

Closer Settlement Purchases Validation Bill.

KOPI ESTATE.

THE following are the facts in regard to this matter :—

Arthur E. Warby offered his property, comprising a Conditional Purchase of 1,746 acres and a Conditional Lease (No. 1,026, Narrandera) upon a freehold basis, under the provisions of the Closer Settlement Promotion Act.

The purchase has been completed, and four returned soldiers are now settled on the estate.

The property was originally a Settlement Lease, notified in 1906 at a capital value of 15s. per acre, and was converted in 1911, when Mr. Warby was allotted, and accepted, a Conditional Purchase of 1,776 acres as a sufficient home maintenance area. The balance of the area, 2,771 acres, was allotted as Inconvertible Conditional Lease.

Mr. Warby knew when he offered the land on a freehold basis that the Conditional Lease was inconvertible, and stated that he was under the impression that the Crown could "freehold" anything. The Closer Settlement Advisory Board which recommended the purchase was not aware that the 2,771 acres were inconvertible, nor was the fact discovered until the purchase was completed and the purchase money paid to Mr. Warby.

The Crown has sold the Conditional Purchase and Conditional Lease to four returned soldiers and must ultimately give each of them a freehold title. There will be no difficulty so far as the Conditional Purchase portion of the area is concerned, but the Conditional Lease being inconvertible cannot be freeholded by any known method under the Crown Lands Act or Closer Settlement Act.

The question as to what steps should be taken to enable the Crown ultimately to give a freehold title to the four purchasers under the Promotion Act now settled on Mr. Warby's late property was referred to the Crown Solicitor, and he advised that the settlement purchases embracing the area should be validated by legislation. One of the Settlement Purchases being wholly embraced by Conditional Purchase land does not require to be validated, and the Bill applies to the three remaining areas as mentioned in the Schedule.

[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No. , 1922.

A BILL

To validate certain settlement purchases; and for that purpose to amend certain Acts.

BE it enacted by the King'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:—

1. This Act may be cited as the "Closer Settlement Short title. Purchases Validation Act, 1922."

2.

Closer Settlement Purchases Validation.

2. The persons named in the first column of the Schedule are hereby declared to have been, as from the twenty-fifth day of October, one thousand nine hundred and twenty, and to be, settlement purchasers, under and subject to the provisions of the Closer Settlement Act, 1904, and any Act amending the same, of the portions of land, particulars of which are set forth in the Schedule opposite to the names of such persons respectively, and the said portions of land are hereby declared, as from the said date, to have vested in and to have been held by and to be vested in and held by the said persons respectively, as settlement purchases, under and subject to the provisions of the said Acts.

Land in Schedule to be held as settlement purchase.

THE SCHEDULE.

Settlement Purchaser.	Settlement Purchase Number.	Area.	Portion No.	Parish.	County.
Sydney Henry Mallett...	1920-17, Nar-randera.	a. r. p. 1,200 0 0	27	Patterson	Cooper
Jack Pommel Sutton ...	1920-18, Nar-randera.	1,115 0 0 (ex. road).	28	do	do
Stanley Norman Bruce	1920-20, Nar-randera.	1,110 0 0	32	do	do