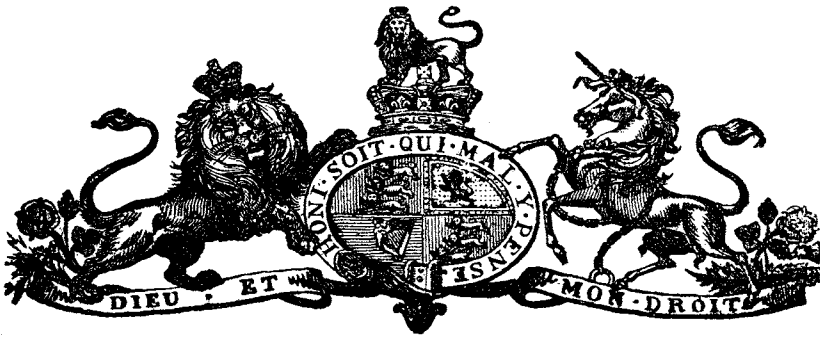


T A S M A N I A.

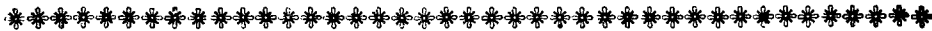


1886.

ANNO QUINQUAGESIMO

VICTORIÆ REGINÆ,

No. 11.



AN ACT to further amend *The Waste Lands Act*. A.D. 1886.
[8 December, 1886.]

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1 Section Twenty-one of *The Waste Lands Act* is hereby repealed.

Repeal of Sect. 21 of 34 Vict. No. 10.

2 The Governor in Council may from time to time, by Proclamation in the *Gazette*, define and set apart any portions of the Colony situate within Two miles of any Line of Railway now constructed or hereafter to be constructed, as and to be Agricultural Areas, and may from time to time alter or revoke any such Proclamation; and during the time that any such Proclamation is in force no Waste Lands situate within the limits of any such Agricultural Area shall be sold or disposed of otherwise than as provided in this Act or in any Regulations to be made hereunder.

Governor in Council may proclaim Agricultural Areas.

3 Every person shall have the right of selecting and purchasing by private contract, at the price and upon the terms set forth in the Schedule (1) to *The Waste Lands Act*, one lot of Land in an Agricultural Area not exceeding One hundred and sixty Acres.

Selection of land in Agricultural Area. 34 Vict. No. 10.

4 The provisions of *The Waste Lands Act* relating to Land selected for purchase under the Twenty-fourth Section of the said Act, so far as the same can be applied thereto, shall be applicable to every lot of Land selected for purchase under this Act.

Application of certain provisions of 34 Vict. No. 10.

Waste Lands Amendment.

A.D. 1886.

Conditions of
forfeiture.

5 The contract for the sale of every lot selected for purchase under this Act shall contain a condition for forfeiture to the Crown of the Land selected, unless the Purchaser, his tenant, or servant—

- i. Shall within one year from the date of such contract commence to reside upon such lot, and shall continue to reside thereon until the full amount of purchase money for such lot is satisfied :
- ii. Shall bring under cultivation in each of the first Five years, either with grain, grass, root crops, or orchard, at least one-twentieth part of such lot, and shall continue to keep such area in cultivation until the purchase money for such lot is satisfied.

Forfeiture for
violation of this
Act and Regula-
tions.

6 If at any time previous to the issue of a grant for any lot of Land selected for purchase under this Act it is proved to the satisfaction of the Governor in Council that the purchaser is holding the Land in violation of any of the provisions of this Act or the Regulations to be made hereunder, the Governor in Council may declare the contract for the sale of such Land absolutely forfeited and determined, and thereupon the Land the subject thereof shall revert to the Crown.

Restriction on
application of
Sect. 24 of
45 Vict. No. 5
to land selected
under Act.

7 The provisions of Section Twenty-four of “The Waste Lands Act, 1881,” shall not apply to Land selected for purchase under this Act until the expiration of Five years from the date of the payment of the first instalment of the purchase money thereof.

Applicant for pur-
chase must be of
the age of
Eighteen years
at least.

8 No application for a selection under this Act, or under the Twenty-fourth Section of *The Waste Lands Act*, shall be received from or in the name of, or for or on behalf of, any person under the age of Eighteen years, and every applicant under the age of Twenty-one years shall state in his application that he is of the age of Eighteen years or upwards ; and if such statement be proved at any time to be untrue the purchase shall be void, and all moneys paid by or on account of such purchaser shall be forfeited to Her Majesty.

Purchasers under
Twenty-one years
of age to be liable
upon contracts.

9 Every purchaser of Land under this Act, or under the Twenty-fourth Section of *The Waste Lands Act*, between the ages of Eighteen and Twenty-one years who either personally or by his agent shall enter into any agreement for or in relation to the performance of any work or rendering of any services on such purchase or in relation thereto, or shall enter into any agreement for or in relation to the loan of money or the sale or purchase of any goods and chattels of any description whatsoever, or into any agreement connected with the occupation, management, or general purposes of such purchase not contrary to this Act, shall be subject to the same liabilities and have the same rights in respect of such agreement as if he were of the full age of Twenty-one years.

Lands held under
Miners' Rights,
&c. may be
purchased by
occupant.

10 If any person under any Act relating to Mining shall, by virtue of a Miner's Right, Business Licence, or Residence Licence, occupy Waste Land of the Crown upon any Town, and shall erect or make buildings and permanent improvements on such Land of the value of Fifty Pounds and upwards, such person shall be entitled to purchase the Land so occupied by him, or so much thereof as shall not exceed

Waste Lands Amendment.

one quarter of an acre, at the price of Ten Pounds, and upon payment of such price to obtain a Grant for such Land: Provided that if such person, upon being required so to do by the Commissioner, by notice in writing, shall neglect for Three calendar months thereafter to exercise his right of purchase hereunder, the Commissioner may, if he sees fit, cause such Land, with all buildings and improvements thereon, to be put up for sale by Public Auction, including the value of such buildings and improvements in the upset price of such Land, and should the occupant not become the purchaser at such auction, the value of such buildings and improvements shall be paid to him by the purchaser in cash at the time of sale. A.D. 1886.

11 Where any purchaser of Waste Land of the Crown upon credit dies intestate leaving a widow or child who through poverty is unable to administer the estate of the deceased, a Grant of such Land shall issue to such widow or child 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 child shall hold the same upon the conditions the Land was subject to in the hands of the intestate. Grant may issue to widow or child on payment of purchase money.

12 It shall be lawful for the Commissioner, by notice in the *Gazette*, to reserve such roads as he may deem expedient through or adjacent to lots of Land selected for purchase under this Act; and the Commissioner shall cause such roads so reserved as aforesaid to be surveyed and to be cleared to a width of Twenty feet at least. Power to survey and clear roads.

The cost of surveying and clearing such roads hereinbefore mentioned shall be defrayed out of moneys to be provided by Parliament from time to time for that purpose.

13 Section Twenty-seven of "The Waste Lands Act, 1881," is hereby repealed, and in lieu thereof it is enacted as follows:—So soon as Five Hundred acres of land have been taken up under the Twenty-fourth Section of *The Waste Lands Act*, or under this Act, in not less than Five lots adjoining or within a short distance of each other, the Governor in Council shall, for the purpose of making roads in the vicinity of the land so sold, raise a sum not exceeding one-half of the purchase money of such land, exclusive of any addition made thereto for credit, by the issue and sale of Debentures chargeable on the Consolidated Revenue Fund; and all the provisions of the Act of the Parliament of *Tasmania* of the 49th *Victoria* No. 54 shall apply to the Debentures to be issued in pursuance of this Section, and the amount so raised shall be expended in making and constructing such roads. Power to raise money for making roads.

14 The power of the Governor in Council to make and issue Regulations under *The Waste Lands Act* is hereby extended to making Regulations for the following purposes:— Regulations.

- i. For prescribing the times when, and the conditions under which Land selected for purchase under this Act shall be liable to be forfeited as hereinbefore provided.
- ii. For providing for the examination of candidates for appointment as Surveyors:

Waste Lands Amendment.

A.D. 1886.
—

iii. For defining the duties of Surveyors, and of controlling all surveys made by them :

iv. And generally for giving effect to the objects and purposes of this Act.

Acts to be read together.

15 *The Waste Lands Act*, and every Act altering or amending the same, save so far as the same may be altered or amended by this Act, and this Act, shall be read and construed together as one Act.

Short title.

16 This Act may be cited as “The Waste Lands Act, 1886.”