

THE THIRD SCHEDULE.

[See section 28.]

District of

Name of Run :

To the Minister for Lands.

(a) the undersigned holding [or claiming] a lease under
the (b) of the run known as in the District of
do hereby elect to take advantage of the provisions of "The Crown Lands Act of 1884"
with respect to such run.

Given under hand at this day of 18 .
A.B.

Witness :

J.P.

(a) For We.

(b) Act under which the Run is held.

THE FOURTH SCHEDULE.

MEMORANDUM OF MORTGAGE.

[See section 55.]

I, A.B., of , being the registered lessee of (describe the holding and
number of the lease) under the provisions of Part IV. of "The Crown Lands Act of 1884,"
in consideration of the sum of lent to me by [or due by me to] C.D., of
and agree with the said C.D. that I will pay him the said sum on [here insert day appointed
for payment, covenant for payment of interest, and such other covenants as may be agreed
upon]. And in default of performance, on my part, of the above covenants, or any of
them, I authorise the said C.D. to sell the said holding in accordance with the provisions
of the said Act.

In witness whereof I have hereto signed my name, this day of 18 .
A.B.

Signed by the abovenamed A.B. as mortgagor,
this day of 18 ,
in my presence.

E.F., (J.P.)

49 Vic. No. 7.
THE
CROWN LANDS
ACT OF 1884
AMENDMENT ACT
OF 1885.

An Act to Amend "The Crown Lands Act of 1884" with respect to the Selection of Land before Survey and in other respects.

[ASSENTED TO 4TH SEPTEMBER, 1885.]

Preamble.

WHEREAS it is desirable to amend "The Crown Lands Act of 1884"
in certain particulars: Be it 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:—

Short title.

1. This Act shall be read and construed with, and as an amendment
of "The Crown Lands Act of 1884" hereinafter called "The Principal
Act," and may be cited as "*The Crown Lands Act of 1884 Amendment
Act of 1885.*"

Power to
suspend
operation of s. 49
of "Crown Lands
Act of 1884."
[Schedule.]

2. The Governor in Council, on the recommendation of the Land
Board, may suspend the operation of the forty-third section of the
Principal Act with respect to any land situated in any of the districts
specified in the Schedule* hereto which did not at the commencement of
the Principal Act form part of a Run, and which had, before the com-
mencement of that Act, been open to selection under "The Crown Lands
Alienation Act of 1876."† And thereupon the following provisions shall
have effect:—

(1.) Any application to select any of such land must give a clear
description of the locality and boundaries of the land applied
for, and must state whether it is already surveyed or is
unsurveyed.

* The Schedule is added to by the Amendment Act of 1886 (50 Vic. No. 33, s. 12), next Act printed.

† 40 Vic. No. 15, see Historical Table, Index volume.

49 Vic. No. 7, 1885. *Crown Lands, First Amendment Act.*

- (2.) Every selection applied for must, before the application is lodged, be marked at the starting point of the description by a marked tree or post at least three feet out of the ground and six inches in diameter, and such tree or post must be maintained until the boundaries of the land have been surveyed. Selections must be marked.
- A statement that the marking has been duly effected must accompany the application.
- (3.) In Agricultural Areas, the boundaries not having frontage to roads or natural features must be rectangular and be directed to the cardinal points, unless any other general bearings are adopted for that portion of country.
- (4.) If any selection of unsurveyed lands is not surveyed by the Minister within three months from the date of the approval of the application by the Commissioner, the selector may apply to the Minister for a refundment of the survey fee, and, if the survey is not made within two months from the date of such application, may employ a licensed surveyor to effect the survey at the cost of such selector, and on such survey being made and approved by the Board the survey fee shall be refunded to the selector. Selector may employ a licensed surveyor.
- (5.) If upon the survey it appears that, by reason of a prior application or any other reason, the applicant cannot obtain the whole of the land applied for, he may abandon the application and demand back the deposit of the first year's rent and the survey fee.
- (6.) If for any other reason the applicant wishes not to proceed with the application, he may demand and receive back the deposit of the first year's rent less twenty per centum thereof, but shall not receive back the survey fee.
- (7.) The approval of the application by the Commissioner shall not be confirmed by the Board until the land has been surveyed.
- (8.) When a selection has been surveyed and the Board has confirmed the approval of the Commissioner, notice of such confirmation shall be given to the selector, as provided by the fifty-first section of the Principal Act. Notice of confirmation to be given to selector.
- (9.) When the application has been confirmed by the Board, and the applicant has paid the value of the improvements on the land (if any), he shall be entitled to receive from the Commissioner a license to occupy the land comprised in the application according to the boundaries as defined by the survey. On confirmation license to issue.
- (10.) In other respects the provisions of the Principal Act shall be applicable.

3. When any selector of land under the provisions of "*The Crown Lands Alienation Act of 1876*,"* who resides personally and *bonâ fide* thereon, or any owner in fee of land which, if it had not been alienated from the Crown, would be country land, who resides personally and *bonâ fide* thereon, selects under Part IV. of "*The Crown Lands Act of 1884*"† other country land adjoining the land whereon he so resides, he shall in such case, but for so long only as he continuously and *bonâ fide* resides on either portion of land, be exempt from performance of the condition of occupation in respect of the other. Conditions of occupation dispensed with in certain cases.

* 40 Vic. No. 15, see Historical Table, Index volume.

† 48 Vic. No. 28, last preceding Act.

Crown Lands, First and Second Amendment Acts. 49 VIC. No. 7, 1885.

Provided that such exemption shall not extend to any selections of greater area in the aggregate than the maximum area allowed to be selected by one person in the district, inclusive of the land whereon the selector resides.

Not to enable acquisition of homestead without residence.

4. The provisions of the last preceding section shall not enable a selector to obtain a Deed of Grant under the provisions of the seventy-fourth section of the Principal Act, unless the condition of occupation is performed in the manner by that section prescribed.

Amendment of subsection (4) of section 74 of Principal Act.

5. Notwithstanding the provisions of the fourth subsection of the seventy-fourth section of the Principal Act, a lessee of two or more contiguous Agricultural Farms, the aggregate area whereof does not exceed one hundred and sixty acres, and who is not, and has not been during the term of the lease of any of the Farms, the lessee of any other contiguous Agricultural Farm, may take advantage of the provisions of that section in respect of any or all of such Farms: Provided that the conditions of the said seventy-fourth section are fulfilled in all other respects.

When a lessee of an Agricultural Farm has at any time during the term of the lease been the lessee of another contiguous Agricultural Farm or other contiguous Agricultural Farms the aggregate area whereof, including the first-mentioned Farm, exceeds one hundred and sixty acres, he shall not be entitled to take advantage of the provisions of that section in respect of any of the Farms.

Declaration of rights of selectors of Agricultural Farms of 160 acres.

6. And whereas doubts have arisen as to the total amount which may become payable as rent by a lessee of an Agricultural Farm the area whereof does not exceed one hundred and sixty acres, who becomes entitled to a Deed of Grant of the land in fee-simple under the provisions of the seventy-fourth section of the Principal Act: Be it declared and enacted as follows:—

If the amount paid by any such lessee as rent in respect of the Farm for the five years preceding the time when he so becomes entitled to a Deed of Grant exceeds a sum equal to two shillings and sixpence per acre of the land comprised in the Farm, the lessee shall be entitled to have returned to him a sum equal to the difference between the sum so paid and a sum equal to two shillings and sixpence per acre.

[See section 2.]

THE SCHEDULE.*

The Land Agents' Districts of Beenleigh, Brisbane, Ipswich, Toowoomba, Warwick, Gympie, Maryborough, Bundaberg, Gladstone, and Rockhampton.

50 Vic. No. 33: An Act to further Amend "The Crown Lands Act of 1884."

THE
CROWN LANDS
ACT AMENDMENT
ACT OF 1886.

[ASSENTED TO 2ND DECEMBER, 1886.]

BE it 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:—

PART I.

Division of Act.

1. This Act is divided into Parts, as follows:—

PART I.—PRELIMINARY;

PART II.—AMENDMENT OF PARTS III. AND VIII. OF PRINCIPAL ACT;

PART I.

* This Schedule is added to by the Amendment Act of 1886 (50 Vic. No. 33, s. 12), next Act printed.