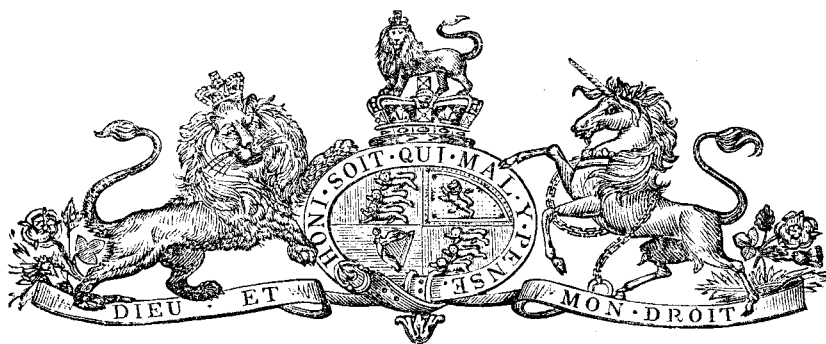


T A S M A N I A.



1891.

ANNO QUINQUAGESIMO-QUINTO

VICTORIÆ REGINÆ,

No. 50.

57 24.

AN ACT to define the Rights of Holders of Leases of Crown Land for Mining purposes to the Timber thereon. A.D. 1891.

[23 December, 1891.]

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 Mining Lessees' Timber Rights Act, 1891." Short title.

2 In this Act "Mining Lease" shall mean any Lease granted at the passing of this Act, or hereafter to be granted, to any person or body of persons under "The Mineral Lands Act, 1884," or "The Gold Fields Regulation Act, 1880." Interpretation.

3 Notwithstanding anything to the contrary contained in any Mining Lease, all rights now enjoyed or possessed by the holders thereof to the Timber on any land held under any such Lease shall, on the passing of this Act, cease to exist and be void. All existing Timber rights to be void.

4—(1.) The holder of any Mining Lease granted at the passing of this Act shall be entitled, and is hereby required, on or before the Thirty-first day of *March*, One thousand eight hundred and ninety- Holder of Mining Lease to mark off Timber Reserve.

Mining Lessees' Timber Rights.

A.D. 1891.

two, to select and mark off in such manner as may be prescribed by any Regulations made under this Act, such portion of the land held under any such Mining Lease as he may require as a Timber Reserve.

(2.) The holder of any Mining Lease granted after the passing of this Act shall be entitled, and is hereby required, within Three months after the date of such Lease, to select and mark off in such manner as may be prescribed by any Regulations under this Act, such portion of the land held under any such Mining Lease as he may require as a Timber Reserve.

(3.) Any such Timber Reserve shall not exceed in area one-half of the land held under any such Mining Lease, and shall be called the "Lessee's Timber Reserve," and the holder of such Lease shall have the sole right to all or any of the timber whether live or dead on any such Timber Reserve as shall be required for working the mines comprised in such Mining Lease, but subject to the rights of the Commissioner of Crown Lands and any person or company to take and use timber from Crown Lands for any purpose authorised by Parliament.

Penalty for cutting timber on Reserve.

5 Any person not duly authorised in that behalf who shall wilfully cut, destroy, or remove any timber on or from any Lessee's Timber Reserve, shall, upon conviction, be liable to a penalty not exceeding Five Pounds, together with the value of any damage done to such Timber Reserve.

Any such penalty and the value of such damages shall be recoverable in the manner prescribed by *The Magistrates Summary Procedure Act*, and such damages when recovered shall be paid to the Lessee of any such Timber Reserve.

Licences may be granted to cut timber on leased land not included in Reserve.

6 It shall be lawful for the Commissioner of Crown lands to grant to any person a licence to enter upon such portion of any land held under any Mining Lease as is not included in any Lessee's Timber Reserve and to fell and remove any timber growing thereon; any such licence shall be subject to such terms and conditions as may be prescribed by *The Crown Lands Act*, 1890, or any Regulations issued thereunder, or under this Act.

Governor in Council may make Regulations.

7 It shall be lawful for the Governor in Council from time to time to make, and from time to time to alter and rescind, Regulations for the purpose of prescribing the manner and mode in which Lessees' Timber Reserves shall be selected and marked off, and generally for the more effectual carrying out the objects of this Act.