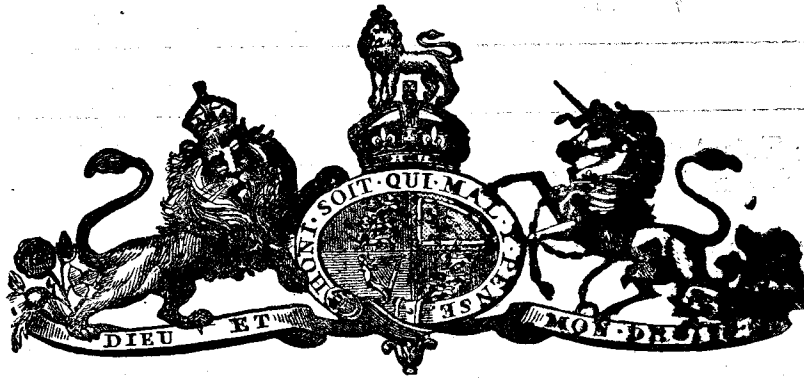


TASMANIA.



1907.

ANNO SEPTIMO

EDWARDI VII. REGIS,

No. 39.

ANALYSIS.

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|---|---|
| <ol style="list-style-type: none"> <li>1. Short title.</li> <li>2. Certain persons whose lands have been forfeited may be reinstated as purchasers.</li> <li>3. Certain persons may be permitted to complete purchase of land.</li> <li>4. Purchase-money may be applied wholly towards payments for portion of land selected.</li> <li>5. Certain persons named in Schedule (3.) to be permitted to complete their purchases.</li> <li>6. Amendment of Section 2 of 6 Ed. VII. No. 37.</li> <li>7. Commissioner may sell certain land to <i>John Power</i>.</li> <li>8. Commissioner may sell certain land to <i>Mark Oliver</i>.</li> <li>9. Commissioner may sell certain land to <i>Robert Oliver</i>.</li> <li>10. Power to exchange certain lands with Trustee of <i>Mary Russel Barnes</i>, deceased.</li> </ol> | <ol style="list-style-type: none"> <li>11. Commissioner may sell certain land to <i>Thomas Ernest Stonehouse</i>.</li> <li>12. Power to exchange certain land in <i>Hobart</i> with <i>Hobart Corporation</i>.</li> <li>13. Power to convey certain lands to <i>Anne Mitchell</i>.</li> <li>14. Power to convey certain land to <i>Lucy Maud von Bibra</i>.</li> <li>15. Commissioner may sell conditionally portions of Esplanade, River <i>Huon</i>.</li> <li>16. Power to sell certain land in the City of <i>Launceston</i> to the <i>Tasmanian Produce and Cool Storage Company</i>.</li> <li>17. Alteration of purposes of a certain existing water-right.<br/>Rights of action of owners and occupiers against Crown to be barred.</li> <li>18. Area for leasing purposes under "The <i>Marrawah Tramway Act, 1906</i>," may be extended.</li> </ol> |
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AN ACT to provide for the Reinstatement of certain Persons as Purchasers of certain Crown Lands, and for other purposes.

[5 December, 1907.]

BE it enacted by His Excellency the Governor of the State of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—  
10d.]

A.D.  
1907.

*Reinstatement of Crown Lands Purchasers.*

A.D. 1907.

Short title.

Certain persons whose lands have been forfeited may be reinstated as purchasers. Schedule (1.).

**1** This Act may be cited as "The Reinstatement of Crown Lands Purchasers Act, 1907."

**2** The Commissioner of Crown Lands may, with the consent of the Governor, reinstate the persons named in Schedule (1.) hereto, as purchasers of the several lots or areas of land set opposite to their names, under the provisions of the Acts regulating the sale or disposition of Crown lands under which the purchases of such lots or areas were respectively made, and thereupon such persons shall be liable to pay all instalments upon such lands at the date of forfeiture, and all instalments thereafter due thereon, together with the amount of fines and charges for the cost of advertising, as provided in Section Ninety-six or Ninety-seven, as the case may be, of "The Crown Lands Act, 1903," together with interest at the rate of Five Pounds per centum per annum from the date when such instalments became due: Provided that no such reinstatement shall continue of any effect after the First day of *July*, One thousand nine hundred and eight, unless all instalments now overdue, together with the amount of fines and charges and interest aforesaid, shall have been paid.

Certain persons may be permitted to complete purchase of land. Schedule (2.).

**3** It shall be lawful for the Governor to permit the persons named in Schedule (2.) hereto to complete the purchase of the several areas of land set opposite to their names, being portions of the areas originally purchased by them, upon the following conditions:—

- i. The purchaser shall pay the prescribed expense of surveying the land to be retained by him, and the grant fee of Fifteen Shillings :
- ii. The area of land to be retained shall be selected in accordance with the regulations under "The Crown Lands Act, 1903."

Provided that if any purchaser fails to pay the prescribed expense of surveying the area of land to be retained by him within Three months of the passing of this Act, he shall not be permitted to avail himself of the privileges of this section.

Purchase-money may be applied wholly towards payments for portion of land selected. Schedule (2.).

**4** In every case in which the purchaser is permitted to avail himself of the provisions of the last preceding section, it shall be lawful for the Commissioner of Crown Lands to apply the full amount of the money paid by such purchaser upon all the land originally purchased by him, in and towards the payment of the purchase-money due and owing upon the area set opposite to the name of such purchaser in Schedule (2.) hereto, in accordance with the provisions of the said last preceding section, notwithstanding that the whole or any portion of such land, and all or any part of the money paid as instalments thereon, have been declared forfeited to the Crown.

Certain persons named in Schedule (3.) to be permitted to complete their purchases.

**5** Notwithstanding anything to the contrary contained in "The Crown Lands Act, 1903," or "The Crown Lands Act, 1905," it shall be lawful for the Commissioner of Crown Lands to permit the persons

*Reinstatement of Crown Lands Purchasers.*

named in Schedule (3.) hereto to complete the purchase of the several areas of land set opposite to their names; and upon payment of the balance of purchase-money into the Treasury, together with a grant fee of Fifteen Shillings, the Governor is hereby authorised, in the name and on behalf of His Majesty the King, to convey and alienate the said lands to the said persons respectively, in fee simple or for any less estate or interest.

A.D. 1907.

**6** Subsection (1.) of Section Two of the Act 6 *Edwardi VII. No. 37* is hereby amended by striking out the words "at any time within Six months after the commencement of this Act," and inserting in lieu thereof the words "if made before the Thirtieth day of *June*, One thousand nine hundred and eight." This Amendment shall be deemed to have a retrospective effect.

Amendment of  
Section 2 of 6  
Ed. VII. No. 37.

**7** It shall be lawful for the Commissioner of Crown Lands to sell by private contract to *John Power* the lot of Crown land described in Schedule (4.) hereto for the sum of Ten Shillings; and upon payment of such sum of money into the Treasury, the Governor is hereby authorised, in the name and on behalf of His Majesty the King, to convey and alienate the said land to the said *John Power* in fee simple, or for any less estate or interest.

Commissioner  
may sell certain  
land to *John  
Power*.  
Schedule (4.).

**8** It shall be lawful for the Commissioner of Crown Lands to sell by private contract to *Mark Oliver* the surface of the lot of Crown land described in the Schedule (5.) hereto for the sum of Twenty-five Pounds, upon the terms and subject to the provisions of Section One hundred and seventeen of "The Crown Lands Act, 1903," and subject also to the provisions of Part V. of that Act.

Commissioner  
may sell certain  
land to *Mark  
Oliver*.  
Schedule (5.).

**9** It shall be lawful for the Commissioner of Crown Lands to sell by private contract to *Robert Oliver* the surface of the lot of Crown land described in the Schedule (6.) hereto for the sum of Twenty-five Pounds, upon the terms and subject to the provisions of Section One hundred and seventeen of "The Crown Lands Act, 1903," and subject also to the provisions of Part V. of that Act.

Commissioner  
may sell certain  
land to *Robert  
Oliver*.  
Schedule (6.).

**10** Upon the trustee of the estate of *Mary Russell Barnes*, deceased, surrendering to His Majesty the King the land described in Schedule (7.) hereto, it shall be lawful for the Governor, in the name and on behalf of His Majesty the King, to convey and alienate the lands described in Schedules (8.) and (9.) hereto to the said trustee in fee simple, or for any less estate or interest.

Power to  
exchange certain  
lands with trustee  
of *Mary Russell  
Barnes*, deceased.  
Schedules (7.),  
(8.), and (9.).

**11** It shall be lawful for the Commissioner of Crown Lands to sell by private contract to *Thomas Ernest Stonehouse* the lot of Crown land described in the Schedule (10.) hereto for the sum of Two Pounds and Ten Shillings; and upon payment of such sum of money, together

Commissioner  
may sell certain  
land to *Thomas  
Ernest Stone-  
house*.  
Schedule (10.).

*Reinstatement of Crown Lands Purchasers.*

A.D. 1907.

with a grant fee of Fifteen Shillings, into the Treasury, the Governor is hereby authorised, in the name and on behalf of His Majesty the King, to convey and alienate the said land to the said *Thomas Ernest Stonehouse* in fee simple, or for any less estate or interest.

Power to exchange certain land in *Hobart* with *Hobart Corporation*. Schedules (11.) and (12.).

**12** Upon the Mayor, Aldermen, and citizens of the City of *Hobart* surrendering to His Majesty the King all their right, title, and interest in and to the land described in Schedule (11.) hereto, it shall be lawful for the Governor, in the name and on behalf of His Majesty the King, to convey and alienate the land described in Schedule (12.) hereto to the Mayor, Aldermen, and citizens of the City of *Hobart* in fee simple, or for any less estate or interest.

Power to convey certain lands to *Anne Mitchell*.

**13** In consideration of all moneys paid by *Anne Mitchell* on Lot 1 Section Z1, Lot 1 Section B6, Lots 1 and 2 Section B4, Lots 1 and 2 Section B5, situate respectively in the Town of *Latrobe*, Fifty acres and One rood of land, Parish of *Dulverton*, and Twenty acres and Thirty-seven perches of land, Parish of *Templeton* (all of which lands have been forfeited to the Crown), it shall be lawful for the Governor, in the name and on behalf of His Majesty the King, to convey and alienate the said Lot 1 Section Z1, Town of *Latrobe*, and the said Twenty acres and Thirty-seven perches of land, Parish of *Templeton*, to the said *Anne Mitchell* in fee simple.

Power to convey certain land to *Lucy Maud von Bibra*.

**14** In consideration of all money paid by *Lucy Maud von Bibra* on Three hundred and nineteen acres one rood and nineteen perches of land in the Parish of *Taroona*, *King Island* (which have been forfeited to the Crown), it shall be lawful for the Governor, in the name and on behalf of His Majesty the King, to convey and alienate Seventy-four acres and one quarter of an acre, being portion of the said lot, to the said *Lucy Maud von Bibra* in fee simple, provided she pays the prescribed expense of surveying the same, together with a grant fee of Fifteen Shillings.

Commissioner may sell conditionally portions of esplanade, *River Huon*.

**15** Notwithstanding anything to the contrary contained in any Act regulating the sale or disposition of Crown lands, it shall be lawful for the Commissioner of Crown Lands, with the consent of the Governor, to sell by private contract, at such price as the Commissioner of Crown Lands thinks fair and reasonable, either for cash or upon credit, or partly for cash and partly upon credit, and generally upon and subject to such terms, conditions, and reservations as he thinks fit, any such portion of the esplanade or Crown reservation along the *River Huon*, as the Commissioner of Crown Lands thinks fit, to any person owning land abutting on any such portion or on the main road opposite thereto: Provided that a reservation of not less than Ten feet wide along the said river, above high-water mark, shall be retained unsold as an esplanade for the use of the public.

*Reinstatement of Crown Lands Purchasers.*

**16** It shall be lawful for the Commissioner of Crown Lands with the consent of the Governor to sell by private contract to the *Tasmanian Produce and Cool Storage Company, Limited*, the Crown land described in Schedule (13.) hereto at such price as may on the recommendation of the Surveyor-General be approved by the Governor, and either for cash or upon the terms of credit set forth in Section Seventy-five of "The Crown Lands Act, 1903," and subject to such terms, reservations, and conditions generally as the Governor may think fit to impose; and upon full payment of the purchase-money into the Treasury, together with a grant fee of Fifteen Shillings, the Governor is hereby authorised, in the name and on behalf of His Majesty the King, to convey and alienate the said land to the *Tasmanian Produce and Cool Storage Company, Limited*, in fee simple, or for any less estate or interest.

A.D. 1907.

Power to sell certain land in the City of *Launceston* to the *Tasmanian Produce and Cool Storage Company*. Schedule (13.).

**17**—(1.) It shall be lawful for the registered proprietors for the time being of the land comprised in Certificate of Title, Registered Volume XXIII., Folio 187, and situated in the Town of *Exeter*, and their assigns, to use the water (which is hereby declared to be a quantity up to but not exceeding in the whole total use Twelve cubic feet per second) referred to in such certificate of title, or any portion of such water, for any purpose, whether in connection with the said land or otherwise, and to take the same from any point at or on the said land.

Alteration of purposes of a certain existing water-right.

(2.) The owners and occupiers for the time being of the said land, or any part thereof, shall have no right of action against the Crown for or in respect of any impediment or obstruction to navigation caused by or consequent upon the construction by the authority of the Crown of any bridge over the river flowing along the said land. And this section may be pleaded in bar to any such action.

Rights of action of owners and occupiers against Crown to be barred.

**18** Notwithstanding anything contained in "The *Marrawah* Tramway Act, 1906," the total area which may be marked off under Section Ten of the said Act for leasing purposes may, on the recommendation of the Minister of Lands, be extended by the Governor to, not exceeding in the whole, Ten thousand acres of land, subject to such terms and conditions as the Governor may think proper.

Area for leasing purposes under "The *Marrawah* Tramway Act, 1906," may be extended.

*Reinstatement of Crown Lands Purchasers.*

A.D. 1907.

## SCHEDULE.

(1.)

Name of Purchaser.	Situation of Land.	No. and Area of Lot.
Bradshaw, Henry E. F.	Parish of Thanet	31a. 3r. 24p.
Bayley, T.	Parish of Bungaree	184a. 0r. 7p.
Clay, James	Town of Queenstown	Lot 22, Section Z
Ferguson, Mary	Parish of Trowutta	49a. 0r. 25p.
Grant, P.	Town of Gormanston	Lot 7, Section U2
Hayes, W.	Town of Queenstown	Lot 1, Section W4
Jones, William	Town of Montagu	Lot 11402, 7a. 1r. 3p.
Turner, Chas. Richard	Parish of Uxbridge	26a. 1r. 5p.
Miles, Edw. Thos.	Town of Strahan	Lot 11, Section I 2, 0a. 1r. 28p.
Spencer, L. G. P.	Town of Gormanston	Lot 1, Section R1
Yaxley, Thomas, the Elder	Parish of Flowerdale	59a. 1r.

(2.)

Name of Purchaser.	Situation of Land.	Area to be granted.
Cox, Arthur Hillier	Parish of Adelphi	154 acres
Maychin, John	Parish of Gibson	55½ acres

(3.)

Name.	Situation of Land.	Area.
Tate, Marion E.	Town of Crotty	Lot 7, Sec. E2, 0a. 0r. 37p.
Walters, Phoebe E.	Parish of Emmett	16a. 1r. 0p.
Dawson, Christopher Walter	Parish of Oana	50a. 0r. 8p.
Dawson, Christopher Walter	Parish of Oana	43a. 3r. 8p.

(4.)

## COUNTY OF DORSET.

## PARISH OF UNDERWOOD.

0a. 2r. 0p.

Bounded on the north by 3 chains 60 links or thereabouts easterly along Lot 4430 purchased by James Crabtree commencing at a point on a reserved road distant 5 chains 39½ links easterly from the south-west angle of Lot 4430 aforesaid on the south-east by 1 chain 80 links or thereabouts south-west-erly to the beforementioned reserved road and thence by that road to the point of commencement.

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*Reinstatement of Crown Lands Purchasers.*

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(5.)

A.D. 1907.

COUNTY OF CORNWALL.

PARISH OF WOODFORD.

5a. 1r. 19p.

Lot 17407.

Bounded on the south-east by 8 chains 12 links north-easterly along land surveyed for Matthew F. Oliver commencing at the west angle thereof on Richardson's Creek on the north-east by 6 chains  $19\frac{4}{10}$  links north-westerly along Crown land on the north-west by 10 chains south-westerly also along Crown land along Lot 2911 purchased by W. Robertson along a reserved road and again along that lot to Richardson's Creek aforesaid and thence by that creek to the point of commencement.

(6.)

COUNTY OF CORNWALL.

PARISH OF WOODFORD.

4a. 3r. 35p.

Lot 17408.

Bounded on the north-west by 8 chains 12 links north-easterly along land surveyed for Mark Oliver commencing at the south angle thereof on Richardson's Creek on the north-east by 6 chains  $55\frac{1}{10}$  links south-easterly along Crown land on the south-east by 7 chains  $88\frac{1}{2}$  links south-westerly along Valentine-street crossing Richardson's Creek aforesaid and thence on the south-west by 6 chains 55 links north-westerly in two bearings along a reserved road and through Richardson's Creek aforesaid to the point of commencement.

(7.)

TOWN OF NEW TOWN.

0a. 0r. 36p. or thereabouts.

Bounded on the south by 1 chain easterly along Augusta-road commencing at the south-west angle of Lot 6 purchased by John Lee Archer on the north-east by 4 chains 57 links north-westerly and thence on the south-west by 4 chains 49 links or thereabouts south-easterly along Montagu-street to the point of commencement.

(8.)

TOWN OF NEW TOWN.

0a. 0r. 25p.

Bounded on the south-west by 1 chain  $69\frac{8}{10}$  links south-easterly along Lot 5 Section R purchased by P. E. Drake commencing at the north-east angle thereof again on the south-west by 2 chains 45 links south-easterly also along that lot and along Montagu-street on the north-east by 4 chains  $13\frac{7}{10}$  links north-westerly along Lot 6 purchased by John Lee Archer and thence on the north-west by 56 links south-westerly along Lot 4 Section R purchased by Pauline Ethel Drake to the point of commencement.

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*Reinstatement of Crown Lands Purchasers.*


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A.D. 1907.

(9.)

## TOWN OF NEW TOWN.

0a. Or. 12 $\frac{2}{10}$  p.

Bounded on the north-west by 4 chains 51 links south-westerly in two bearings along Lot 6 purchased by John Lee Archer commencing at the south-east angle thereof on Augusta-road on the south-west by 29 $\frac{2}{10}$  links south-easterly along Montagu-street and thence on the south-east by 4 chains 46 $\frac{6}{10}$  links north-easterly in two bearings along Augusta-road aforesaid to the point of commencement.

(10.)

## COUNTY OF DEVON.

PARISH OF WELLS.

2a. 1r. 27p.

Bounded on the north-west by 3 chains 22 links north-easterly along 32a. Or. 18p. purchased by Henry David Beams commencing at the south angle thereof on the main road Beaconsfield to Flowery Gully on the north-east by 18 chains 30 $\frac{9}{10}$  links south-easterly in three bearings along Lot 8197 purchased by Lydia Stonehouse to the main road Beaconsfield to Flowery Gully aforesaid and thence on the south-west by 17 chains 97 links north-westerly along that road to the point of commencement.

(11.)

## CITY OF HOBART.

0a. Or. 14 $\frac{1}{2}$ p. or thereabouts.

SECTION D3.

Bounded on the south-east by 1 chain 30 links north-easterly along 0a. 1r. 11p. granted to John Tilley and Elizabeth Ann Tilley commencing at the west angle thereof on Harrington-street on the north-east by 97 links north-westerly along Murray-street again on the north-east and north-west by 46 links north-westerly and south-westerly in three bearings along Murray and Harrington streets aforesaid and thence on the south-west by 1 chain 35 links south-easterly along Harrington-street aforesaid to the point of commencement.

(12.)

## CITY OF HOBART.

0a. Or. 8p. or thereabouts.

SECTION N3.

Bounded on the south-west by 1 chain 95 $\frac{1}{2}$  links or thereabouts south-easterly along lands granted to Thomas Pasco and Samuel Easton respectively commencing at the north angle of the firstmentioned land on Macquarie-street on the south-east by 52 links north-easterly along land purchased by Thomas Weare to a roadway and thence on the north-east by that roadway north-westerly to the point of commencement.



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*Reinstatement of Crown Lands Purchasers.*

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(13.)

A.D. 1907.  

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CITY OF LAUNCESTON.

Oa. 2r. 39 $\frac{8}{10}$ p.

SECTION N3.

Lots 2 and 3.

Bounded on the north-west by 5 chains 78 $\frac{8}{10}$  links north-easterly along Lindsay-street commencing at the angle of that street and Gunn-street on the north-east by 1 chain 28 $\frac{8}{10}$  links south-easterly along Crown land on the south-east by 5 chains 78 $\frac{8}{10}$  links south-westerly along land leased to the Launceston Marine Board to Gunn-street aforesaid and thence on the south-west by 1 chain 28 $\frac{8}{10}$  links north-westerly along that street to the point of commencement.

MEMORANDUM FOR THE DIRECTOR

FROM: SAC, [illegible]

SUBJECT: [illegible]

[illegible]

[illegible]

[illegible]

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