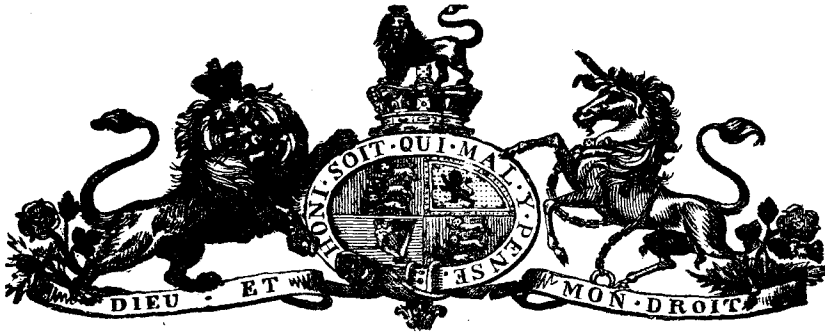


T A S M A N I A.



1895.

ANNO QUINQUAGESIMO-NONO

VICTORIÆ REGINÆ

No. 31.

Amended by 60 Vict. No. 50  
62 " " 39  
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*Repealed*

AN ACT to further amend "The Crown Lands Act, 1890." [24 October, 1895.] A.D. 1895.

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, 1895." Short title.

2 In this Act, unless the context otherwise determines, "the said Act" shall mean "The Crown Lands Act, 1890." Interpretation. 54-Vict. No. 8.

3 For the purposes of this Act, "Rural Lands" as defined by the said Act shall be classified as— Lands to be classified.

- i. First class Agricultural Lands :
- ii. Second class Lands.

4 Notwithstanding anything to the contrary contained in the said Act, the Commissioner may, if he thinks fit, offer for sale by auction, in the manner provided by Part III. of the said Act, any Second class Land at the upset price of not less than Ten Shillings per acre, upon Second class land may be sold by auction at upset price of 10s.

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the terms set forth in Schedule (1.), in lots of not less than Thirty acres and not more than Three hundred and twenty acres.

Any Land sold under this Section shall be in addition to the quantity of Land authorised to be sold by Public Auction under the said Act in any one year.

Limit of Land to be purchased.

**5** No person shall be entitled to purchase and hold upon credit under the provisions of this Act at any one time more than Three hundred and twenty acres of Land.

Improvements to be effected on Land.

**6** At the expiration of One year from the date of contract of sale and purchase of any Land under this Act upon credit the purchaser of such Land shall begin to effect substantial improvements thereon, other than buildings, and shall continue in each year during the Five consecutive years thereafter to effect substantial improvements other than buildings on such Land of the value of One Shilling for every acre of the land so purchased by him, and in default of making such improvements such Land shall be liable to be forfeited to the Crown: Provided that every purchaser having expended more than One Shilling per acre in any year shall be entitled to credit against his liability in any subsequent year for such extra expenditure, and the total amount so to be expended in such improvements need not exceed the sum of Five Shillings per acre.

Grant not to issue until improvements effected.

**7** The purchaser of any Second class Land upon credit under this Act shall have effected substantial improvements on such Land to the value of Five Shillings an acre of the whole of the Land before a Grant Deed shall be issued therefor; and in default of such improvements having been made as aforesaid during the first Five years of the purchase, the Land, together with all improvements, shall become absolutely forfeited, and shall thereupon revert to the Crown.

Money to be raised for making roads.

**8** The Governor in Council is hereby authorised to raise, in accordance with the provisions of the Section One hundred and thirteen of the said Act, a sum of money not exceeding Five Shillings for every acre sold, for the purpose of making roads in the vicinity of any Land sold under this Act.

Commissioner may issue Timber Licences.

**9** It shall be lawful for the Commissioner of Crown Lands from time to time to issue to any person a Timber Licence, authorising such person to enter upon and obtain timber for sawmilling purposes from any Crown Land which may have been proclaimed by the Governor in Council a Timber Reserve under the said Act. Every such Licence shall be issued in respect of an area not exceeding Five hundred acres for a term not exceeding Five years, and shall be subject to such conditions and stipulations as the Governor in Council may from time to time by any regulation prescribe; but no such Licence shall be granted for the taking of timber within Five miles of a mining township.

Regulations.

**10** The Governor in Council may from time to time make regulations—

- I. To provide for the classification of Rural Lands as provided for by this Act, and for giving effect to the provisions of this Act:
- II. To prescribe the width of the tires of the wheels of vehicles so as to regulate the weight of any load to be carried upon any such vehicle upon any road or track situate outside

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the control of any Road Trust or Town Board; and to prescribe such penalty not exceeding Five Pounds for any breach of such regulations. A.D. 1895.

All such regulations shall be published in the manner provided by the said Act, and shall for all purposes be deemed to be regulations made under the provisions of the said Act.

**11** Section Seventy-seven of the said Act is hereby repealed, and in lieu thereof the following shall be and be deemed to be and may be cited as Section Seventy-seven of the said Act; that is to say:— Substitution for Section 77 of 54 Vict. No. 8.

“**77** When any purchaser of Crown Land dies intestate leaving a widow, or widower, or child, who through poverty is unable to administer the estate of the deceased purchaser, a grant of such Land shall issue to the widow, or widower, or child, as the case may be, upon payment of the residue of the purchase money, but subject to the same estates and interests therein as if Letters of Administration had been taken out in respect thereof; and until payment such widow, or widower, or child shall hold such land upon the same terms and subject to the same conditions as the original purchaser held such Land.” Grant may be issued to widow, &c. upon payment of purchase money.

**12** Any Crown Land forming part of any town situate in or near a mining field and not occupied under a Residence Licence, Business Licence, Miner's Right, or Land leased for mining purposes, may be sold by the Commissioner under the provisions of Part III. of the said Act notwithstanding that such Land has been withdrawn by Proclamation from the operation of the said Act; but every Grant Deed of any such Land shall contain a reservation to the Crown or to any lessee from the Crown of the right to mine for gold or other metals or minerals under such Land at a depth of not less than Twenty feet from the natural surface thereof: Provided that any person causing any injury or damage to such Land or any buildings thereon by mining thereunder shall be liable for such injury or damage to the owner of the surface of such Land: Provided that the Commissioner is satisfied, upon the report of an Inspector of Mines or Commissioner of Mines, that such Land is not required for mining purposes. Lands in Mining Town may be sold.

**13** Sections Ten and Eleven of “The Crown Lands Amendment Act, 1894,” are hereby repealed, and in lieu thereof the following Sections shall be and be deemed to be Sections Ten and Eleven of such Act; that is to say— Reservation in Grant Deed.

“**10** Notwithstanding anything to the contrary contained in any Act, it shall be lawful for the Governor in Council to permit any purchaser or selector of any allotment or allotments of Agricultural Land selected or purchased under the said Act or under “The Waste Lands Act, 1870,” to complete the purchase of any allotment or any one portion thereof, upon the following conditions:— Substitution for Sects. 10 & 11 of 58 Vict. No. 13.

- i. That the purchaser or selector proves to the satisfaction of the Commissioner that he has effected substantial improvements or habitually resided, as the case may be, upon the Land in accordance with the provisions of the Act under which the Land was purchased or selected:
- ii. That such purchaser or selector is by poverty unable to complete the contract entered into for the purchase of the said Land:
- iii. That substantial improvements have been effected upon the Land purchased or selected to the value of One Pound for

Governor in Council may permit selectors to complete purchase of portion of Land.

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every acre of the Land to be retained by the purchaser or selector :

- iv. That the purchaser or selector pays the prescribed expense of surveying the Land to be retained by such purchaser or selector.

The allotment or portion of the Land to be retained shall be selected in accordance with the Regulations made under the said Act."

Purchase money may be applied wholly towards payments for portion of Land selected.

"**11** In any case in which any purchaser or selector is permitted to avail himself of the provisions of the last preceding Section, it shall be lawful for the Commissioner to apply the full amount of the money paid by such purchaser or selector upon all the Land originally purchased or selected in and towards the payment of the purchase-money due and owing upon the portion of such Land which such purchaser or selector has decided to complete the purchase of in accordance with the provisions of the said last preceding Section."

Applications to be made before 30th June, 1896.

**14** All applications to complete the purchase of any allotment under Section Thirteen of this Act shall be made on or before the Thirtieth day of June, One thousand eight hundred and ninety-six.

Acts to be read together.

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

**SCHEDULE.**

100 acres at 10s. per acre.....	£	s.	d.
Add one-fourth for credit.....	50	0	0
	12	10	0
	<hr/>		
	£62	10	0
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	£	s.	d.
Cash at time of purchase.....	2	10	0
1st year .....	6	0	0
2nd year .....	6	0	0
3rd year .....	6	0	0
4th year .....	6	0	0
5th year .....	6	0	0
6th year .....	6	0	0
7th year .....	6	0	0
8th year .....	6	0	0
9th year .....	6	0	0
10th year .....	6	0	0
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	£62	10	0
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And in like proportion for any greater or smaller area than 100 acres.