

Queensland.



ANNO VICESIMO QUARTO
VICTORIÆ REGINÆ.

No. 12.

An Act to Regulate the Occupation of Land Applied for by Tender.

[ASSENTED TO 17TH SEPTEMBER, 1860.]

WHEREAS by an Order of the Queen's Most Excellent Majesty in Council bearing date the ninth day of March 1847 it was by the 12th and 13th sections thereof provided that any person desirous of acquiring a lease of any Run of Crown Lands should tender for the same in such manner as therein is mentioned And Whereas tenders for leases of Runs within the Colony of Queensland have been transmitted to and received by the Governments of New South Wales and Queensland respectively And Whereas it is expedient that leases should be issued in pursuance of the

Preamble

the aforesaid sections to all persons who have tendered and whose tenders have been accepted or received and opened and who shall not have stocked the lands comprised in the same. And Whereas it is also expedient to make regulations concerning the occupation of the lands to be comprised in any such lease to be granted as aforesaid. Be it therefore enacted by the Queen's Most Excellent Majesty by and with 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:—

Repeal of 22 Vic.
No. 17

1 The Order in Council of the 9th March 1847 and all Regulations made in pursuance thereof so far as they in anywise affect or are inconsistent with this Act and the Act of Parliament of New South Wales made and passed in the twenty-second year of the Reign of Her Most Gracious Majesty and numbered seventeen intituled "An Act to Impose an Assessment on Runs in the Unsettled and Intermediate Districts and to Increase the Rent of Lands for Leased Pastoral Purposes within the Settled Districts of New South Wales" so far as the same affect the provisions of this Act shall be and the same are hereby repealed. Provided that nothing herein contained shall prejudice anything already lawfully done under the said orders and regulations or commenced or contracted to be done thereunder respectively.

Tenders for runs
already liable to rent

2 All persons whose tenders for runs have been already received and opened by the Government of New South Wales or the Government of Queensland under the 12th and 13th sections of the hereinbefore recited order in Council dated 9th March 1847 relating to runs in the Colony of Queensland and of which such persons shall be entitled to a lease under the said 12th section of such Order in Council shall be liable until such lease shall have been granted to pay and shall pay rent on such tenders as if such lease had been granted such rent to be the same and to be payable at the same time and manner specified in this Act for leases and shall be subject to forfeiture for non-payment of rent in manner mentioned in the Unoccupied Crown Lands Occupation Act of 1860 notwithstanding that such tenders may not have been finally reported on but no such party shall be called upon to pay more than one year's rent for each run till the said tenders shall have been accepted and reported on. Provided always that in the event of its appearing that any such tender comprises land leased or under promise of lease or applied for under any previous tender and that such tender has ultimately been declined then and in every such case the rent paid on such land as aforesaid shall be returned to the parties or party whose tenders or tender shall have been so declined.

Leases of Lands ten-
dered for to be
granted

3 The Governor with the advice of the Executive Council shall grant a lease of the lands comprised in any accepted tender for the term of fourteen years and the term of every such lease shall commence from the first day of January or July nearest to the acceptance of any such tender. Provided that all lessees who have occupied their runs for the first time since the 1st January 1860 may come under the provisions of this Act.

4 Every lessee shall during the continuance of his lease pay a yearly ^{Rent} rent for the same to be fixed and payable at the same rates and times and ascertainable in the same manner as provided for in the Unoccupied Crown Lands Occupation Act of 1860

5 Every lessee whose tender has at the time of the passing of this ^{Provision for occu-} Act been accepted or whose tender shall hereafter be accepted shall ^{pation:} within twelve months from the date of his lease occupy and stock the lands comprised in such lease to an extent equal to one-fourth of the number of sheep or equivalent number of cattle which such lands shall be deemed to be capable of carrying according to section nine of the said last-mentioned Act and should such runs not be stocked as hereinbefore provided every lessee of same shall be liable to pay in advance twice the amount of rent imposed by his lease and if within six months after the payment of such additional rent such runs shall not have been stocked as hereinbefore provided the same shall be absolutely forfeited.

6 All the provisions of the said Act of 1860 so far as the same are ^{Incorporation of pro-} not repugnant to or inconsistent with the provisions of this Act shall be ^{visions of Act of 1860} incorporated in this Act

7 In all cases where Rent or Assessment Tax shall have been paid in ^{Proportion of Rent} advance prior to the passing of this Act for a period any portion of which ^{remitted} shall be included in any lease to be granted as aforesaid a proportionate part of such Rent or Assessment Tax shall be remitted

8. This Act shall commence on the first day of October next and ^{Commencement and} shall be styled and may be cited as the "Tenders for Crown Lands ^{Short Title} Act."