

BEGA AND WILBERFORCE LABOUR SETTLEMENTS ACT.

Act No. 13, 1917.

An Act to provide for the disposal of certain lands George V,
No. 13. at the Bega and Wilberforce labour settlements; to repeal the Labour Settlements Act, 1902; and for purposes consequent thereon or incidental thereto. [Assented to, 7th November, 1917.]

WHEREAS, in pursuance of the Labour Settlements Preamble. Act, persons were enrolled and are in occupation of certain lands at the Bega and Wilberforce labour settlements: And whereas it is desirable that the said lands and certain other lands should be disposed of under the Crown Lands Consolidation Act, 1913: 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 New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Preliminary.

1. This Act may be cited as the “Bega and Wilberforce Labour Settlements Act, 1917.” Short title.

2. In this Act—

Definitions.

“Crown Lands Consolidation Act, 1913,” includes

any Act amending that Act.

“Minister” means Secretary for Lands.

“Schedule” means Schedule to this Act.

“Treasurer” means Colonial Treasurer.

Repeals.

3. The Labour Settlements Act, 1902, is hereby Repeal. repealed.

Disposal

George V,
No. 13.

Revocation
of reserva-
tions.

Persons
having no
rights except
under this
Act.

Disposal of
lands.

Exclusive
right to
acquire land.

Disposal of lands in Schedules.

4. The reservations for labour settlement areas of the lands described in Schedules One and Two are hereby revoked, and such lands shall be dealt with in the manner provided by this Act.

5. The persons whose names are set out in the third column of Schedule Three or Schedule Four shall be deemed to have had and shall have no rights in respect of the lands described in the said Schedules or in Schedule Five, or any improvements thereon, save such as they may have or acquire under this Act.

6. The lands described in Schedules One and Two shall, subject to this Act, be set apart for homestead farms in accordance with the provisions of the Crown Lands Consolidation Act, 1913, and disposed of under that Act in separate blocks as described in Schedules Three and Four.

7. For a period of six months after the said lands have been set apart for homestead farms, and notwithstanding anything to the contrary in the Crown Lands Consolidation Act, 1913, any person whose name is set out in the third column of Schedule Three or Schedule Four, or, in the event of his death, his personal representatives, shall have the right, exclusive of any other person, to apply for and acquire as a homestead farm under that Act the block of land of which the description in the first column of the said Schedules is opposite to his name. Such homestead farm shall, subject to this Act, be held under the conditions prescribed by the Crown Lands Consolidation Act, 1913, with respect to homestead farms.

A person who acquires any such block under this section shall not be liable to pay for any improvements thereon. The term of residence shall be reduced by the period during which residence has been performed by such person on the block he so acquires.

Capital value of blocks.

Capital value
of blocks.

8. In fixing the capital value of each block there shall be excluded from such value any improvements thereon.

Where

George V,
No. 13.

9. If, at the expiration of the period referred to in section seven of this Act, any person has not applied for the block of land which he had a right under that section to apply for—

(a) he shall within one month after such expiration vacate any land occupied by him in pursuance of the Labour Settlement Act, 1902, but may within such period, subject to the Minister's approval, remove any improvements on the land which were effected or owned by him or, failing removal of such improvements, he shall be entitled to tenant-right therein of the nature provided by section two hundred and twenty-three of the Crown Lands Consolidation Act, 1913; and

(b) such land shall on such expiration become Crown lands within the meaning of the Crown Lands Consolidation Act, 1913, and shall thereupon become reserved from sale and lease generally until such reservation is revoked wholly or in part under the provisions of that Act.

10. The lands described in Schedule Five may by notification in the Gazette be set apart for disposal in accordance with the provisions of the Crown Lands Consolidation Act, 1913, or may be otherwise dealt with under that Act.

Dissolution of labour settlement boards.

11. The body corporate of the board of control of the labour settlements at Bega and Wilberforce are respectively dissolved, and the said boards and the respective members thereof, past and present, are hereby indemnified and held harmless for all acts or omissions by them in connection with the lands described in the Schedules or relating to the labour settlements at Bega or Wilberforce respectively.

Regulations.

George V,
No. 13.

Regulations.

12. The Governor may make regulations for carrying out the provisions of this Act. All such regulations shall be laid before both Houses of Parliament without delay.

SCHEDULES.

SCHEDULE ONE.

Description of part of Reserve 37328, notified 5th March, 1904, known as the Bega Labour Settlement Area.

ALL that piece or parcel of land, situate in the parish of Meringo, county of Auckland, and State of New South Wales, containing an area of about 1,100 acres: Commencing on the Bega River, at a point east of the south-east corner of portion 134 of 173 acres 1 rood, reserve 439, notified 28th July, 1879; and bounded thence by a line and the south boundary of that portion bearing west to its south-west corner; thence by part of the west boundary of that portion bearing north to Grosse's Creek; thence by that creek upwards until it is intersected by the road forming the northern boundary of portions 236, 235, 234, 233, 232, 231, and 230; thence by that road westerly to the east boundary of portion 34; thence by parts of the east boundaries of portions 34 and 33 south to a point 1 chain north from the south-east corner of the latter portion; thence by a line east to the west boundary of portion 230; thence by part of the west boundaries of portions 230 and 229 south to a point east from a point 225 links south from the north-east corner of portion 52; thence west to that point; thence by part of the east boundary of that portion south to its extremity; thence by a line and the north boundaries of portions 27 and 5 east to the Bega River; and thence by that river downwards to the point of commencement;—but exclusive of portions 214, 291, 292, and 298, the area known as the Bega Settlement Common, and boundary and reserved roads as follows:—Roads dividing settlement blocks 23, 17, 16, 15, 14, and 11, from 12, 13, and 22; 22, 5, 12, and 11, from 6, 10, 9, 21, and 27; 16 from 15; 21 from 9; and block 28 from portion 214; roads lying to north, west, and south of blocks 1, 2, 3, and 4, and south of portion 214; also on part of the east of block 18, the road to Bega from south-east corner of block 4, generally north-easterly, and passing through block 19 to the Bega River; the road along the left bank of that river from the south-east corner of block 19 downwards to the north-east corner of block 20; also the reserved roads through blocks 26, 22, 24, 28, 1, and 2, together with the reserved road passing through blocks 2, 3, and 4, the latter shown on plan R. 7701-1603—(*vide* also plans Ms. 423, 429, and 524 Ca., and 525 Gbn.).

SCHEDULE

SCHEDULE TWO.

George V,
No. 13.*Description of the Wilberforce Labour Settlement Area.*

All those pieces or parcels of land situate in the parish of Wilberforce, county of Cook, and State of New South Wales, containing an area of $484\frac{3}{4}$ acres or thereabouts: Commencing at the most westerly corner of portion 304 of 75 acres; and bounded thence by the road forming the north-western boundary of portions 377 to 382 in a south-westerly direction to a point bearing south 37 degrees 43 minutes west 64 links from the most northerly corner of the last-named portion; thence by a line bearing north 52 degrees 17 minutes west 1 chain to the most easterly corner of portion 387; thence by the north-eastern boundary of that portion bearing north 21 degrees 19 minutes west 6 chains 8 links; thence by the north boundary of the same portion and of portion 386, being a line west 32 chains 94 links to the Windsor Bull Ridge road; thence by that road southerly crossing Currency Creek to a road of variable width leading to the proposed quarry reserve; thence by the said road easterly to the western boundary of that reserve; thence by the boundaries of that reserve, being lines bearing north 11 chains 44 links, east 27 chains 69 links, south 10 chains 37 links, east 18 chains 3 links, and south 28 chains 60 links to the Wilberforce-Richmond road; thence by that road easterly to the road from Howe's Creek to Wilberforce, and by the latter road generally north-westerly to Currency Creek; thence by that creek upwards to a point south of the south-western corner of portion 304 before mentioned; thence by a line bearing north to that corner; and thence by a western and a southern boundary of portion 304, being lines north and west, to the point of commencement;—but exclusive of a road 1 chain wide, being the continuation in a south-westerly direction of the road forming the north-western boundary of the labour settlement area, as shown on plan catalogued Ms. 954 Sy.

Exclusive of $747\frac{3}{4}$ acres withdrawn 16th May, 1896; $272\frac{1}{4}$ acres withdrawn 2nd May, 1903; 40 acres withdrawn 24th October, 1903; $45\frac{3}{4}$ acres withdrawn 7th February, 1906; and $39\frac{1}{2}$ acres withdrawn 7th February, 1906.

SCHEDULE

George V,
No. 13.SCHEDULE THREE.
Bega Labour Settlement Area.

Portion.	Area.		Name.
1	31 1 0		Tonkin, William.
2	32 1 0		Watson, John Albert.
3	28 2 0		Rankin, Donald.
4	30 0 0		Nicholls, Mrs. Isabella Eleanor Margaret.
5	30 0 0		Beattie, Henry Morris.
6	31 0 0		Pomery, Frederick William.
7	30 0 0		Morrow, George Frederick.
8	30 0 0		Gough, James Joseph.
9	30 0 0		McMahon, Patrick.
10	30 0 0		Targett, George.
11	29 0 0		McCann, Alexander Stewart.
12	30 0 0		Ford, Sidney James.
13	30 0 0		Dowling, Alfred.
14	31 0 0		Ford, Alfred Arthur.
15	30 0 0		Rolfe, John.
16	30 0 0		McGuire, Patrick.
17	30 0 0		Law, Mrs. Teresa Winifred.
18	30 0 0		Kirwan, Peter.
19	30 0 0		Curran, John.
20	33 0 0		Gough, Francis Hugh.
21	48 0 0		Lawler, John.
22	45 1 0		Grubb, William Edward.
23	40 3 0		Cowan, Samuel.
24	39 1 30		White, Joseph.
25	51 3 0		Grubb, William Martin.
26	50 0 0		Law, Edwin James.
27	52 2 0		Smith, John.
28	50 0 0		McDonald, John Joseph (deceased).
29	52 3 0		Reilly, Peter Valentine.

SCHEDULE

SCHEDELE FOUR.
Wilberforce Labour Settlement Area.

George V,
No. 13.

Portion.	Area.	Name.
377	a. r. p. 43 2 0	Moreland, William.
380	36 1 10	Cullen, John Patrick.
381	35 0 0	McLennan, John Kennedy.
382	35 0 0	Constantine, William.
383	34 2 0	Kingham, Edwin Samuel Payne.
384	35 0 0	Gregory, James, junior.
394	33 0 0	Gregory, Mrs. James (formerly Smith, Mrs.)
401	33 0 0	Hartley, Thomas Frederick.
402	36 0 0	Geake, Ernest George Rowland.
404	42 2 0	Hutchison, Percy Glen Raymond.
406	46 2 0	Rhodes, Mrs. Lavinia.

SCHEDELE FIVE.

*Description of part of Reserve 37328 notified 5th March, 1904, known
as the Bega Settlement Commn.*

All that piece or parcel of land situate in the parish of Meringo, county of Auckland, and State of New South Wales, containing an area of about 200 acres: Commencing on the left bank of the Bega River at a point east of the south-east corner of labour settlement block 20; and bounded thence by a line and that block west and north to the south boundary of portion 134 (reserve 439, notified 28th July, 1879); thence by the south boundary of that portion west to a north-east corner of block 11; thence by that block south and north-westerly to a point north of the north-east corner of block 6; thence by a line partly forming the east boundary of that block south to the left bank of Spring Creek; by that bank downwards to a point north of the north-east corner of block 4; thence by a line partly forming the east boundary of that block south to the north boundary of portion 5; thence by part of that boundary east to the south-west corner of block 19; by that block north by the south-western, western and north boundaries of an area of 1 acre 3 roods 1 perch measured for addition to block 19 and a line east to the left bank of the Bega River aforesaid; and by that bank downwards to the point of commencement—but exclusive of portions 291, 292, 298, shown on Plans A 2,780, 2,807, 3,315, 2,098.