

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. [4th March, 1894.]

CROWN LANDS
PURCHASES AND
LEASES VALIDATION.

WHEREAS 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 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:—

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

Validation of con-
ditional purchases
and leases or appli-
cations therefor
specified in Schedules
A and B.

Crown Lands Purchases and Leases Validation.

Reference to Land Board or Land Appeal Court.

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.

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 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.

Proviso.

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

Short title.

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

Crown Lands Purchases and Leases Validation.

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.)
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>bona 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	
Joseph Carberry, junior (now Commercial Banking Company of Sydney).	57 1 0	157	Nowra	St. Vincent	Nowra, 13th May, 1880; 14	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.)
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	43 Vic. No. 15. 42	
Henry Chew	175 0 0	208	Wambranumba	Monteagle	Young, 20 March, 1884; 23	25 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	Amidale, 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.

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. (90-731 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 Douce'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 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. (92-23,098 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.; 90-21,859 Dep.)
Owen Cuskely...	40 0 0	22	Donald ...	Sandton ...	Armidale, 4th January, 1866; 26.	21	
Frederick Dew (now Thomas Reynolds Hatchings).	40 0 0	162	Rodd ...	Pottinger ...	Murrumbidgee, 10th October, 1871; 3,902.	21	
Emily Douce (now The Bank of New South Wales).	57 2 0	90	Arrawatta ...	Wardara ...	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 ...	Ashturnham ...	Molong, 23 October, 1884; 166.	21	
Neil Gallagher...	84 0 0	64	Barrajin ...	Ashturnham ...	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 ...	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.) 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.) 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.) 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 Zephia Walker, who also forfeited her claim, validation of Charles Henry Thatcher's title is necessary. (90-4,715 Cor.)
William John Neeley (now Bank of New South Wales).	40 0 0	68	Tarago ...	Argyle ...	21	
Henry Noyes (now George Noyes).	40 0 0	69	Tarago ...	Argyle ...	21	
	40 0 0	162	Talagandra ...	Murray	14	
George Roberts (now the Bank of New Zealand).	172 0 0	95	Broadwater	Rous ...	21	
John Henry Secomb ...	40 0 0	39	Wittitrin	Dudley ...	21	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 Zephia Walker, who also forfeited her claim, validation of Charles Henry Thatcher's title is necessary. (90-4,715 Cor.)
Annie Elizabeth Smith	69 1 0 130 3 0 132 3 0	332 } 325 } 327 }	Wallendoon	Harden ...	13	
William Stenz (now Commercial Banking Company of Sydney).	204 0 0	70	Eden ...	Gough ...	13	
	100 0 0	part of 133		Forbes, 1st April, 1880; 40 ...	14	
Charles Henry Thatcher	147 3 0	part of 133	Braulin ...	Forbes ...	21	
	40 0 0	161		Forbes, 12th August, 1880; 112	21	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 Zephia Walker, who also forfeited her claim, validation of Charles Henry Thatcher's title is necessary. (90-4,715 Cor.)
	40 0 0	160		Forbes, 14th April, 1881; 95 ...	21	
				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 Brookdale Coal, Shale, Iron Mining Company.	a. r. p. 40 0 0 40 0 0 40 0 0 60 0 0 75 0 0 75 0 0 60 0 0 40 0 0 180 0 0	164 166 167 168 24 25 27 26 104, 137	Clwyd ...	Cook ...	25 Vic. No. 1. 19 19 19 19 19 19 19 19 19	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.) 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.) The portion encroaches on water reserve 602, notified on 6th July, 1875. (93-2, 094 Dep.) 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.) 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 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.) 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 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.) The land is situated within the boundaries of water reserve 1,608, notified on 28th June, 1880. (90-6, 645 Dep.)
				Lithgow, 28th July, 1881; 67 ...		
				Lithgow, 15th Sept., 1881; 80 ...		
				Lithgow, 15th Sept., 1881; 81 ...		
				Lithgow, 6th October, 1881; 84 ...		
				Lithgow, 27th October, 1881; 98 ...		
Western Kerosene Oil Company, Limited (now New South Wales Shale and Oil Company). George Early Backhouse ...				Lithgow, 27th October, 1881; 99 ...		
				Lithgow, 3rd Nov., 1881; 102 ...		
				Lithgow, 3rd Nov., 1881; 103 ...		
John Ballock ...				Lithgow, 24th October, 1867; 2,580.		
				Parkes, 22nd December, 1887; 112.	48 Vic. No. 18. 26	
Lucy Elizabeth Botterill ...				Murrumbidgee, 31st December, 1885; 47.	26	
				Condobolin, 8th May, 1890; 50	26	
Samuel John Botterill ...				Condobolin, 8th May, 1890; 46	26	
William Earnshaw Botterill ...				Condobolin, 8th May, 1890; 49	26	
George Bouchier ...				Lithgow, 24th January, 1889; 10.	42	
Samuel Clift ...				Tamworth, 24th June, 1886; 104.	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.			
Oscar De Aubert Cayirelys (now the Commercial Banking Company of Sydney). Margaret Frances Daly (now Annie Daly).	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.)
Arthur Swift Darby	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.)
John Ditton (now Albert Whitby Simpson).	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.)
Flint Davidson	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.)
Patrick Egan	100 0 0	83	Piallmore	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.)
John Elliott Forbes, deceased (now R. Armstrong and W. M. Royse).	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 Ford	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.)
Catherine Ellen Fowler	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.)
Donald Fraser	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.)
	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.

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 ...	Marchison	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 ...	Marchison	Bingara, 23rd June, 1887 ; 14...	42	
James Hasset...	100 0 0	& 38	Wallace	Wynyard	Tunnot, 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 ...	Barrowa, 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.

SCHEDULE A—continued.

Name.	Description.			County.	District, date, and number of conditional purchase, &c.	Sect. m.	Cause of illegality of purchase.
	Area.	Portion.	Parish.				
William Meyers	a. r. p. 98 3 0	16, 17	Tumut ...	Wynyard	Tumut, 10th February, 1887; 9	48 Vic. No. 15 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	Corowa, 19th Nov., 1885; 60 ...	42	The land was at date of application included in travelling stock reserve No. 9, extended, notified 20th December, 1872. (91-1,704 Dep.)
Bernard O'Neill	140 1 0	29	Ferrier ..	Buckland	Gunnedah, 20th May, 1886; 31	42	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.)
William Philp...	100 0 0	62	Roumalla	Hardinge	Armidale, 4th November, 1886; 163	26	Encroaches to the extent of about 15 acres upon water reserve 46, as extended, notified 14th November, 1871. (90-8,461 Dep.)
George William Russell	40 0 0	36	Falconer	Sandon ...	Armidale, 20th August, 1885; 55.	42	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.)
Checkley Hodges Ratliff	75 2 0	15	Tumut ...	Wynyard	Tumut, 10th February, 1887; 11	26	Within the Barrington gold-field. Reserved from conditional purchase 10th September, 1879. (92-26,724 Dep.)
Frederick William Reil	100 0 0	14	Craven ...	Gloucester	Strout, 2nd December, 1886; 92	42	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.)
Caroline Smith	640 0 0	5	Bimbeen	Gipps ...	Condobolin, 8th May, 1890; 47	26	The basal conditional purchase did not, at date of application, stand in the company's name. (C.S. 93-15,887 Dep.)
The Australian Mortgage, Land, and Finance Company (Limited).	1,181 0 0	21	Cowal ...	Gipps ...	Condobolin, 26th November, 1891; 131.	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.		
The Bank of New South Wales	a. r. p. 60 2 0	224	Elrington	St. Vincent	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	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	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	26	Within water reserve 2,201, notified 8th November, 1880. (92-26,594 Dep.)
Charles Bede Trefle	66 0 0	153	Trigalong	Bland	42	
Alexander Hugh Watson	92 1 0	18, 19	Tumut	Wynyard	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	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	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	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. 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 (85-34)	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 Farnshaw 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.

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. 48	Situated within the external boundaries of the leasehold area of Jingellie 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 Fland	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 Fland	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 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.						
James Gorham ...	a. r. p. 45 2 0	200	Ware...	King ...	10,454 (86-59)	Burrowa...	1st July, 1886	27th May, 1887	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)	Breviarina East ...	10th 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	Numbly	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	Qualigo	Argyle	10,491 (86-29)	Goulburn	20th April, 1886.	10th January, 1887.	48 Vic. No. 18.	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	Merilla	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 Harrington gold-field. Reserved from conditional purchase 10th September, 1879, and therefore not open to conditional lease. (92-26,724 Dep.)
Andrew Slean, jun. ...	1,500 0 0	13	Merilla	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)	Crona ...	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.	69	Borambil	... Buckland	Murrumbidgee	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 Alm.)
William Bassett Christian	280 0 0						
William Martin Christian	255 0 0	219	Berthong	... Bland	... Young	23rd Oct., 1878	
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 Alm.)

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.

Crown Lands Purchases and Leases Validation.

SCHEDULE F.

Name.	Description.			District, date, and number of Improvement Purchase.	Section.	Cause of illegality of purchase.
	Area.	Portion.	County.			
Bishop Lyne ...	a. r. p. ... 640 0 0	7	Dandaloo ...	Kennedy ...	30 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 $\frac{1}{2}$	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; and that line bearing northerly to Griffiths-street at the east corner of the allotment of 1 $\frac{1}{2}$ 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, intitled "An Act to authorise certain grants of Land to be made by way of compensation for losses of Water-frontage in Woolloomooloo Bay," from which it would appear to have been inadvertently omitted.