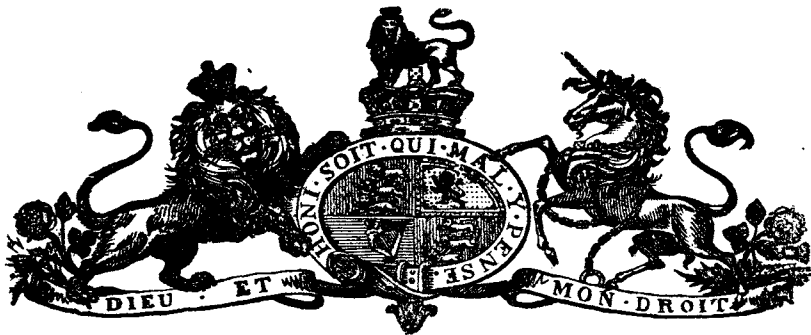


T A S M A N I A.



1894.

ANNO QUINQUAGESIMO-OCTAVO

VICTORIÆ REGINÆ,

No. 17.

See 62nd Vol. 1894



AN ACT to make better provision for A.D. 1894.
vesting in Her Majesty the Queen Land
acquired for Roads and for other purposes.
[25 August, 1894.]

BE it enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

1—(1.) Whenever the Minister of Lands and Works is empowered to acquire land for road purposes, and it is deemed necessary to acquire any land for a new line of road, or to alter or deviate any existing line of road, the Governor in Council may, with the consent in writing of all persons interested in such land, and upon payment of such compensation (if any) to the owners, or the purchase-money to the Crown, as the case may be, as by law provided, by Proclamation published Three times in the *Hobart Gazette*, and in a newspaper published nearest to the said road, define by metes and bounds the proposed new line of road, or the alteration or deviation of the existing line of road, and the existing line of road, or the portions thereof proposed to be stopped up.

Governor in Council may issue Proclamation, and thereupon land therein described shall vest in Crown, &c.

(2.) Upon the registration of the said Proclamation in the Office of the Registry of Deeds, *Hobart*, or in the Lands' Titles Office, *Hobart*, as hereinafter mentioned, the new line of road, or the deviation or

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alteration of the existing road, as the case may be, shall be dedicated as a public highway, and shall revert to and revest in Her Majesty the Queen for all the estate and interest originally granted by Her said Majesty, freed and discharged from all incumbrances, estates, and interests of all persons whatsoever, and the existing line of road, or the portions thereof proposed to be stopped up, shall cease to be a public highway, and shall vest in fee simple in the owners of the fee simple of the immediately adjoining lands as though duly granted by Her said Majesty, and shall be subject to such and the same incumbrances and interests as such adjoining lands are subject to.

Proclamation to
be registered in
Lands' Titles
Office,

2—(1.) If the land affected by any such Proclamation is under *The Real Property Act*, the Proclamation shall be registered in the Lands' Titles Office, *Hobart*, by entering a Memorial thereof on the folium in the Register Book containing the Title to the said land, and for that purpose the Minister of Lands and Works shall furnish to the Recorder of Titles a certified copy of every such Proclamation and a plan of the said land.

(2.) If the Certificate of Title or Grant of the said land is not produced for the purpose of having the Memorial endorsed thereon, the Recorder of Titles may call in the same as containing a misdescription within the meaning of Section One hundred and thirty-six of *The Real Property Act*, and may correct the same or issue a new Certificate of Title as he thinks fit; but such new Certificate of Title shall not be subject to Stamp Duty under "The Stamp Duties Act, 1882," or any Amendment thereof.

or in the Registry
of Deeds.

(3.) If the land affected is not under *The Real Property Act*, the Proclamation shall be registered in the Office of the Registrar of Deeds at *Hobart*, by lodging therein a Memorial, signed by the Minister of Lands and Works, and verified as required by *The Registration Act*, containing a copy of the Proclamation, as well as a copy of the plan (if any) referred to in such Proclamation and the names and additions of the persons who are seised of or possessed of any legal estate or interest in the said land and the name of the District or place where the same is situated.

(4.) The Crown Solicitor shall also cause a notification of the registration of such Proclamation to be marked upon the last conveyance or document of title of the land affected thereby, as provided by "The Lands Resumption Act, 1891."

(5.) The Minister of Lands and Works shall not cause the registration of any such Proclamation as aforesaid, with reference to the stoppage up of any existing road or any portion thereof, to be effected until after the time fixed by law for objecting to the same shall have expired, such time to be in no case less than Sixty days from the date of the first publication of the Proclamation; but neither the Recorder of Titles nor the Registrar of Deeds shall be bound to enquire before registration whether such time shall have expired or not.

(6.) The Surveyor-General shall cause every such deviation or alteration of any road affected by any such Proclamation to be recorded upon the plans of the said road in his Office.

All land now or
hereafter required
for public pur-
poses to vest in
Her Majesty the
Queen.

3—(1.) From and after the commencement of this Act all lands which have been vested in any Minister of the Crown or the Commissioner of Crown Lands for Public purposes under or by virtue of any Act of Parliament shall revert to and re-vest in Her Majesty the Queen.

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Queen for all the estate and interest of the said Minister or Commissioner therein, and shall be deemed for all intents and purposes as though the same had been reserved for such public purposes. A.D. 1894.

(2.) All lands hereafter acquired for public purposes and which, but for the passing of this Act, would have been conveyed or transferred to any Minister of the Crown, or the Commissioner of Crown Lands, shall be surrendered to Her said Majesty for the like purposes.

(3.) The Acts mentioned in this Section, so far as the same are inconsistent with this Act, are hereby repealed, but all acts and duties to be performed and all liabilities to be incurred by the said Minister or Commissioner, and which are not inconsistent with the said land being vested in Her said Majesty, shall be performed as heretofore by the said Minister or Commissioner as by the said Acts or otherwise by Law is provided.

