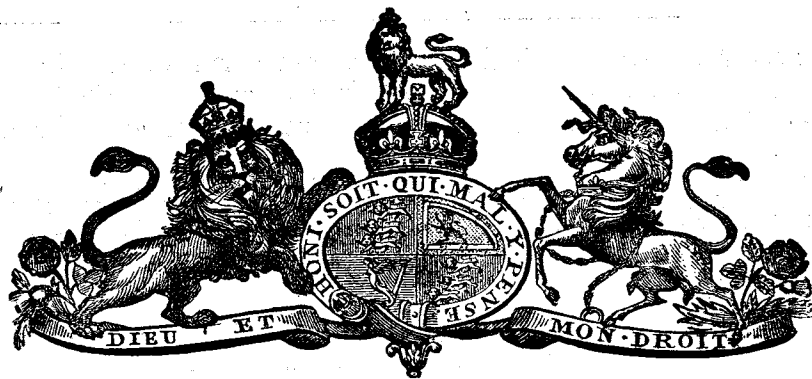


TASMANIA.



1907.

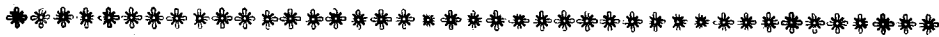
ANNO SEPTIMO

EDWARDI VII. REGIS,

No. 48.

ANALYSIS.

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. Short title and incorporation. 2. Substitution of New Schedule for Schedule (2.) of Principal Act, as regards future sales, &c. 3. Repeal and re-enactment of Sub-section (1.) of Section 6 of "The Crown Lands Act, 1905."
Who may select. 4. Payment of purchase-money on First-class land selected for purchase. 5. Power to sell lots of Third-class land less than Sixty acres in area when not adjacent to other Crown land. 6. Application to purchase auriferous, mineral, or timber lands may be refused. | <p>Proviso.</p> <ol style="list-style-type: none"> 7. Amendment of Section 116 of Principal Act. 8. Amendment of Section 173 of the Principal Act. 9. Repeal of Section 25 of 5 Ed. VII. No. 31. 10. Power to resume land sold on credit for roads, &c., upon payment therefor. 11. Power to close old road and deal with same where rendered useless by deviation. 12. Minister may dispose of water-power under Section 4 of 1 Ed. VII. No. 53. |
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AN ACT to further amend "The Crown Lands Act, 1903," and "The Crown Lands Act, 1905." [5 December, 1907.]

A.D. 1907.

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:—

4d.]

Crown Lands Amendment.

A.D. 1907.

Short title and
incorporation.
3 Ed.VII. No. 39.
5 Ed.VII. No. 31.
Substitution of
New Schedule for
Schedule (2.) of
Principal Act as
regards future
sales, &c.

1 This Act may be cited as "The Crown Lands Act, 1907," and shall be construed as one with "The Crown Lands Act, 1903" (hereinafter called "the Principal Act"), and every Amendment thereof.

2 The following Schedule (2.) is hereby substituted for Schedule (2.) to the Principal Act so far as relates to selections, purchases, or sales made after the commencement of this Act:—

(2.)

	£	s.	d.
100 acres, at £1 per acre	100	0	0
Add one-third for credit.....	33	6	8
	<hr/>		
Purchase-money	£133	6	8

	s.	d.	£	s.	d.
Cash at time of purchase.....	0	2	0	16	8
1st year	0	3	1	5	0
2nd year	0	3	1	5	0
3rd year	1	0	5	0	0
4th year	1	0	5	0	0
5th year	1	0	5	0	0
6th year	1	0	5	0	0
7th year	1	6	7	10	0
8th year	1	6	7	10	0
9th year	1	6	7	10	0
10th year	1	6	7	10	0
11th year	2	0	10	0	0
12th year	2	0	10	0	0
13th year	2	0	10	0	0
14th year	2	0	10	0	0
15th year	2	0	10	0	0
16th year	2	0	10	0	0
17th year	2	0	10	0	0
18th year	2	0	10	0	0
	<hr/>			<hr/>	
	£133			6	8

And in like proportion for any greater or smaller area than 100 acres.

Repeal and
re-enactment of
Subsection (1.) of
Section Six of
"The Crown
Lands Act,
1905."

Who may select.

3 Subsection (1.) of Section Six of "The Crown Lands Act, 1905," is hereby repealed, and the following substituted therefor:—

"**6**—(1.) Any person of the age of Eighteen years or upwards may, subject to the provisions of this Act, select and purchase under this Act—

i. At the price and upon the terms set forth in the Schedule (2.) to the Principal Act, First-class land, not exceeding Two hundred acres nor less than Fifteen acres:

ii. At the value per acre, to be fixed by the Surveyor-General in the prescribed manner, and upon the terms set forth in Subsection (2.) of this section, Second-class land, not exceeding Two hundred and fifty acres nor less than Thirty acres:

iii. At the value per acre, to be fixed by the Surveyor-General in the prescribed manner, and upon the terms set forth in Subsection (2.) of this section, Third-class land, not exceeding Five hundred acres nor less than Sixty acres."

Crown Lands Amendment.

4 Upon the sale of any First-class land purchased after the commencement of this Act under Section Six of "The Crown Lands Act, 1905," or under Section Sixty-three of the Principal Act, the terms of purchase shall be as follows (in lieu of those set forth in Subsection (2.) of Section Seventy-seven of the Principal Act), namely, a sum equal to One-third of the price shall be added thereto by way of premium for allowance of credit, and the amount of the price and premium shall become the purchase-money of the land, and the purchaser shall pay a deposit of Two Pence per acre, or part thereof, at the time of sale, and shall contract to pay, and shall pay, the residue of the purchase-money by Eighteen annual instalments, at the following rates per acre or part thereof, namely:—

Three Pence during the First and Second years ;

One Shilling during the Third, Fourth, Fifth, and Sixth years ;

One Shilling and Sixpence during the Seventh, Eighth, Ninth, and Tenth years ; and

Two Shillings during each of the remaining Eight years—

in the manner set forth in the Schedule (2.) in Section Two of this Act ; the first instalment to be paid at the expiration of One year from the time of sale.

A.D. 1907.

—
Payment of purchase-money on First-class land selected for purchase.

5 Notwithstanding anything in the Principal Act or any amendment thereof contained to the contrary, where any Third-class Crown land, being less than Sixty acres in area, and not contiguous or adjacent to any other Crown land, is so situated as to make it desirable in the opinion of the Commissioner of Crown Lands that the same should be sold, he may cause the same to be sold—

i. Upon the terms set forth in Subsection (2.) of Section Six of "The Crown Lands Act, 1905" : or

ii. By public auction.

Power to sell lots of Third-class land less than Sixty acres in area when not adjacent to other Crown land.

6 Section Eighteen of the Principal Act is hereby repealed, and the following section substituted therefor:—

"**18** It shall be lawful for the Commissioner to decline to enter into a contract, or to refuse any application, for the sale and purchase of any Crown land in any case where the land selected or applied for—

i. Is known to the Commissioner, or is reported by a warden or inspector of mines, to be auriferous or to contain minerals : or

ii. In the opinion of the Commissioner is likely to be required as a timber reserve, or for obtaining timber therefrom, or for obtaining therefrom trees or bark having a commercial value.

Application to purchase auriferous, mineral, or timber lands may be refused.

Provided nevertheless that in any case where the land selected or applied for comes within Paragraph ii. of this section the Commissioner may, if he thinks fit, cause the value of such timber, trees, or bark thereon to be assessed ; and upon the selector or applicant paying to him in cash, on demand, the amount of such assessed value, the Commissioner may permit the application for the land to be proceeded with, subject to the provisions of the Principal Act and any amendment thereof."

Proviso.

Crown Lands Amendment.

A.D. 1907.

Amendment of
Section 116 of
Principal Act.

7 Section One hundred and sixteen of the Principal Act is hereby amended by inserting at the end thereof the following paragraph:—

“The area which may be so purchased may with the consent of the Commissioner of Crown Lands exceed One-quarter of an acre, but shall not in any case exceed One-half of an acre.”

Amendment of
Section 173 of the
Principal Act.

8 Section One hundred and seventy-three of the Principal Act is hereby amended by striking out the words “Of a value of not less than Two hundred and fifty Pounds.”

Repeal of Section
25 of 5 Ed. VII.
No. 31.

9 Section Twenty-five of “The Crown Lands Act, 1905,” is hereby repealed.

Power to resume
land sold on
credit for roads,
&c., upon
payment therefor.

10 Whenever after the commencement of this Act Crown land is disposed of upon credit it shall be lawful for the Commissioner of Crown Lands to resume, at any time within Fifteen years from the date of the contract of sale of such land (whether the whole of the purchase-money of such land shall have been paid or not), such portions of the said land as he may deem necessary to be resumed for roads, railways, tramways, water-races, or any other work of public utility, or for any purpose connected therewith, provided the owner for the time being is refunded the original purchase price of the land so resumed, and is paid the value of all buildings and permanent improvements (if any) on the land so resumed, such value to be ascertained in such manner as the Governor may by regulation prescribe.

Power to close
old road and deal
with same where
rendered useless
by deviation.

11 Whenever any deviation or alteration is made in any road which passes through land contracted to be alienated in fee simple from the Crown (whether before or after the commencement of this Act), and for which the grant deed is not then issued, and by reason of such deviation or alteration the old road or part thereof is, in the opinion of the Commissioner of Crown Lands, rendered useless or unnecessary for road purposes, the said Commissioner may, with the approval of the Governor, close such old road or such part thereof as the case may be, and may dispose of the same to the owner of the said land upon such terms and conditions as to price or otherwise as the said Commissioner may think reasonable and proper.

Minister may
dispose of water-
power under
Section 4 of
1 Ed. VII. No. 53.

12 The Minister may, with the consent of the Trustees of the Midland Water District, dispose of the power to be developed by the utilisation of the water for that purpose as is required to be delivered to the said Trustees under and by virtue of Section Four of “The Lakes *Sorell* and *Crescent* Conservation Act, 1901,” to any person upon such terms and conditions as may be approved by the Governor.

TRAMWAYS, 1907

ANALYSIS.

Preamble.

1. Short title and application of Act.
Saving.
To be read as part of L.G. Act, 1906.

PART I.—SURVEYS OF TRAMWAY ROUTES.

2. Fifty owners may by petition to Council request that a poll be taken to decide the question of surveying a Tramway route.
3. Powers of Council as to petition.
4. "Survey Poll Area."
5. Voting at poll for survey, and how poll to be taken.
6. Provisions where poll in favour of survey.
Council may request Governor to have survey made, and shall deposit Five Pounds per mile of Tramway route.
Provides for return of deposit in certain cases.
Council to furnish information required by Minister for Lands.
Governor may direct survey to be made, and may authorise payment of expenses of survey.
Power of entry upon lands for survey purposes.
Governor may impose conditions.
7. Where survey results in a Tramway being constructed, cost of survey to be added to Tramway loan as part thereof.

PART II.—CONSTITUTION OF TRAMWAY AREA.

8. Petition for undertaking.
When area forms whole or part of more municipalities than one.
Signatures to be verified.
9. Publication of petition.
Documents to accompany petition.
Council may facilitate preparation of these documents.
Certified copies to be deposited.
10. Demand of poll.
Poll may be taken.
11. How question decided.
12. Minister to submit position to Governor.
13. Powers of the Governor.

PART III.—CONTROL AND CONSTRUCTION, &c., OF TRAMWAYS.

14. Control of Tramway.
15. Application and incorporation of Railway Clauses Consolidation Act.
16. Communication with railways.
17. Speed.
18. Supply of material, &c., by General Manager.
Conveyance of materials, &c.
19. All powers of Act applicable.
20. Power to enter into agreements for working, &c.
21. Motive power.
22. Running powers over railways.
23. Land to vest in Local Authority.
24. Government not bound to compensate.
25. Right of user only.
26. Reserving power of Local Authorities to widen, &c., roads.
27. Power for Local Authority or police authorities to regulate traffic on roads.
28. Right of the public to use Tramways.
29. Reservation of right of public to use roads.

PART IV.—RATING, LOANS, AND ACCOUNTS.

30. Tramway rate.
31. Recovery of rates.
32. Loans for Tramways.
33. Amount that may be advanced.
34. Amount borrowed not to limit other borrowing powers.
35. Interest not to be charged for Three years.
36. Then to be paid half-yearly.
37. Repayment of principal after Three years.
38. Application of Local Public Works Loans Acts.
39. Account of Tramways.
40. Surplus, how applied.

PART V.—WAY-LEAVE FOR PRIVATE TRAMWAYS.

41. With Governor's consent permission for private Tramway crossing road may be given.
Owners' consent in certain cases necessary.

