

1 EDW. VII. No. 11, 1901. *Prickly Pear Selections Act.*

seventy-five of the Principal Act, shall be paid into the Consolidated Revenue Fund, and shall be applied as follows, that is to say:—

- (1) In each of the years ending on the thirtieth day of June, one thousand nine hundred and two, and the thirtieth day of June, one thousand nine hundred and three respectively, the Governor in Council may direct any part of such moneys to be applied in payment of any sums appropriated by Parliament for the services of those years respectively.
- (2) Subject to any such direction the moneys so received shall be placed to the credit of a special account to be called the "Treasury Bills Account," and shall be applied in the first place in defraying the interest upon the Treasury Bills made out under the authority of "*The Treasury Bills Act of 1901*,"\* whether such Bills or any of them have actually been sold or disposed of or not, and in the second place in the payment and discharge of such of the same Treasury Bills as have been sold or disposed of. And any surplus shall be applied in discharge of the obligations for the defraying of which the said Treasury Bills were authorised to be made out and sold and disposed of.

11. As soon as the said Treasury Bills and the interest thereon and the said obligations have been discharged the powers conferred by this Act shall cease and determine.

Termination  
of Act.

**An Act to Facilitate the Eradication of Prickly Pear from Crown Lands, and for other purposes.**

1 Edw. VII.  
No. 11.

[ASSENTED TO 17TH DECEMBER, 1901.]

THE  
PRICKLY PEAR  
SELECTIONS  
ACT OF 1901.

**B**E it enacted by the King'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:—

1. This Act may be cited as "*The Prickly Pear Selections Act of 1901*," and shall be read and construed with and as an amendment of "*The Land Act, 1897*,"† hereinafter called the Principal Act.

Short title.

\* 1 Edw. VII. No. 4, *infra*, title Loans. † 61 Vic. No. 25, *supra*, page 6228.

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What land may be proclaimed as prickly pear selections.

What to be specified in proclamation.

**2.** Any country lands which are infested by prickly pear may be proclaimed open for selection as Prickly Pear Selections under the provisions of this Act.

The proclamation declaring such land open for selection shall appoint a place and a time (not being less than four weeks from the date of the proclamation) at which the land will be open for selection; and at and after the time so notified the land shall be open for selection accordingly.

The proclamation shall specify the numbers of the portions and their respective areas :

Provided that no portion shall exceed two thousand five hundred and sixty acres in area.

The proclamation shall further specify the maximum amount of money per acre which will be paid to selectors of the respective portions by way of bonus under the provisions of this Act.

Maps to be exhibited.

When any land is so proclaimed open for selection, maps shall be prepared and exhibited to the public at the office of the Land Agent and at the Department of Public Lands in Brisbane showing the land so open, its distance from railway or water carriage, the maximum amount of bonus payable to the selector per acre, and such other information as may be prescribed by Regulations in that behalf.

Priority to applicant who makes the lowest tender.

**3.** Every person making an application to select land under the provisions of this Act shall, in accordance with Regulations in that behalf, when making such application, lodge in a closed envelope a tender for the selection, specifying an amount of bonus per acre to be payable to him equal to or lower than the maximum amount of bonus per acre specified in the proclamation.

If two or more applications to select the same land are lodged at the same time, the Commissioner or Land Agent shall forthwith open such tenders as may have been lodged as aforesaid; and the applicant who has lodged the lowest tender for the land shall, at the time appointed for considering the applications, be declared to be the successful applicant.

If two or more applicants have specified the same amount in their respective tenders, and no other applicants have specified any lower amount, the right of priority as between such applicants shall be determined by lot in the manner prescribed by Regulations in that behalf.

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*Prickly Pear Selections Act.*

The bonus payable to the selector during the term of the lease shall be the amount so specified by him in his tender, instead of the bonus specified in the proclamation declaring the land open for selection.

When the Court has approved of the application, notice of such approval shall be given to the applicant. Notice of approval.

4. When an application has been approved by the Court, the applicant shall be entitled to a lease of the land from His Majesty. Issue and conditions of lease.

The term of the lease shall be ten years, computed from the first day of January or the first day of July nearest to the date of the approval.

An annual peppercorn rent shall be reserved under the lease.

The amount of bonus per acre payable to the lessee upon compliance by him with the condition of eradication of prickly pear shall be stated in the lease.

During each year of the first seven years of the lease, the lessee shall eradicate from the land one-seventh of all prickly pear growing thereon, so that at the end of the said period of seven years the whole of the selection shall be absolutely cleared of prickly pear, and shall during the whole period of ten years keep absolutely clear of prickly pear every part of the selection from which the prickly pear has been previously eradicated.

If it is proved to the satisfaction of the Commissioner that the lessee has in any year failed to perform the condition hereby imposed upon him, the Minister may (subject to the provisions in respect of forfeiture contained in Part IV. of the Principal Act) declare the lease absolutely forfeited and vacated, and thereupon the selection shall revert to His Majesty.

5. At the expiration of each year during the first seven years of the lease, if the lessee proves to the satisfaction of the Commissioner that he has in all respects complied with the condition of eradication of prickly pear contained in the lease, the Commissioner shall certify accordingly, and thereupon one-seventh part of the bonus payable to the lessee under the lease shall become payable to him, and shall be paid by the Commissioner accordingly. When bonus payable.

6. The selector or (in case of the death of the selector) the executor or administrator of the selector, or, where probate or letters of administration have not been taken out, the person entitled to entry of transmission of the selection in the records of the Department of Public Lands Fee-simple may be acquired after eight years.

*Special Agricultural Homesteads Act.* 1 Edw. VII. No 12,

as provided by the Principal Act, or (in case of the insanity of the selector) the committee of the selector, may, at any time within six months after the expiration of the lease, make application to the Commissioner in open court for a certificate that the conditions of the lease have been duly performed.

If the Commissioner refuses to give the certificate, the applicant may, within the prescribed time, appeal to the Court from the decision of the Commissioner, and if the appeal is allowed the Commissioner shall give the certificate.

Any applicant who obtains such certificate as aforesaid shall be entitled to a Deed of Grant of the land in fee-simple upon payment at the Treasury, in Brisbane, or other place appointed by the Governor in Council, of the deed fee and assurance fee.

If condition not fulfilled, land to revert to the Crown.

If the selector or such other person as aforesaid has not, within six months after the expiration of the term of the lease, become entitled to such grant, the selection shall be forfeited and shall revert to His Majesty.

Monies, how provided.

7. The Governor may by warrant under his hand, addressed to the Treasurer, direct him to pay out of the Consolidated Revenue such sums as from time to time may be necessary for giving effect to the provisions of this Act.

1 Edw. VII.  
No. 12.

THE  
SPECIAL AGRICULTURAL  
HOMESTEADS  
ACT OF 1901.

### An Act to Facilitate the Acquirement of Agricultural Homesteads by certain Bodies of Settlers.

[ASSENTED TO 17TH DECEMBER, 1901.]

Preamble.

WHEREAS it is desirable to promote closer settlement upon the agricultural lands of Queensland by affording to bodies of settlers special facilities for the acquirement of Agricultural Homesteads to be held in conjunction with portions in adjacent Agricultural Townships: Be it therefore enacted by the King'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 and construction of Act.

1. This Act may be cited as "*The Special Agricultural Homesteads Act of 1901*," and shall be read and construed with and as an amendment of "*The Land Act, 1897*,"\* hereinafter called the Principal Act.

\* 61 Vic. No. 25, *supra*, page 6228.