

1896.

Legislative Council.

CROWN LANDS (APPLICATIONS) BILL.

(Amendments to be proposed in Committee of the Whole by
THE HON. DR. GARRAN.)

- Page 1, clause 1, line 8. *After* "notice" *insert* "or any subsequent
"notice in the *Gazette*"
- Page 1, clause 1, line 11. *After* "*Gazette*" *insert* "as aforesaid"
- Page 2, clause 1, subsection (*f*), line 26. *After* "Board" *insert*
"dealing with the applications"
- Page 2, clause 1, subsection (*f*), line 27. *Omit* "a smaller area than"
insert "an area different from that"
- Page 2, clause 1, subsection (*f*), line 30. *After* "prescribed" *insert*
"by the Board"
- Page 2, clause 1, subsection (*f*). At the end of the subsection *insert*
"Provided that if any applicant shall fail to notify his
"acceptance or refusal within the prescribed time his appli-
"cation shall be deemed and taken to have been withdrawn"
- Page 2, clause 1, subsection (*h*), line 42. *After* "Board" *insert*
"dealing therewith"
- Page 2, clause 1, subsection (*i*), line 51. *After* "therewith" *insert*
"or paid subsequently"
- Page 2, clause 1, *insert* new subsection (*j*)—
(*j*) In any case where the Minister shall consider it expedient,
and shall so direct, the provisions of subsections (*c*) to (*i*)
inclusive of this section shall be extended to applications
other than such as may be made in pursuance of the *Gazette*
notice provided for by this section.
- Page 3, clause 2, line 1. *After* "shall" *insert* "if not disallowed"
- Page 3, clause 2. At the end of the clause *insert* "The provisions of
"this section shall extend to applications already made if
"not confirmed by the Land Board prior to the passing of
"this Act"
- Page 3, clause 3. At the end of clause *insert* "Nothing in the Crown
"Lands Acts shall be held to have prevented or to prevent
"lands within suburban or population boundaries being set
"apart and being available for homestead selection, provided
"that such setting apart shall not by itself be deemed to
"have made or to make such lands available for conditional
"purchase or conditional lease"

ROYAL LETTERS (EXTRACTS) 1800

The following are the contents of the letters
 received by the Secretary of State
 on the 10th day of the month of
 the year 1800.

The first letter is from the
 King of the Netherlands, dated
 the 10th day of the month of
 the year 1800, and is
 addressed to the Secretary of
 State.

The second letter is from the
 Emperor of Austria, dated
 the 10th day of the month of
 the year 1800, and is
 addressed to the Secretary of
 State.

The third letter is from the
 Emperor of Russia, dated
 the 10th day of the month of
 the year 1800, and is
 addressed to the Secretary of
 State.

The fourth letter is from the
 King of Prussia, dated
 the 10th day of the month of
 the year 1800, and is
 addressed to the Secretary of
 State.

The fifth letter is from the
 King of Spain, dated
 the 10th day of the month of
 the year 1800, and is
 addressed to the Secretary of
 State.

The sixth letter is from the
 King of Portugal, dated
 the 10th day of the month of
 the year 1800, and is
 addressed to the Secretary of
 State.

The seventh letter is from the
 King of the Two Sicilies, dated
 the 10th day of the month of
 the year 1800, and is
 addressed to the Secretary of
 State.

The eighth letter is from the
 King of the Kingdom of Naples,
 dated the 10th day of the month
 of the year 1800, and is
 addressed to the Secretary of
 State.

The ninth letter is from the
 King of the Kingdom of Sicily,
 dated the 10th day of the month
 of the year 1800, and is
 addressed to the Secretary of
 State.

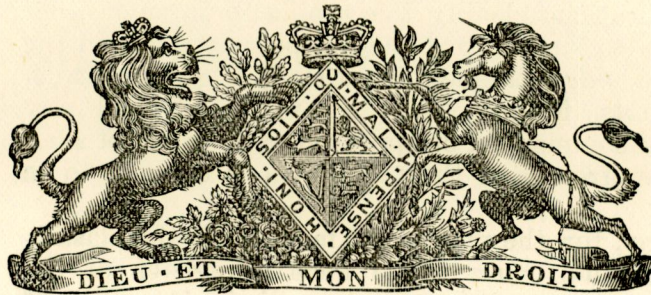
The tenth letter is from the
 King of the Kingdom of Sardinia,
 dated the 10th day of the month
 of the year 1800, and is
 addressed to the Secretary of
 State.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber,
Sydney, 30 September, 1896. }

F. W. WEBB,
Clerk of the Legislative Assembly.

New South Wales.



ANNO SEXAGESIMO

VICTORIÆ REGINÆ.

No. .

An Act to better regulate applications for land and the disposal of such applications, and to restrict the right of applications in certain cases, and to amend the Crown Lands Acts accordingly.

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 New South Wales in Parliament assembled, and by the authority of the same, as follows:—

- 5 1. Notwithstanding anything in the Crown Lands Acts, when-
ever land is, by notice in the *Gazette*, made available for Homestead
Selection or Settlement Lease, or holdings of any other kind, after the
passing of this Act, application for such land may, provided such notice
shall so state, be made to any Crown Lands Agent in New South
10 Wales, but only during such period or extended period as may be
specified for the purpose by notice in the *Gazette*. After the expiration
of such specified period application shall be made only to the Land
Agent of the land district in which the land may be situated, and
applications so made shall be dealt with as to priority in like manner
15 as prior to the passing of this Act.

Applications for
homestead selections
or settlement leases.

(a) During such specified period as aforesaid application may be made, tendered, or lodged in such manner and form and on such dates as may be prescribed.

Crown Lands (Applications).

- (b) At the time of making, tendering, or lodging the application such particulars as the form of applications may indicate, or as may otherwise be prescribed, shall be stated and shall be verified by declaration in the prescribed form.
- 5 (c) All such applications made within the notified period shall be forwarded by the Land Agents to the Minister, who may, from time to time, appoint by writing under his hand a Board of Reference of not less than three persons, being officers in the Public Service, to deal therewith, or may refer such applications to the Local Land Board to deal therewith.
- 15 (d) The Board dealing therewith may require the personal attendance of and examine applicants, and shall in case of conflicting applications classify the applicants in such order of preference as to such Board may appear desirable in the interests of *bonâ fide* settlement, and shall determine which of the applicants, if any, shall go to ballot, and any applicants not recommended or approved to go to ballot shall be excluded therefrom and their applications deemed to be withdrawn.
- 20 (e) The Minister may, for the purpose of facilitating the classification of applicants, cause to be kept a register of the names of the persons who may state their intention of making applications under this section, with the addresses of those persons, and such particulars concerning them as he may think proper.
- 25 (f) The Board may redesign the land applied for, and may allot to an applicant a smaller area than applied for; and the land so redesigned shall be deemed to be the land applied for, and the applicant shall be called upon to accept or refuse the same within a time to be prescribed for the purpose. In 30 any such case the application shall be deemed and taken to have been confirmed by the Local Land Board on the date of the applicant's acceptance.
- 35 (g) Any ballot necessary shall be held where, by whom, and in such manner as may be directed by the Minister, who shall have power to make or approve such arrangements as may seem to him best suited to the convenience of the applicants. Any such ballot shall be held to be valid in law, and to 40 determine the priority of the applications represented in such ballot.
- (h) Any application successful at ballot, or otherwise, and approved of by the Board, shall, for all purposes of the Crown Lands Acts, be deemed and taken to have been confirmed by the Land Board.
- 45 (i) The confirmation of an application by virtue of this Act shall not preclude the Local Land Board from at any time during the first five years from the date of application inquiring (on the initiative of the chairman or otherwise) whether such application has been made in good faith, or from 50 revoking the confirmation, and disallowing such application, or declaring that any moneys lodged therewith shall be forfeited to the Crown, in any case where the Land Board is satisfied that the application has been made otherwise than in good faith.
- 55 2. Notwithstanding anything in the Crown Lands Acts, any application for a Homestead Selection or Settlement Lease, or for any Additional Conditional Purchase or any Conditional Lease (if such Additional Conditional Purchase or Conditional Lease be made in pursuance of the provisions of section eleven of the Crown Lands Act of

Limitation of
certain applications.

Crown Lands (Applications).

of 1895) shall be limited to such an area as, when taken with the total area held by the applicant in fee-simple or under Conditional Purchase or Conditional Lease, is in the opinion of the Land Board sufficient for the maintenance of the applicant and his family, and the Board
 5 may cause the area applied for to be redesigned to meet the provisions of this section, and the area allotted by such Board shall be deemed to be the Homestead Selection, Settlement Lease, or Additional Conditional Purchase or Conditional Lease applied for. Any application
 10 may be made in pursuance of the provisions of section eleven of the Crown Lands Act of 1895 may be limited by the Land Board to such an area and to such land as may have been designed or measured for such Additional Conditional Purchase or Conditional Lease prior to the land being set apart for Homestead Selection or Settlement Lease.

15 3. No application to purchase or lease lands under the Crown Lands Acts shall be valid unless the land is available for purchase or lease on the day on which the application is made. Land to be available for purchase or lease on day of application.

20 4. Notwithstanding anything contained in the Crown Lands Acts or this Act, and notwithstanding any decision or order of a Court or Board under the said Acts made before or after the commencement of this Act, it shall be lawful for the Minister, by notification in the *Gazette*, to declare that any informality, illegality, or other defect which the Minister may determine to be technical or formal only in regard to any application, or what purports to be an application,
 25 under the said Acts (although the informality, illegality, or defect may be due to the land, or some part thereof, not being available for the purpose of the application) shall not affect or prejudice any right, title, claim, or interest therein specified, or the validity of such application; and upon the publication of the notification, the declaration
 30 of the Minister shall have effect and operate as aforesaid:

Provided that no declaration as aforesaid shall affect any right or claim in respect of the costs of any proceedings commenced before the publication of the notification.

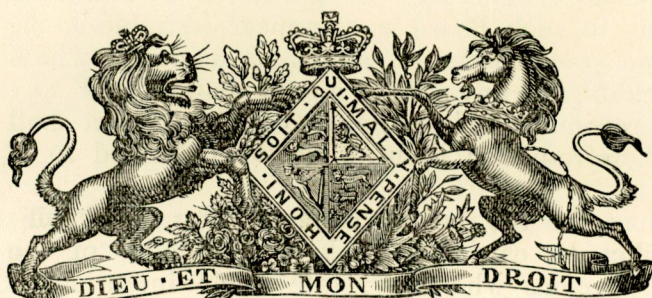
35 5. This Act may be cited as the "Crown Lands (Applications) Act, 1896." Short title.

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10 Wales, but only during such period or extended period as may be specified for the purpose by notice in the *Gazette*. After the expiration of such specified period application shall be made only to the Land Agent of the land district in which the land may be situated, and applications so made shall be dealt with as to priority in like manner
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Crown Lands (Applications).

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- 30 (g) Any ballot necessary shall be held where, by whom, and in such manner as may be directed by the Minister, who shall have power to make or approve such arrangements as may seem to him best suited to the convenience of the applicants. Any such ballot shall be held to be valid in law, and to determine the priority of the applications represented in such ballot.
- 35 (h) Any application successful at ballot, or otherwise, and approved of by the Board, shall, for all purposes of the Crown Lands Acts, be deemed and taken to have been confirmed by the Land Board.
- 40 (i) The confirmation of an application by virtue of this Act shall not preclude the Local Land Board from at any time during the first five years from the date of application inquiring (on the initiative of the chairman or otherwise) whether such application has been made in good faith, or from revoking the confirmation, and disallowing such application, or declaring that any moneys lodged therewith shall be forfeited to the Crown, in any case where the Land Board is satisfied that the application has been made otherwise than in good faith.
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Crown Lands (Applications).

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 20 or Board under the said Acts made before or after the commencement of this Act, it shall be lawful for the Minister, by notification in the *Gazette*, to declare that any informality, illegality, or other defect which the Minister may determine to be technical or formal only in regard to any application, or what purports to be an application,
 25 under the said Acts (although the informality, illegality, or defect may be due to the land, or some part thereof, not being available for the purpose of the application) shall not affect or prejudice any right, title, claim, or interest therein specified, or the validity of such application; and upon the publication of the notification, the declaration
 30 of the Minister shall have effect and operate as aforesaid : Technical or formal defect not to affect application.

Provided that no declaration as aforesaid shall affect any right or claim in respect of the costs of any proceedings commenced before the publication of the notification.

5. This Act may be cited as the "Crown Lands (Applications) Short title.
 35 Act, 1896."

BY VICTORIA, 1862
Crown Lands (Application)

1. That the land to which the application is made is situated in the County of ...
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