

## Queensland.



ANNO QUADRAGESIMO SEXTO

## VICTORIÆ REGINÆ.

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No. 4.

An Act Authorising the Surrender of Freehold Lands to the Crown, and the Issue of new Deeds of Grant to the owner thereof, in certain cases.

[ASSENTED TO 4TH SEPTEMBER, 1882.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with Preamble the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

**1.** Whenever, by reason of the opening or closing of a road for public use through or adjoining any land held in fee from the Crown, the description of the land as contained in the existing instruments of title has ceased to be a convenient description of the land to which, after such opening or closing and the necessary alterations of boundary consequent thereon, the owner is entitled, it shall be lawful for such owner to surrender to the Crown his title to the land; and upon such surrender a new Deed or new Deeds of Grant shall issue, comprising the land to which after such opening or closing such owner is entitled. Grantee may surrender to the Crown and obtain a new title.

For the purposes of this section, the term "owner" shall include any person entitled to an estate of freehold in possession. Provided that if any such owner shall not be absolutely entitled to the land, the new grant shall be to the same persons and for the same estates as the persons and estates included in the former instruments of title.

**2.** When

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*Corrected Titles to Land Act.*

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- Correction of erroneous descriptions in Deeds of Grant.      **2.** When it is ascertained upon re-survey of any portion of land held in fee from the Crown, that the measured lengths of the boundary lines of the said portion do not agree with the lengths of the boundaries as described in the Deed of Grant, and where no doubt exists as to the boundaries of the land intended to be granted, it shall be lawful for the owner of any portion as aforesaid to surrender to the Crown his title to the land, and upon and after such surrender a new Deed of Grant containing a corrected description of the boundaries of the said land shall issue to the owner of such portion as aforesaid.
- Land to be brought under "*Real Property Act of 1861*" before new deed issues.      **3.** When any land proposed to be surrendered under this Act is not under the provisions of "*The Real Property Act of 1861*," no new deed of grant shall be issued until after the provisions of that Act relating to the bringing of land under its provisions have been complied with.
- Mortgage or encumbrance to be endorsed by Registrar-General on new grant without fee.      **4.** When lands held under the provisions of "*The Real Property Act of 1861*" upon which there is any mortgage or other encumbrance are surrendered to the Crown under the provisions of this Act, the Registrar-General shall endorse the mortgage or other encumbrance on the new deed of grant without fee, anything in the said Act or other Acts to the contrary notwithstanding.
- Right of resuming an equal area to that of closed roads.      **5.** In cases when roads through freehold lands are proposed to be closed under the provisions of "*The Crown Lands Alienation Act of 1876*," and the titles of the lands through which the said roads pass are surrendered to the Crown under the provisions of this Act, it shall be lawful for the Governor in Council to reserve a right of resuming for road purposes an area equal to that comprised in the closed roads in the new Deeds of Grants to be issued in lieu of the titles surrendered as aforesaid on payment of a sum per acre for the land resumed equal to that paid per acre for the closure of the said roads.
- Short title.      **6.** This Act may be cited as "*The Corrected Titles to Land Act of 1882*."