**PASTORAL LEASES BILL 1865**

**House of Assembly, 16 January 1865, pages 722-4**

Second reading

**The CHIEF SECRETARY** moved-

“That he have leave to introduce a Bill in­tituled “An Act to amend the laws relating to the leasing of the waste lands of the Crown within the Province of South Australia for pastoral pur­poses.'’

He need not detain the House for any great length of time, for the principles of the Bill were contained in the resolutions which had been passed by the House. He would say in the outset that although the Government, with due respect to the vote of the House, had not ventured to include in the measure one of the principles which they were exceedingly anxious to carry, but which was lost, to the effect that there should be an allowance made to the lessees for the losses which they had sustained through the utter absence of grass in consequence of the drought, yet they did not in­tend to drop that principle entirely. They pro­posed, and they believed the plan would make the present Bill more perfect in itself, to omit all refe­rence to remission of rent from it; but as they were of opinion that the House would on recon­sidering the matter, in view of the small detriment which would be occasioned to the public service, and the immense advantages which would accrue to the lessees through such remission — in some cases, indeed, absolutely determining the point whether they should continue to occupy their runs or throw them up—modify the view it had affirmed, they intended to introduce a measure specially providing for this subject. The Government had hoped to be prepared to lay the Bill lie now asked leave to bring m on the table, but, as might easily be understood, some considerable difficulty was experienced in regard to the sche­dules. In order to make the matter more clear it had been requisite to refer back the schedules to the Surveyor-General. The line of demarcation traced by that officer Iiad, in some instances, severed one run so as to make a part of it come under one class and a part of it under another, and the object of the reference back was if possible to get every run placed either in one class or the other. It was on this account that probably the schedules would not be ready to be laid on the table that day, and he would therefore simply ask the House for liberty to bring forward the measure. He might say that his hon. friend the Attorney-General had had in the framing of the Bill the assistance of a very able lawyer, and it certainly appeared to be an exceedingly com­plete measure, embodying the whole of the principles affirmed by the House. Some persons thought, and rightly so, that however clearly the principles might be laid down in the resolutions, it was a very difficult task to prepare a Bill em­bracing every point; but he had pleasure in saying that this difficulty had been, he believed, success­fully overcome. He did not expect that there would be any lengthened debate on the present motion; but on the second reading members would have the schedules before them, and would be able to decide whether they should be altered or not.

The Hon. H. B. T. STRANGWA.Y3 asked the Chief Secretary whether, iu event of an alteration in the schedule such as he had hinted at, the whole of the run would be placed in the higher or the lower class—that is, tlie class entitled to re­mission for the longer or the shorter period.

The CHIEF SECRETARY said in this respect the Government had left the entire arrangement of the schedules in the hands of the Surveyor- General, who prepared the line of demarcation, and upon whose testimony, authority, and ex­perience they had to rely. The survey and inspec­tion of the runs had been left to him, and he believed the country had every confidence in hi3 integrity. He might say that the schedules would explain tliemselves in reference to the direction pursued in any particular locality where the line of demarcation had before severed a run

Mr. ANDREWS enquired whether it was the intention of the Government to introduce the Biil relating to the repayment of the squatters’ rents simultaneously with the present measure, or whether the one depended on tne other.

The CHIEF SECRETARY said the one Bill did not in any shape or way depend upon the other, nor would the one be imperilled by the other.

The Hon. T. REYNOLDS had no wish to em­barrass the Chief Secretary with questions, and so he would ask the Commissioner of Crown Lands if the same map would be laid on the table to guide hon. members as had been produced when tlie resolutions were under consideration.

The COMMISSIONER of CROWN LANDS— Precisely the same map; but there would be addi­tions to it. (Laughter.) There would be the addition of the schedules. He was glad to cause the House a little amusement.

The Hon. T. REYNOLDS had not asked the question for amusement, but to obtain informa­tion. It appeared from the statement of the Chief Secretary that the schedules attached to the Bill would not be in accordance with that produced when the resolutions were being discussed, and which were marked in the map. He would not, however, say more on the subject until the Bill was fully before them.

Mr. CAVENAGH would not oppose the motion, but lie hoped the schedules would be more care­fully prepared.

The ATTORNEY-GENERAL said the cause of the difficulty and delay in introducing the Bill was the anxiety of the .Government to have the schedules strictly and accurately prepared; and in reply to the hon. member Mr. Cavenagh lie would say that the Surveyor-General intended to go through the whole of the map and the leases. He had in drawing the Bill found the difficulty of preparing it according to the lines on the map, and on re­ferring the subject to the Surveyor-General for his opinion lie suggested that the best plan would be to include the whole of each lease in one or other of the schedules. This plan would save immense delay and labour to the department; but where its adoption would be unjust to the public in giving to the lessee a greater benefit

than he was entitled to it would not be carried out, but the line would pass through the run, and care would be taken to describe its direction. In all cases where the line was altered so as not to sever any particular run that fact would be in­dicated in the map.

The motion was carried.