

CLOSER SETTLEMENT AND RETURNED SOLDIERS SETTLEMENT
(AMENDMENT) ACT, 1926.

SPECIAL NOTE:

The Acts which are being amended by this Bill are the Closer Settlement Act, 1904, the Closer Settlement (Amendment) Act, 1907, the Closer Settlement (Amendment) Act, 1909, the Closer Settlement (Amendment) Act, 1912, the Closer Settlement (Amendment) Act, 1914, the Closer Settlement (Amendment) Act, 1916, the Closer Settlement (Amendment) Act, 1919, and the Returned Soldiers Settlement Act, 1916.

The existing law, so far as it is affected by this Bill, is shown in black type.

The additions proposed to be made in the law are shown in red type.

The words proposed to be omitted are ruled through.

HOOPER SETTLEMENT AND OTHER SOLDIERS SETTLEMENTS

(AMENDMENT) Act, 1925.

SIXTH PART.

The Act which is being amended by this Bill is the Hooper Settlement Act, 1904, the Hooper Settlements (Amendment) Act, 1909, the Hooper Settlements (Amendment) Act, 1912, the Hooper Settlements (Amendment) Act, 1914, the Hooper Settlements (Amendment) Act, 1917, the Hooper Settlements (Amendment) Act, 1919, and the Hooper Settlements (Amendment) Act, 1925.

The existing law, so far as it is affected by this Bill, is shown in black type. The alterations proposed to be made in the law are shown in red type. The words proposed to be inserted are shown in red type.

1. This Act may be cited as the "Closer Settlement and Returned Soldiers Settlement (Amendment) Act, 1926", and shall be read and construed with the Closer Settlement Acts.

Short Title.

This clause of the Bill cannot be incorporated in the Closer Settlement Acts.

2. (1) The holder of any settlement purchase the title to which commenced before the passing of this Act may apply to have the capital value of the land comprised therein determined in pursuance of the provisions of this section.

Amendment of Closer Settlement Acts. Appraisement of price or value.

(2) The holder of any land acquired under the Closer Settlement (Amendment) Act, 1919, may, if he considers the charge of purchase money excessive, apply to have the value of his land and the amount of such charge determined.

(3) Any application made in pursuance of this section shall be made in the form and shall be accompanied by the declaration and fee prescribed by regulation made under the Closer Settlement Acts.

If the land or any part thereof be subject to a mortgage the mortgagee shall join in the application.

(4) An application under subsection one of this section may be made within twelve months from the commencement of this Act, or where the settlement purchase has been applied for before the commencement of this Act but the application therefor has not been allowed before such commencement, then within twelve months after the allowance of the settlement purchase.

(5) An application under subsection two of this section shall be made within twelve months from the commencement of this Act.

(6) An application lodged in pursuance of this section shall be dealt with by the local land board or by a board constituted under the Returned Soldiers Settlement Act, 1916, which board shall have the powers of a local land board.

(7) The price or value of the settlement purchase shall be determined as at the date of application for determination having regard to the same factors as those required by the regulations under the Closer Settlement Acts to be taken into consideration when determining the sale values of lands comprised in any settlement purchase area but assuming that any improvements effected on such land since the date of commencement of title thereto do not exist.

(8) The Board shall determine the freehold value of any land subject to a charge as at the date of application for determination but assuming that any improvements effected

The change
of the Bill
shall be
referred to
the Committee
on Education
and Labor

on such land since the date of the acquisition of the land under the Closer Settlement (Amendment) Act, 1919, do not exist.

The amount of the charge shall be determined by deducting from the appraised freehold value so determined -

- (a) the amount which was required to make the holding freehold at the date of the acquisition of the land under the Closer Settlement (Amendment) Act, 1919; and
- (b) the amount, if any, paid by the purchaser to the vendor with the consent of the Minister as provided by sections six and seven of the Closer Settlement (Amendment) Act, 1919.

(9) The board's determination under this section shall be subject to appeal by the applicant or reference by the Minister to the Land and Valuation Court in the same manner and within the same time as is provided for cases of appeal under section nineteen or as is provided for cases of reference under section one hundred and sixty-six of the Crown Lands Consolidation Act, 1913.

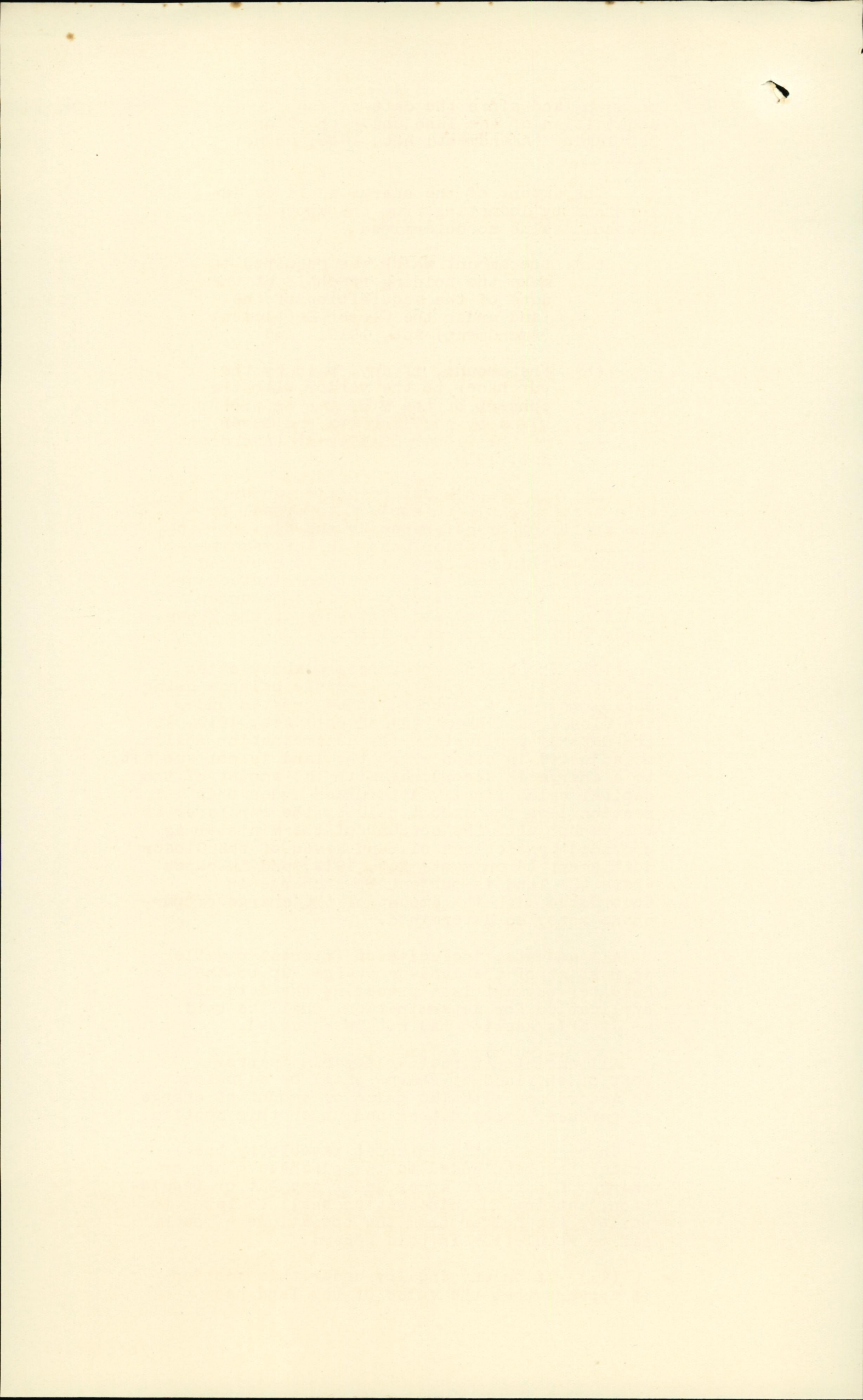
(10) The balance of purchase money owing on any settlement purchase and the balance owing on any charge of purchase money created under the Closer Settlement (Amendment) Act, 1919, at the date of application for determination shall be adjusted in cases where the land is not subject to a charge in accordance with the amount of the capital value finally determined under this section less the amount paid by the purchaser to the vendor with the consent of the Minister as provided by sections six and seven of the Closer Settlement (Amendment) Act, 1919, and in cases where the land is subject to a charge in accordance with the amount of the charge of purchase money so determined.

All amounts, inclusive of interest payable in respect of the land or charge up to the date for payment last preceding the date of application for determination, shall be paid as if this section had not been passed.

All amounts thereafter payable in respect of the land or charge shall be adjusted in accordance with the price or amount of charge of purchase money determined under this section.

Where any unpaid interest payable by the holder has been added to the purchase money or charge of purchase money under any Act or regulation, nothing in this section shall be taken to relieve the holder from the operations of such Act or regulation in this regard.

(11) If on any inquiry under this section it appears that the value of the land has



become reduced by any act, default, or neglect of the holder thereof or by his acquiescence in the act, default, or neglect of any other person, or that the improvements existing on such land at the date of commencement of title thereto or of the creation of the charge of purchase money thereon, as the case may be, have become depreciated, the value of the land shall be determined as if such reduction or depreciation had not taken place.

(12) An application under this section may be withdrawn by the applicant at any time before the commencement of the hearing by the board upon payment of the actual costs incurred in dealing with the application.

(13) An application under subsection one of this section shall include all settlement purchases held by the applicant at the date of the application in respect of which he has a right of determination under this section.

(14) No determination of the value of a settlement purchase under this section shall be made if in the opinion of the local land board the lands held by the applicant together with the area sought to be appraised substantially exceed a home maintenance area.

For the purposes of this subsection any land held by the spouse of the applicant shall be deemed to be held by the applicant.

(15) Regulations may be made under the Closer Settlement Acts for giving effect to this Section.

CLOSER SETTLEMENT ACT, 1904.

INTERPRETATION.

4. In this Act unless the context otherwise requires - Definitions.

"Acquired" means purchased or resumed or acquired by transfer under the provisions of the Closer Settlement (Amendment) Act, 1919.

"Crown Lands" means lands so defined under the ~~Crown Lands Act of 1884~~ Crown Lands Consolidation Act, 1913.

x x x x x

The terms "~~Land Appeal Court~~", "land board" "Local land board", "Chairman", "land district", shall have the same meaning in this Act as in the Crown Lands Acts, and in the Judicial Offices Act of 1892.

101. The purpose of this Act is to provide for the...
102. The Commission shall have the honor to...
103. The Commission shall have the honor to...
104. The Commission shall have the honor to...
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110. The Commission shall have the honor to...

GENERAL SUPPLEMENT ACT, 1902.

INTERPRETATION.

1. In this Act unless the context otherwise requires -

"Assigned" means purchased or resumed
or acquired by the Government
provision of the Crown Lands Act, 1902.
(Interpretation Act, 1902.)

"Crown Lands" means lands as defined in
the Crown Lands Act of 1902.
(Interpretation Act, 1902.)

X X X X X X X
The terms "Land Appeal Court", "Land Board",
"Local Land Board", "Chairman", "Land
District", shall have the same meaning in
this Act as in the Crown Lands Act, and
in the District Offices Act of 1902.

8. The Minister, with the sanction of the Governor and the approval of both Houses of Parliament, may, if agreed to by the owner, make a contract for the purchase of such **any private** land or any part thereof at the price approved by Parliament as expressed in a resolution by both Houses thereof.

Contract may be made.

18. (1) The valuation of the land and improvements, as reported by ~~the Closer Settlement Board~~, **a Closer Settlement Advisory Board**, shall, subject to appeal as hereinunder provided, be the purchase price thereof.

Price

(2)	x	x	x
(3)	x	x	x

26. Any male person not being under the age of sixteen years, and any female person not being under the age of twenty one years, and not being the holder under any tenure other than annual tenure of any land except -

Qualification to apply for land.

- (a) land which, when added to the area applied for will not, ~~in the opinion of the local land board~~, substantially exceed a home maintenance area; or
- (b) land held as a tenant from a private holder without a right of purchase, and being less than a home maintenance area,

may apply for a settlement purchase under this Act, subject to the following provisions :-

- (c) If any person divests himself of any land for the purpose of so applying for a settlement purchase his application shall be disallowed unless he has obtained before or after such divesting the Minister's consent in writing to such application being made.

(c1) Any person who has applied for and obtained a title to a settlement purchase either before or after

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the commencement of the Closer Settlement (Amendment) Act, 1926, and who no longer holds the same may with the consent of the Minister in writing previously had apply for another settlement purchase.

(d)	x	x	x
x	x	x	x

29. The title of a settlement purchase under this Act shall commence from the date of application therefor, if valid, and every such purchase before grant shall be subject to the following covenants and conditions, and to such other conditions and restrictions relating to mining, cultivation, destruction of vermin and noxious weeds, insurance against fire, or other matter or matters as may be prescribed :-

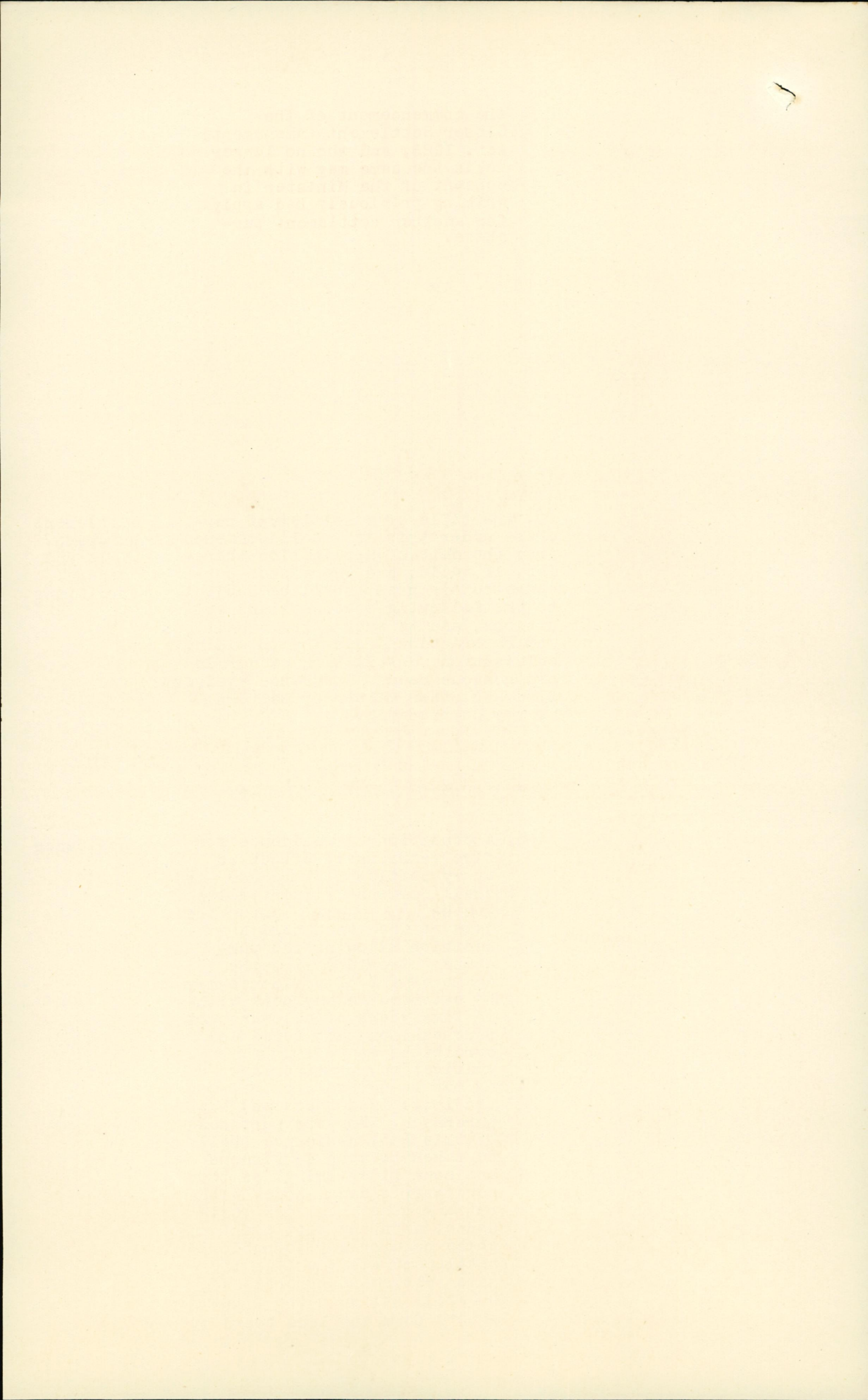
Settlement Purchase, title and general conditions.

(a) x x x

(b) A condition of residence for five years shall attach to every settlement purchase, and shall commence within twelve months **six months** after the date of the land board's decision allowing the purchase: Provided that the commencement of residence may be extended to any date within five years of allowance of purchase, on such terms and conditions as to improvement, cultivation, or otherwise as may be agreed upon between the local land board and the purchaser. For the purposes of this Act, residence shall be taken to mean continuous and bona fide living, as the purchaser's usual home, without any other habitual residence, upon any settlement purchase or upon any township settlement allotment in the same settlement purchase area. On application on the prescribed form the land board may

Residence

/permit...



permit the residence condition to be performed in any adjacent village or town, and for that purpose the village or town need not have been proclaimed or notified as such. Such permission may be conditional or unconditional. The land board or the chairman for the land board may, at any time after application on the prescribed form, and for due cause shown, suspend or remit the condition of residence either unconditionally or on conditions, or may permit residence to be performed on land held by a member of the same family if it be within a reasonable working distance.

(c)	x	x	x	x
(2)	x	x	x	x
(3)	x	x	x	x

(4) Upon application the Minister may at any time defer the payment of any amount due, or to become due within twelve months from the date of the application, on any holding for any period not exceeding five years, subject to the performance of any conditions he may deem fit to impose, and if the conditions so imposed or any of them are or is not duly performed the concession granted by the Minister shall cease to operate. Deferring of payments

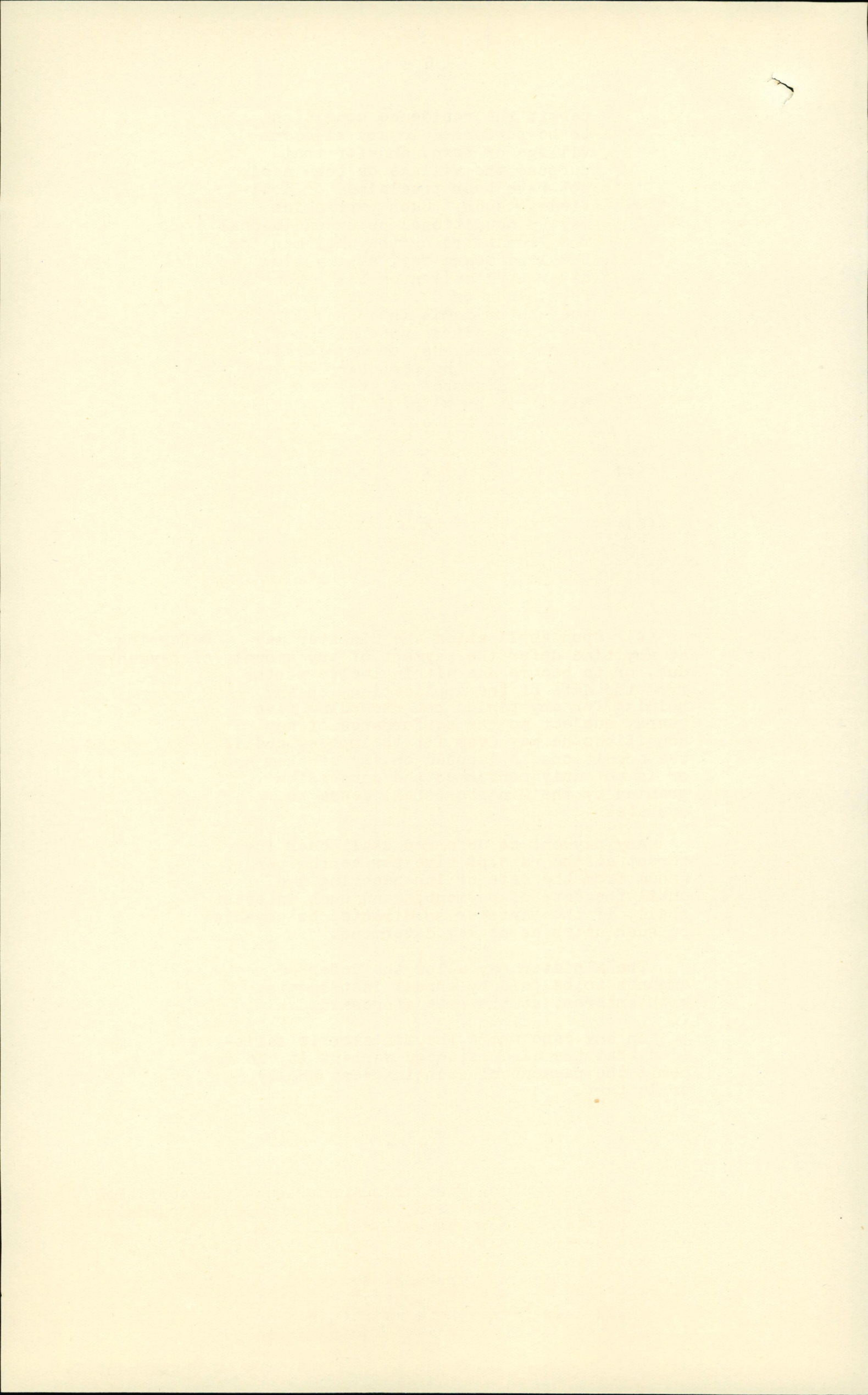
Any payment so deferred shall bear interest at the rate of five per centum per annum from the date of its becoming due until the date of payment; and such interest shall, if the Minister so directs, be payable on such dates as he may determine.

The Minister may allow the deferred amounts to be paid by annual instalments, with interest at the rate aforesaid.

In any case where the Minister is satisfied that the circumstances warrant it, he may remit the payment of such interest wholly or in part.

30. No person unless qualified under section twenty-six hereof shall make or acquire by transfer or otherwise a settlement purchase under this Act, nor shall any person whosoever make, hold, or acquire more than one settlement purchase, except where the settlement purchase already held by such person is less than a home maintenance area. In such case the holder may acquire a second Restriction on purchase.

/settlement...



settlement purchase if in the opinion of the Minister the combined area does not substantially exceed a home maintenance area.

Subject to this section no person unless qualified under section twenty-six of this Act shall acquire by transfer or otherwise a settlement purchase.

Any person who has acquired by transfer or otherwise a settlement purchase either before or after the commencement of the Closer Settlement (Amendment) Act, 1926, and no longer holds the same may, with the consent of the Minister, and if qualified under section twenty-six, acquire by transfer or otherwise other settlement purchases.

A person who already holds one or more settlement purchases comprising less than a home maintenance area may, with the consent of the Minister, acquire by transfer other settlement purchases, but in no case shall consent be given where in the opinion of the Minister the land held by such person together with the land sought to be acquired would substantially exceed a home maintenance area.

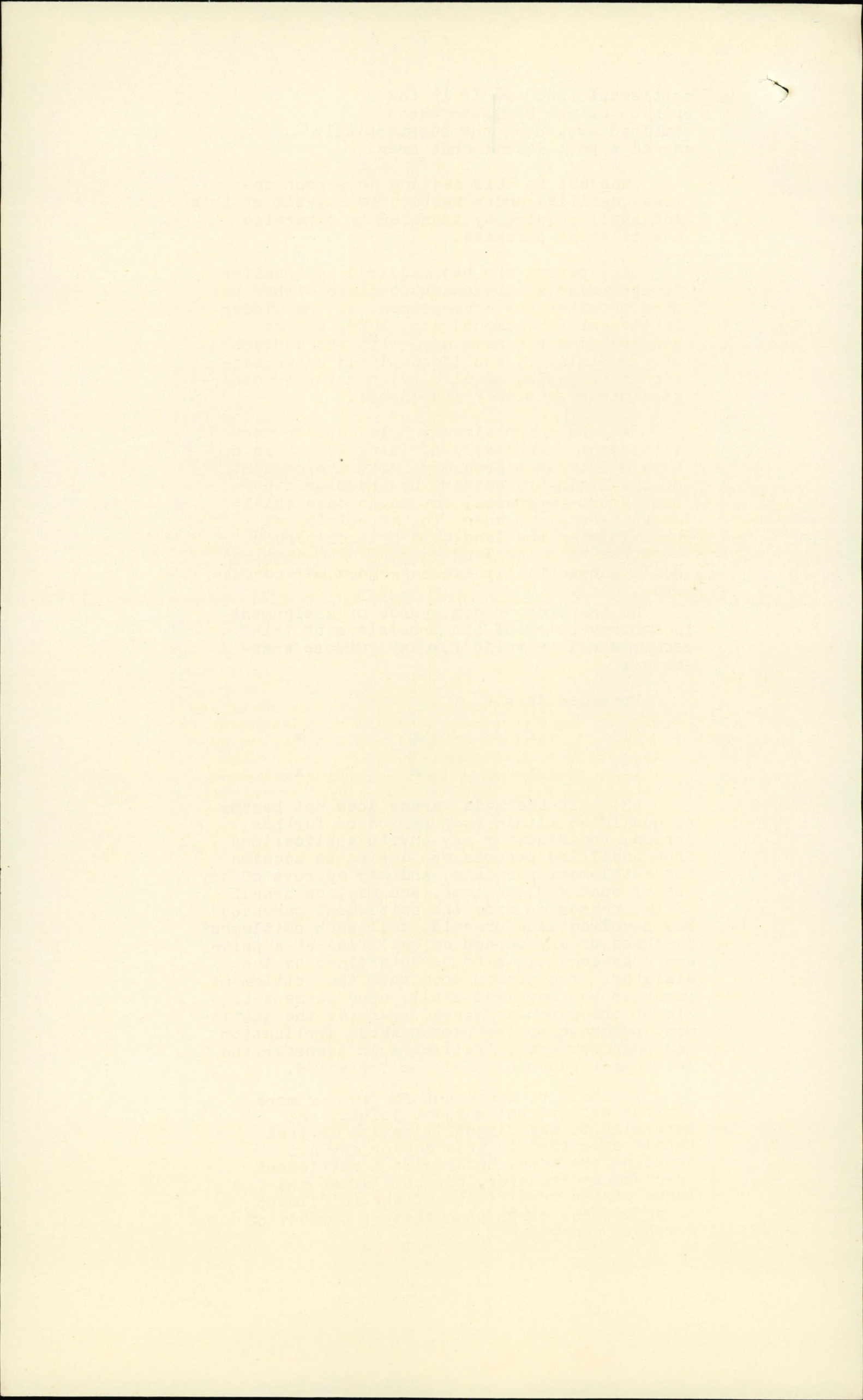
No transfer or conveyance or assignment in contravention of the provisions of this section shall be valid for any purpose whatsoever:

Provided that -

- (1) x x x
- (2) x x x

(3) If the said person does not become so qualified within such period or further period, the Minister may invite applications from qualified persons who desire to acquire the settlement purchase, and may approve of any one of such applications, and may, on behalf of the person on whom the settlement purchase has devolved as aforesaid, sell such settlement purchase to any person so qualified at a price and upon conditions to be determined by the Minister. The person upon whom the settlement purchase has devolved shall, upon payment to him of the purchase money, transfer the settlement purchase to the person whose application has been approved; failing such transfer the settlement purchase shall be forfeited.

It shall be competent for two or more persons who are not subject jointly or severally to any disqualification in that behalf specified in this Act or any Act amending the same, to acquire a settlement purchase by transfer, but only after the issue of the certificate of the fulfilment of conditions other than that of payment of purchase money.



CLOSER SETTLEMENT ACT, 1904.

Act No. 37,
1904.

31. No holder of a settlement purchase shall transfer, convey, assign, or lease such purchase without first having obtained the written consent of the Minister thereto. And before giving such consent the Minister shall be satisfied that all conditions imposed by this Act (except the payment of balance of purchase money) have been and are being duly complied with.

Transfer and
Mortgage.

The provisions of this section shall apply to any transfer of land acquired under the Closer Settlement Acts or the Closer Settlement Promotion Act, 1910, irrespective of whether the grant has or has not issued or whether the land was acquired as a settlement purchase before or after the commencement of the Closer Settlement (Amendment) Act, 1918; and in every case the transferee of any such land shall require to be a person who is qualified to hold a settlement purchase.

Such consent shall not be required in the case of a transfer by way of mortgage or release of mortgage before or after the issue of the grant, nor to a lease after the issue of the grant.

The provisions of this section shall apply to any transfer, conveyance, assignment or other disposition of land applied for or acquired as a settlement purchase under the Closer Settlement Acts or Closer Settlement Promotion Act, 1910, irrespective of whether the grant has or has not issued, or whether the settlement purchase was made or acquired before or after the commencement of the Closer Settlement (Amendment) Act, 1926.

In every case the Transferee of any such land shall require to be a person who is qualified to acquire a settlement purchase.

Such consent shall not be required in the case of a transfer by way of mortgage or release of mortgage before or after the issue of the grant nor to a lease after the issue of the grant, nor to the transfer of land comprised in a subdivision of a settlement purchase after issue of the grant if the Minister has consented to the subdivision.

Where the consent of the Minister to the subdivision has been registered the restrictions as to transfer to which the grant before subdivision was subject shall cease to apply to any portion of the grant transferred in pursuance of such subdivision.

The consent of the Minister to a subdivision shall be in the form prescribed by regulations under this Act, and may be registered in manner prescribed by regulations under the Conveyancing Act, 1919.

1914

The first part of the report deals with the general situation of the country and the progress of the war. It is followed by a detailed account of the military operations in the West and the East. The report concludes with a summary of the results of the campaign and a forecast for the future.

The second part of the report deals with the political situation in the country. It discusses the various political parties and their policies, and the role of the government in the war effort. It also touches upon the economic situation and the impact of the war on the population.

The third part of the report deals with the social situation in the country. It discusses the impact of the war on the different classes of society, and the role of the state in providing social services. It also touches upon the cultural and educational aspects of the war effort.

36. Any holding under this Act shall be liable to forfeiture upon default in payment of any instalments of purchase money or interest or if all or any of the conditions or covenants attached to it have not been or are not being complied with; but the Minister may waive incurred forfeiture either unconditionally or on such conditions as he thinks fit. And when the forfeiture of the holding shall have been waived and the conditions, if any, of such waiver shall have been performed the holder of such holding shall, if otherwise entitled thereto, be entitled to receive a certificate of conformity in respect of the same notwithstanding that such certificate may have previously been applied for and refused. The Minister, by notification in the Gazette, may declare forfeiture of a holding and of all moneys paid in connection therewith. On such notification the title to the land shall vest in His Majesty the King, and the land shall not be open to application for settlement purchase until again notified for the purpose. By like notification the Minister may reverse any forfeiture.

Forfeiture.

53. Whenever in this Act the word "prescribed" is used in connection with any matter referred to in the context, and whenever, in any section of this Act, "regulations" are mentioned in connection with any such matter, the Governor may in every such case frame regulations for the purpose of giving effect to the provisions of such section. And, for the purpose of carrying this Act into full effect generally, the Governor may make regulations, which shall, upon being published in the Gazette, be good and valid in law: Provided that a copy of all such regulations shall be laid before both Houses of Parliament within one month from the publication thereof, if Parliament be then in session, or otherwise within one month after the commencement of the next ensuing session.

Power to make regulations and rules.

53. The Governor may make regulations for carrying out the provisions of this Act.

The regulations shall -

- (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date to be specified in the regulations;
- (c) be laid before both Houses of Parliament within fourteen sitting days after such publication if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.



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If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part thereof shall thereupon cease to have effect.

CLOSER SETTLEMENT (AMENDMENT) ACT, 1907.

10. The matter of such appeal shall be heard and determined by ~~a court constituted as provided in section eighteen of the Principal Act~~ the Land and Valuation Court. Constitution of Court.

10A. When any resumption is made under the Closer Settlement Acts and compensation for such resumption is payable, the Minister shall for a period of one month after the amount of such compensation has been finally determined by the Land and Valuation Court have the right to elect whether the Crown will pay such amount or discontinue such resumption. Resumption may be discontinued by the Minister.

If the Minister before the expiration of such period, by notification in the Gazette, elects to discontinue such resumption, the proclamation of the resumption and all proceedings thereon or thereafter relating to the resumption shall be treated as a nullity.

The claimant shall be entitled to payment of the proper costs and expenses incurred up to the date of the discontinuance and the amount thereon shall, when necessary, be fixed by the Land and Valuation Court.

SUPPLEMENTAL.

18. The Governor may make regulations for carrying out the provisions of this Act. Regulations.

The regulations shall -

- (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date to be specified in the regulations;
- (c) be laid before both Houses of Parlia-

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It is a matter of fact that the
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the near future.

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18.(c) contd. ment within fourteen sitting days after such publication if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the regulations have been laid before such House disallowing any regulation or any part thereof, such regulation or part shall thereupon cease to have effect.

CLOSER SETTLEMENT (AMENDMENT) ACT, 1909.

25. The Governor may make regulations Regulations. for the purpose of carrying this Act into effect and prescribing any procedure for that purpose; and in particular prescribing the form in which any application shall be submitted to the Minister for his approval and the particulars to be therein contained; and requiring and prescribing the verification of such particulars.

25. The Governor may make regulations for Regulations. carrying out the provisions of this Act.

The regulation shall -

- (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date to be specified in the regulations;
- (c) be laid before both Houses of Parliament within fourteen sitting days after such publication if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part thereof shall thereupon cease to have effect.

CLOSER SETTLEMENT (AMENDMENT) ACT, 1912.

REGULATIONS.

8. The Governor may make regulations for any Governor's matter in respect of which the word "prescribed" regulations. is used in this Act, or in respect of which "regulations" are mentioned; and may further make regulations for carrying out the purposes of this Act. ~~A copy of such regulations shall be published in the Gazette and laid before both Houses of Parliament without delay.~~

/The regulations

next within fourteen sitting days after
such publication if Parliament is then
in session, and if not, then within
fourteen sitting days after the com-
mencement of the next session.

If either House of Parliament passes a res-
olution of which notice has been given at any time
within fifteen sitting days after the regulations
have been laid before both Houses, then any
regulation to which notice has been given
or any regulation made in pursuance of the
regulations.

The regulations may be amended or repealed
by the same authority as the regulations.

All regulations shall be laid before both
Houses of Parliament.

(1) Any regulation made under these regulations
shall be subject to the provisions of the
regulations.

(2) Any regulation made under these regulations
shall be subject to the provisions of the
regulations.

(3) Any regulation made under these regulations
shall be subject to the provisions of the
regulations.

The regulations shall -

- (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date to be specified in the regulations;
- (c) be laid before both Houses of Parliament within fourteen sitting days after such publication if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

CLOSER SETTLEMENT (AMENDMENT) ACT, 1914.

AFTER-AUCTION SALES.

After-auction
sale or lease
at upset
price.

4. Where any land within a settlement purchase area has been offered for sale or for lease by auction or tender and not sold or leased (whether such offering for sale or for lease was before or after the commencement of this Act) the Governor may grant or the Minister may lease such land at the upset prices or rentals thereof to any person who shall duly apply for the same.

The applicant shall with his application lodge a deposit of ~~twenty five per centum of the said upset price~~ in accordance with the terms and conditions which were notified in the Gazette in connection with the aforesaid offering at auction or tender, and, if the application be approved by the Minister, shall pay the balance of the said price subject to such terms and conditions as were notified in the Gazette in connection with the aforesaid offering at auction; and upon default of the due payment thereof the contract for sale may be cancelled and any moneys paid may be forfeited by notification in the Gazette.

X X X X

CLOSER SETTLEMENT (AMENDMENT) ACT, 1916.

NATURALISATION OF ALIEN APPLICANTS AND HOLDERS.

11. (1) No person other than a natural born subject or a naturalised subject of His Majesty ~~who was previously the subject of an allied power, or if the subject of a neutral power has served with the military or naval forces of His Majesty in the war of 1914 - 1919,~~ shall be qualified to apply for a settlement purchase: Provided that an unnaturalised subject of ~~such allied or neutral power~~ shall be qualified to so apply if he has resided in New South Wales for one year,

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and if at the time of making such application he lodges a declaration of his intention to become a naturalised subject of His Majesty within two years from the time of making such declaration. If such person fails to become a naturalised subject within the period aforesaid, he shall absolutely forfeit all land the subject of his application.

(2) x x x

CLOSER SETTLEMENT (AMENDMENT) ACT, 1919.

CHARGE OF PURCHASE MONEY.

Charge of purchase money on land.

12. Any sum paid by the Minister, whether in cash or by debentures, for the purchase of the interest of the vendor acquired by transfer under this Act shall be charged wholly or proportionately upon such land or portion thereof until paid by the purchaser or purchasers thereof, but payment of such sum shall be made by instalments, with interest, as in the case of instalments of a settlement purchase.

Any such charge shall have priority over any other charge, mortgage, or encumbrance. Such charge shall not interfere with the right which the purchaser may have to convert the tenure under the Crown Lands Acts, but notwithstanding such conversion the charge shall remain in full force and effect until the Minister certifies in the prescribed manner that it has been paid.

Any grant of land upon which such charge subsists shall be issued with a memorandum endorsed thereon of the amount then due in respect of the charge, and the certificate of the Minister that the charge has been paid may be registered and upon registration shall operate to free the land from the charge

FORFEITURE.

13. Any holding under this Act shall be liable to forfeiture if all or any of the conditions or covenants attached to it have not been or are not being complied with, or if any instalment due under the last preceding section remains unpaid for a period of three months after the date for payment thereof; but the Minister may waive incurred forfeiture either unconditionally or on such conditions as he thinks fit. And when the forfeiture of the holding shall have been waived and the conditions, if any, of such waiver shall have been performed, the holder of such holding shall, if otherwise entitled thereto, be entitled to receive a certificate of conformity in respect of the same notwithstanding that such certificate may have previously been applied for and refused.

Forfeiture.

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The Minister, by notification in the Gazette, may declare forfeiture of a holding and of all moneys paid in connection therewith. On such notification the title to the land shall vest in His Majesty the King, and the land shall not be open to application for settlement until again notified for the purpose. By like notification the Minister may reverse any forfeiture.

(2) This section shall extend to a case in which the grant has been issued subject to a charge under section twelve of this Act.

REGULATIONS.

15. ^y The Governor may make regulations for carrying out the provisions of this Act.

Governor may make regulations.

All such regulations shall be published in the Gazette and shall take effect from the date of such publication or from a later date to be specified in the regulations, and a copy thereof shall be laid before both Houses of Parliament within fourteen days after the publication thereof if Parliament be then in session, or otherwise within fourteen days after the commencement of the next ensuing session.

If either House of Parliament passes a resolution, of which notice has been given, at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation, such regulation shall thereupon cease to have effect.

NOTE :- In addition to the above, various sections of the Closer Settlement Acts have been amended by omitting the words "Land Appeal Court" and by inserting in lieu thereof the words "Land and Valuation Court".

The Registrar shall have the right to require the production of any documents or records in his possession or control which may be relevant to the investigation of any offence under the Act.

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REGISTRATION

Government may
make regulations
therefor.

The Registrar may make regulations for carrying out the provisions of this Act.

All regulations made under this section shall be published in the Gazette.

It shall be the duty of the Registrar to keep a register of all persons who are registered under this Act, and to cause the same to be published in the Gazette.

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RETURNED SOLDIERS SETTLEMENT ACT, 1916.

SPECIAL SETTLEMENTS FOR OCCUPATION BY DISCHARGED SOLDIERS.

Ordinary Tenures.

3A. It shall be lawful for the Minister to issue to any discharged soldier or to any person whether a discharged soldier or not who has been employed continuously for a period of not less than twelve months on any settlement for a group of discharged soldiers as inspector, manager, overseer, orchardist, or any other similar capacity, or to any person applying under Section 4D on behalf of a soldier or sailor on active service a certificate of preferential right, entitling the recipient to the farm or block described therein and situated within any area set apart for any specified tenure other than a holding within an irrigation area under the Returned Soldiers Settlement Act or the Crown Lands Consolidation Act, 1913, or the Closer Settlement Acts or any Acts amending the same; and upon the issue of such certificate the soldier or sailor named therein shall be deemed to have had such farm or block confirmed to him without reference to the local land board; and subsection seven of section four of this Act shall not apply in relation to such application:

Preferential right certificate.

Provided that in the notification of the setting apart of any area designed exclusively for the holders of preferential right certificates such notification shall state that the land so set apart shall be available only for the holders of such certificates.

APPRAISEMENT OF SOLDIERS' HOLDINGS.

19. (1)	x	x	x	Appraisal of soldiers' holdings.
(1A)	x	x	x	
(1B)	x	x	x	
(2)	x	x	x	
(3)	x	x	x	
(3A)	x	x	x	
(3B)	x	x	x	

(3C) The balance of purchase money owing on any purchase and the balance owing on any charge of purchase money created under the Closer Settlement (Amendment) Act, 1919, at the date of application for determination shall be adjusted in accordance with the amount of the price or capital value or charge of purchase money finally

/determined

RETURNED TO THE OFFICE OF THE ATTORNEY GENERAL

GENERAL STATEMENT OF THE PROCEEDINGS BY DISMISSAL

BY DISMISSAL

IN THE MATTER OF THE

PROSECUTOR
STATE OF
MISSISSIPPI

That the defendant, [Name], was arrested on [Date] at [Location] and taken to the [County] Jail. He was held there until [Date] when he was arraigned before the [Judge]. At that time, the defendant was advised of his rights and he waived them. He was then bound over to the grand jury. The grand jury returned a true bill against the defendant on [Date]. The defendant was then indicted on [Charge]. He was arraigned on [Date] and pleaded [Plea]. The case was set for trial on [Date]. The trial commenced on [Date] and lasted for [Duration]. The State presented evidence that [Description of Evidence]. The defendant presented evidence that [Description of Evidence]. The jury returned a verdict of [Verdict] on [Date]. The court sentenced the defendant to [Sentence] on [Date].

The defendant is now in the custody of the [Institution]. He is being held without bond. The State reserves the right to appeal the verdict and sentence. The court reserves the right to set aside the verdict and sentence if it is found that there was a miscarriage of justice.

STATEMENT OF DEFENSE, NARRATIVE

Appellate	1st	2nd	3rd	4th	5th
1	X				
2	X				
3	X				
4	X				
5	X				
6	X				
7	X				
8	X				
9	X				
10	X				
11	X				
12	X				
13	X				
14	X				
15	X				
16	X				
17	X				
18	X				
19	X				
20	X				

(1) The balance of the defendant's money was on his person and the balance was on the charge of purchase. The defendant was arrested on [Date] and taken to the [County] Jail. He was held there until [Date] when he was arraigned before the [Judge]. At that time, the defendant was advised of his rights and he waived them. He was then bound over to the grand jury. The grand jury returned a true bill against the defendant on [Date]. The defendant was then indicted on [Charge]. He was arraigned on [Date] and pleaded [Plea]. The case was set for trial on [Date]. The trial commenced on [Date] and lasted for [Duration]. The State presented evidence that [Description of Evidence]. The defendant presented evidence that [Description of Evidence]. The jury returned a verdict of [Verdict] on [Date]. The court sentenced the defendant to [Sentence] on [Date].

~~determined under this section~~ in cases where the land is not subject to a charge in accordance with the amount of the capital value finally determined under this section less the amount paid by the purchaser to the vendor with the consent of the Minister as provided by sections six and seven of the Closer Settlement (Amendment) Act, 1919, and in cases where the land is subject to a charge in accordance with the amount of the charge of purchase money so determined;

All amounts inclusive of interest payable in respect of the land or charge up to the date for payment last preceding the date of application for determination shall be paid as if this section had not been passed.

All amounts thereafter payable in respect of the land or charge shall be adjusted in accordance with the price or capital value or amount of charge of purchase money determined under this section.

Where any unpaid interest payable by the holder has been added to the purchase money or charge of purchase money under any Act or regulation nothing in this section shall be taken to relieve the holder from the operations of such Act or regulation in this regard. Adjustments on the basis provided in this subsection shall be made in cases where the application for determination of the price or capital value was made prior to the commencement of the Returned Soldiers Settlement (Amendment) Act, 1925, as well as in cases where applications are made in pursuance of that Act.

(3D)	x	x	x
(4)	x	x	x

