Validity of Grants.

2. The commissioners now and hereafter appointed by the Governor for examining and reporting upon claims to grants of land under the authority of the said first recited Act shall and may respectively receive for their own use for every final report made by them in manner and form prescribed by the same Act upon any claim or claims to a grant of land the sum of two guineas

and the secretary to the said commissioners shall and may receive for his services for every case referred to the said commissioners the sum of two pounds

and the whole fee to be received by such secretary for every such final report to be paid by the party or parties in whose favor the same shall be made shall be the sum of eight pounds and six shillings

and the fees aforesaid shall be the whole remuneration of the said commissioners and their secretary respectively for and in respect to their said offices.

VALIDITY OF GRANTS.

An Act to Remove Doubts concerning the Validity of Grants of Land in New South Wales.

[Assented to 9th June, 1836.]

WHEREAS the Governors Lieutenant-Governors and persons adminis-
tering the government of New South Wales have from time to
time been authorised and empowered by His present Majesty and His
Majesty's two last Royal predecessors by commission under the Great
Seal to grant and dispose of the waste lands of New South Wales

and whereas in exercise of the power and authority in them so vested
as aforesaid the respective Governors Lieutenant-Governors or persons
administering the government of New South Wales have from time to
time made and issued grants or conveyances of lands situated in the said
colony to divers of His Majesty's subjects but such grants or conveyances
have been made in the names of the said Governors Lieutenant-
Governors or persons administering the government for the time being
and not in the name of His Majesty or either of His Majesty's Royal
predecessors

and whereas doubts have been entertained whether such grants or
conveyances made and issued as aforesaid by reason of the informality
thereof are valid in the law or binding upon His Majesty his heirs and
successors

and whereas to remove such doubts and to quiet the titles of His
Majesty's subjects holding or entitled to hold any lands in New South
Wales so granted or conveyed as aforesaid His Majesty hath through the
Right Honorable Charles Viscount Glenelg one of His Majesty's
Principal Secretaries of State graciously signified his Royal will and
pleasure that all grants or conveyances of lands made by any such
Governor Lieutenant-Governor or person lawfully administering the
government for the time being in the exercise or supposed exercise of the
powers and authorities in them so vested as aforesaid should be declared
to be valid in the law and binding upon His Majesty his heirs and
successors

Be it therefore enacted by His Excellency the Governor of New
South Wales with the advice and consent of the Legislative Council
thereof That all grants deeds or conveyances at any time heretofore made
and issued by or in the name of any Governor Lieutenant-Governor or
person lawfully administering the government of New South Wales of
any lands situated in the said colony and notwithstanding such grants, deeds or conveyances shall not be in the name of His Majesty or of either of His Majesty's two last Royal predecessors shall be and shall be deemed taken and held to be and to have been from the respective dates they were so made and effectual in the law to grant and convey such lands and shall be binding upon His said Majesty his heirs and successors to all intents and purposes as if such grants, deeds or conveyances had been made and issued in the name of His Majesty or of either of His Majesty's two last Royal predecessors and had passed and been executed under the public seal of the said colony and had been recorded in the most regular form of law anything in any Act, law, custom or usage to the contrary in anywise notwithstanding.

OFFICIAL SURVEY MARKS.

An Act to Fix a Survey Mark to be used on Surveys conducted for the Government and to Prohibit the Unauthorised Use of such Marks and for the Preservation of Official Land Marks and Beacons.

[Assented to 19th August, 1852.]

Public surveyors and other persons not to use official survey marks.

1. In the conduct of official surveys made by the direction or under the authority of the Government the distinguishing mark to be hereafter used by the surveyors appointed or licensed by the Government to conduct the same shall be in the form of a broad-arrow which mark shall not be used by private surveyors or other persons not authorised on that behalf by the Government and every person who shall make or use such mark in marking any boundary or so as to appear to indicate a boundary of any land except in the conduct of an authorised official survey shall for every such offence forfeit and pay a sum not exceeding ten pounds to be sued for and recovered summarily before any two justices in petty sessions by any person whom Her Majesty's Attorney-General may authorise to proceed for the recovery thereof.

Penalty.

Provided always that nothing herein contained shall render the owner or occupier of any land liable to any penalty for the removal of any tree thereon upon which any such mark shall have been made which he may desire to remove in fencing clearing or otherwise improving such land.

Penalty for unauthorised defacement or destruction of survey marks and landmarks or beacons.

2. And if any person shall wilfully obliterate, remove or deface any such survey mark so aforesaid or any land mark or beacon which shall have been erected by or under the direction of an officer of the survey department or by a surveyor licensed by the Government such person shall for every such offence forfeit and pay to Her said Majesty a sum not exceeding ten pounds to be sued for and recovered in manner aforesaid.

Provided always that nothing herein contained shall render the owner or occupier of any land liable to any penalty for the removal of any tree thereon upon which any such mark shall have been made which he may desire to remove in fencing clearing or otherwise improving such land.

* "Queensland" to be substituted by "The Supreme Court Act of 1847" 31 Vic. No. 23, s. 30, in part, title Supreme Court.