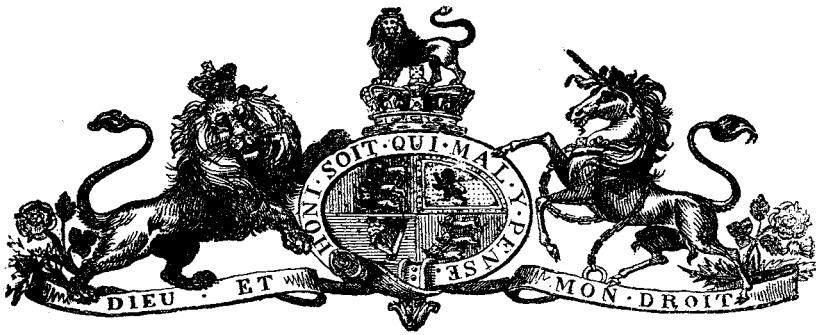


T A S M A N I A



1893.

ANNO QUINQUAGESIMO-SEPTIMO

VICTORIÆ REGINÆ

No. 12.

Amended by 58 Vict. No. 3.

VII No 39

*Repealed*

59 " 31

38-7-16

\*\*\*\*\*~~Repealed~~\*\*\*\*\*

AN ACT to amend "The Crown Lands Act, A.D. 1893.  
1890." [14 November, 1893.]

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 This Act may be cited as "The Crown Lands Amendment Act, Short title.  
1893."
- 2 In this Act, unless the context otherwise determines, " the said Interpretation.  
Act" shall mean " The Crown Lands Act, 1890." 54 Vict. No. 8
- 3 The following persons shall not be eligible to select or hold Who may not  
Agricultural Land under this Act— select.
  - i. No person who has selected or purchased Land under the said Act shall be permitted to select or purchase Land under this Act :
  - ii. Any person who is the selector of Fifty acres of Land, in one or more lots, under the provisions of this Act, and for which the whole of the purchase money has not been paid.
- 4 Any person of the age of Eighteen years and upwards, not Who may select.  
disqualified under the preceding Section, may select and purchase under this Act, by private contract, at the price and upon the terms set forth in the Schedule, one Lot of Agricultural Land not exceeding Fifty acres nor less than Fifteen acres.
- 5 Every person applying for Agricultural Land shall make appli- Selector to make  
cation for the same in the form prescribed ; and upon leaving with or application.  
forwarding to the Commissioner or his agent such application, and on

Repealed by 58 Vict. No.

*Crown Lands Amendment.*

A.D. 1893.

Fee of £1 to  
be paid.  
Effect of appli-  
cation.

payment to him of a registration fee of One Pound, such person shall, so soon as his application is approved by the Commissioner, receive a certificate in the form prescribed, and such certificate shall, subject to the provisions of this Act, authorise the person obtaining it, hereinafter called "the Selector," to enter upon and take possession of the Land described therein, and to hold possession of, occupy, and improve such Land to the exclusion of any other person or persons whomsoever, and to bring and maintain actions for trespass committed thereon. The title to the Land shall remain in the Crown until the issue by the Governor of a Grant Deed therefor, and neither the Land nor the interest of the selector therein shall be liable to be taken in execution before the issue of the Grant Deed.

Time allowed for  
taking possession.

Penalty for not  
taking possession.

**6** Every selector shall, within Six months from the date of the approval by the Commissioner, take, in his own person, possession of the Land ; and if possession be not taken as aforesaid, the Certificate mentioned in the last preceding Section shall be cancelled, and the Land shall be forfeited and open to application by another person, or to other disposition in the discretion of the Commissioner.

In cases of  
sickness and  
other special  
cases absence  
allowed.

**7** In cases of illness vouched for by sufficient evidence to the satisfaction of the Commissioner, or in other special cases, the Commissioner may, in his discretion, by writing under his hand, grant permission to the selector to be absent from his Land without prejudice to his right therein, for such period as the Commissioner shall specify in such written permission.

Land to be occu-  
pied or improve-  
ments effected  
thereon before  
issue of Grant.

**8** The selector of any Agricultural Land under this Act shall occupy such Land by habitually residing thereon for the full term of Eighteen years, or shall effect substantial improvements on such Land other than buildings to the value of One Pound per acre of the whole of the Land before a Grant Deed shall be issued therefor. And in default of such selector so occupying such Land as aforesaid for Three months consecutively, such Land, together with all improvements thereon, shall become absolutely forfeited, and shall thereupon revert to the Crown.

Selector not to  
transfer until  
Grant issued.

Proviso.

**9** Except as herein provided, it shall not be lawful for the selector of any Land under this Act to assign or transfer his interest in such land until a Grant Deed has been issued therefor by the Governor. Provided that any such selector may, with the consent of the Commissioner in writing, transfer his interest in any such land to any person who is entitled to select Land under the provisions of this Act ; and in every case the transfer shall be subject to the performance by the transferee of the same conditions as the selector was liable to perform and fulfil.

Certain provisions  
of 54 Vict. No. 8  
to apply to  
Agricultural  
Land.

**10** All the provisions of the said Act relating to Land purchased under Part II. of the said Act shall apply to Agricultural Land selected and purchased under this Act, except so far as such provisions may be inconsistent with or contrary to this Act.

Reservation of all  
metals and  
minerals in Crown  
Grants.

**11** Every Grant Deed of any Crown Land issued under this Act shall contain a reservation to the Crown of the right to mine for all metals and minerals and the ores of all metals and minerals under such Land at a depth of not less than Fifty feet from the surface of such Land.

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*Crown Lands Amendment.* Amended by Vict. No.

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- 12**—(1.) It shall be lawful for the Commissioner, with the consent of the Governor in Council, to enter into a contract for the sale of any Crown Lands (other than Town Lands) in one or more lots, not exceeding in the whole One thousand acres, to any person or persons or body of persons (each and all of whom are hereinafter called “the purchasing body”) who may satisfy the Governor in Council that they intend and are able to promote settlement upon such land, and the contract shall contain such terms and conditions as the Governor in Council may think necessary to secure the settlement upon such land, in lots not exceeding Fifty acres each, and to carry out the purposes of this Section. A.D. 1893.  
Commissioner may agree to sell land to certain persons.
- (2.) The upset price of such land shall be fixed by the Governor in Council, and shall not be less than One Pound per acre, payable in Eighteen years, in like proportion to the scale set forth in the Schedule hereto. Upset price.
- (3.) The purchasing body shall covenant that they will pay the purchase money for such land at the times and in the manner herein provided, and that within Six months after the contract is entered into each Fifty acres of such land shall be occupied by at least One person who shall continue to habitually reside thereon for the full term of Eighteen years. Conditions of purchase.
- (4.) If it shall appear to the Commissioner that the purchasing body has neglected for a period of Three consecutive months to comply with any of the conditions herein contained in respect of any portion of the land agreed to be sold to them, the Commissioner may declare the contract to be null and void so far as it relates to such portion, and such portion may at any time thereafter be resumed by the Commissioner, and shall thereupon become Crown Land. Land may be resumed if conditions not complied with.
- (5.) If the purchasing body shall pay the purchase money for such land, and shall cause each Fifty acres of the same to be habitually resided upon for the full term of Eighteen years, a Grant Deed shall be issued therefor. Grant may be issued for each 50 acres.
- (6.) The purchasing body may, with the consent of the Commissioner, assign or transfer to any person or persons, other than the owner or selector of any land in *Tasmania* exceeding Ten acres, any portion of the land which it has contracted to purchase, not exceeding Fifty acres to any one person. Every such assignment or transfer without such consent as aforesaid shall be void, and in every case the assignment or transfer shall be subject to the performance by the assignee or transferee of the same conditions as the purchasing body was liable to perform and fulfil. Land may be assigned or transferred.
- (7.) Upon the fulfilment of all covenants and conditions prescribed by this Section, the assignee or transferee shall be entitled to receive a Grant Deed for the land assigned or transferred to him; but if any such assignee or transferee shall fail for a period of Three consecutive months to fulfil any of the conditions prescribed by this Section or contracted to be performed by the purchasing body, the land so assigned or transferred shall be liable to be forfeited to the Crown. Transferee entitled to grant upon fulfilling conditions.
- (8.) If the purchasing body shall assign or transfer, under the provisions herein contained, any of the land which it has agreed to purchase, the Commissioner may, with the consent of the Governor in Council, enter into a contract for the sale to the same purchasing body of a like area of land under similar terms and conditions. If purchasing body transfer land, more land may be selected.
- (9.) Before any portion of Land is assigned or transferred by the purchasing body a survey of such portion shall be made by a Surveyor, Survey of land transferred to be furnished.

*Crown Lands Amendment.*

A.D. 1893.

Provisions of 54  
Vict. No. 8 to  
apply.

Acts to be read  
together.

under instructions from and in accordance with the Regulations of the Surveyor-General.

(10.) All the provisions of the said Act relating to land purchased under Part II. of the said Act shall, except so far as the provisions of this Section are contrary to the said Act, apply to land which any purchasing body has agreed to purchase under this Section, and to land which any purchasing body has assigned or transferred under the provisions hereinbefore contained.

**13** This Act and the said Act, save as altered or amended by this Act, shall be read and construed together as one and the same Act.

**SCHEDULE.**

Sections 4 and 12.

	£	s.	d.
50 acres at £1 per acre .....	50	0	0
Survey Fee .....	6	5	0
	<hr/>		
	£56	5	0
Add one-third for credit .....	18	15	0
	<hr/>		
	£75	0	0
	<hr/>		
1st year .....	<i>Nil.</i>		
2nd year .....	<i>Nil.</i>		
3rd year .....	<i>Nil.</i>		
	£	s.	d.
4th year .....	5	0	0
5th year .....	5	0	0
6th year .....	5	0	0
7th year .....	5	0	0
8th year .....	5	0	0
9th year .....	5	0	0
10th year .....	5	0	0
11th year .....	5	0	0
12th year .....	5	0	0
13th year .....	5	0	0
14th year .....	5	0	0
15th year .....	5	0	0
16th year .....	5	0	0
17th year .....	5	0	0
18th year .....	5	0	0
	<hr/>		
	£75	0	0
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And in like proportion for any smaller area than 50 acres.

Repealed by 28 Vict. No. 13 S. 4