



ANNO TRICESIMO SECUNDO

VICTORIÆ REGINÆ.

A.D. 1868.

No. 3.

An Act to amend "The Northern Territory Act."

[Assented to, 24th November, 1868.]

WHEREAS, under the provisions of "The Northern Territory Act" preliminary land orders and land orders have been issued to various persons, entitling the purchaser, or his transferee, or nominee, within five years from the date of such preliminary land orders or land orders respectively, to select certain lands as in the said Act is more particularly mentioned: And whereas the purchasers of such preliminary land orders or land orders respectively, or the transferees, or nominees of such purchasers, may not have an opportunity within such period of five years of exercising their rights thereunder in selecting from and out of the surveyed country lands in the said Northern Territory the particular lands of which they will become the purchasers, by reason of a sufficient quantity of land from which such selections can be made, not having been surveyed within the said Northern Territory; and it is therefore desirable to extend the time within which such purchasers, transferees, or nominees may exercise their right of selection as aforesaid; and it is also desirable to compensate them for the delay which must occur in the completion of the necessary surveys, by allowing the purchaser of every preliminary land order or land order as aforesaid, or the transferee or nominee of any such purchaser, to select within the time in that behalf hereinafter limited an area of three hundred and twenty acres of land for and in lieu of every one hundred and sixty acres of land which by any such preliminary land order or land order as aforesaid he is entitled to select—Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and

Preamble.

Northern Territory Amendment Act.—1868.

and consent of the Legislative Council and House of Assembly of the said Province in this present Parliament assembled, as follows :

Short title.

1. This Act may be cited as "The Northern Territory Amendment Act, 1868."

Incorporation.

2. Save in so far as the same is amended by this Act, the said "The Northern Territory Act" shall be incorporated and read and construed herewith as forming one Act.

Certain Waste Lands may be disposed of as herein mentioned.

3. Notwithstanding anything contained in the Acts No. 5 of 21 Vict., and No. 18 of 1858, so much of the Waste Lands of the Crown within the said Territory as may be required to carry out the provisions of this Act may be disposed of in manner hereinafter mentioned.

Holders of preliminary land orders and land orders may, within five years, select three hundred and twenty acres for every one hundred and sixty acres to which orders entitle them.

4. The purchaser of any preliminary land order or land order under the provisions of the said "The Northern Territory Act," or the transferee or nominee of any such purchaser, shall be entitled within five years from the passing hereof to select from and out of the surveyed country lands in the said Territory the particular lands of which he will become the purchaser, and in such selection such purchaser, transferee, or nominee, shall be entitled to select an area of three hundred and twenty acres of country land for and in lieu of every one hundred and sixty acres of country land which he would within the period of five years from the date of any such preliminary land order or land order have been entitled to select thereunder; and upon such selection being notified to the Government Resident, or other officer to be appointed for that purpose, and production of such preliminary land order or land order, as the case may be, the said Resident or such officer as aforesaid shall deliver to such purchaser, transferee, or nominee a valid grant of the fee simple of the land so selected: Provided that all purchasers, or transferees, of any preliminary land order or land order respectively held over the period of five years from the passing hereof shall be entitled to tender the same in lieu of the amount of its original cost in payment of the purchase-money of land within the said Territory, under the Crown Lands regulations for the time being.

Notice to be given within nine months from passing of Act.

5. Notwithstanding anything herein contained, the purchaser of any such preliminary land order or land order as aforesaid shall not, nor shall the transferee or nominee of any such purchaser, be entitled to select a larger area than one hundred and sixty acres of country land, unless such purchaser or transferee shall within nine months from the passing hereof, by a notice in writing to the Commissioner of Crown Lands and Immigration, signify his intention to accept the increased area of three hundred and twenty acres, as provided by the fourth section of this Act, in full satisfaction and discharge of all claims and demands under all preliminary land orders or land orders respectively held by him at the date of such notice ;
and

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and such notice shall be in the form or to the effect following, that is to say—

To the Commissioner of Crown Lands and Immigration—

Sir—I [*name at full length*], of [*place of abode and description*], being the purchaser [*or transferee*] of a preliminary land order [*or preliminary land orders*] No. [*or land order or land orders*] No.] under the provisions of “The Northern Territory Act,” do hereby give you notice that it is my intention, in accordance with the provisions of “The Northern Territory Amendment Act, 1868,” to accept an increased area of land containing three hundred and twenty acres of country land for and in lieu of every one hundred and sixty acres of country land which, under and by virtue of such preliminary land order [*or preliminary land orders, or land order or land orders, as the case may be*], I am entitled to select; and I hereby agree that I will accept the said increased area in full satisfaction and discharge of all claims and demands whatsoever in respect of such country land under or by virtue of such preliminary land order [*or preliminary land orders, or land order or land orders, as the case may be*], or under or by virtue of any other preliminary land orders or land orders respectively now held by me.

Dated this day of 186 .

And such preliminary land orders or land orders respectively shall not be deemed or taken to confer or to have conferred upon any purchaser or transferee giving such notice any estate, right, title, or privilege whatsoever otherwise than as is provided by the fourth section of this Act.

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

F. G. HAMLEY, Governor.