checked ...	1,491
Certified plans prepared for issue of leases and Crown grants ...	3,735
Certificates of adjustment prepared in triplicate ...	200

This staff consisted of one Officer-in-Charge, nine Draughtsmen, and two pupils.

*Draughting Branch.*

Parish and township plans compiled, full scale ...	69
Parish and township plans revised and posted for re-issue ...	199
Large record plans and tracings prepared ...	553
Plans of large subdivisional surveys prepared from surveyors' field notes ...	127
Miscellaneous tracings, chartings, &c. ...	1,755
Certificates for Office of Titles ...	423
Certified plans prepared for certificate of Board of Land and Works ...	25
Diagrams on leases and Crown grants ...	7,853
Technical descriptions for reservations, proclamations, &c. ...	736

Various plans and tracings for office use were prepared, and other miscellaneous work was also undertaken.

*Lithographic Branch.*

Coloured plans of Crown lands available, also of Closer Settlement Estate subdivisions, are printed in large numbers for general circulation. These plans give full information regarding terms and conditions of settlement.

Full and half scale parish plans, maps of the State, plans of Closer Settlement subdivisions, counties, townships, &c., are printed in large numbers and stocked for sale.

The total number of plans printed was about 200,000.

The one engraver employed was engaged on further additions to the copper plates of the Map of Victoria—8 miles to an inch—and to ten plates of the geodetic sheets.

*Photographic Work.*—Mr. T. F. McGauran, after 49 years' service, retired on 30th June, 1911, and his place was filled by the appointment of Mr. Butson. Photographic transfers to the number of 588 were prepared. These comprised maps of all kinds—full and half scale parish plans, and a variety of drawings for other Departments.

The total staff, including compiling and lithographic draughtsmen, engraver, printers, and plan moulder, numbered 42.

For the Commonwealth and for other State Departments work to the value indicated hereunder was undertaken:—

	£	s.	d.
Commonwealth Electoral maps and technical descriptions	235	0	0
„ Military maps ...	35	10	0
„ Postal maps ...	40	15	0
Treasurer's Department—Maps ...	116	0	0
Chief Secretary's Department—Electoral and Statistical maps ...	65	15	0
Public Works Department—Copying drawings ...	24	7	0
Mines and Forests Departments—Maps ...	6	0	0
Forests Department—Circulars, &c. ...	41	17	6
Railways—Maps ...	6	15	0
Law (Titles)—Forms ...	11	15	0
State Rivers and Water Supply Commission—Plans ...	90	5	0
Closer Settlement Board—Plans and circulars ...	162	13	9
		836	13 3
Amount received for certificates of adjustment ...	£507	16	0
Amount received from sale of maps, plans, &c. ...	£1,280	3	5

*Buchan Caves.*

The development of these caves has been continued, and they are becoming increasingly attractive to visitors. Two new chambers of surpassing beauty were discovered, and the work of opening these is now in progress. Owing to the hardness of the rock formation, and the care necessary in using explosives, the progress is slow, but when these are available to visitors they will certainly be a very great addition to the value of the caves, and render Buchan much more popular as a tourists' resort.

The number of visitors admitted during the period was 1,776, and the fees collected amounted to £139 10s.

I have the honour to be, Sir,

Your obedient Servant,

J. M. REED,

Surveyor-General