

If the selector dies, or is declared a lunatic, before the fulfilment of the prescribed conditions, the residential condition may, on approval, be dispensed with so long as the conditions of fencing and improvement are duly carried out by his or her legal representatives.

IMPROVEMENTS REQUIRED.

Within two years a habitable house must be erected upon the holding of at least the value of £30, or, if it is so preferred, the selector can spend £30 in clearing, or clearing and cropping the land; or, again, if two acres of orchard or vineyard be properly prepared and planted, the requirements of the Act are fulfilled.

Within five years at least one-fourth of the land must be substantially fenced, and one-eighth cleared and placed under crop, and during the next two years the whole must be fenced and at least one-fourth of it cleared and cropped.

Unless these requirements are satisfactorily complied with, all lands taken up, whether village allotment or homestead farm, are forfeited, together with all improvements made on them.

Land selected under this Act cannot be mortgaged or otherwise transferred until all the prescribed conditions have been complied with and the selector is entitled to the Crown grant.

At the end of seven years, the requirements of the Act having been fulfilled, the selector, upon payment of survey and departmental fees, is entitled to receive a Crown grant, which in all cases is issued in the selector's own name.

Should any selector desire to get the Crown grant before the expiration of the full term, he can at any time obtain it upon giving satisfactory proof that he has resided for twelve months from the date of taking possession and has made the requisite improvements, and by a payment of 5s. an acre for the land, together with the survey and other fees.

Applicants for homestead farms can apply for and hold other land under the then existing land laws, in addition to land held under this Act.

VILLAGE SITES.

Any land not more than five miles from a homestead farm area may be set apart for village sites in allotments not exceeding one acre.

Should twenty families, with a view to facilitating the establishment of schools and churches, and for the attainment of other social advantages, settle together in one of these villages, the requirements as to residence, and erection of house, upon the homestead farm may then, if so desired, apply to the village allotment, but the improvements on the farm will, of course, be still required.

Each holder of a homestead farm may, on approval, select a village allotment, to which the provisions of the Act with respect to residence and erection of house shall then apply; and this allotment becomes the property of the selector upon his receiving the Crown grant of his homestead farm and paying the sum of £1, together with the expenses of the survey and the usual departmental fees.

HOMESTEAD LEASES.

Any Crown lands in the South-Western Division of the Colony, or in the Eastern or Eucla Divisions, if situated within forty miles of a railway, may be classified as second and third-class lands and declared open to selection for homestead leases, the area of which, in second-class land, shall not be less than 1,000 nor more than 3,000 acres, nor less than 1,000 or more than 5,000 in third-class land.

These leases are granted for and extend over a term of 30 years.

The annual rent for second-class land is one penny per acre for the first 15 years, and twopence per acre for the remaining period; whilst for third-class land it is fixed for the same periods, respectively, at one penny and twopence. Rents are payable at the same time and in the same manner as the usual land rents, and are subject to the same conditions.

No person can hold more than one homestead lease, and the lessee must not be less than eighteen years of age.

The conditions under which these leases are held are as follows:—

1. The lessee must pay half cost of survey in five yearly instalments.
2. The lessee, either personally or by an agent, within six months from the date of approval, if the land has been surveyed, or should the land not have been surveyed within the same period from the date of the completion of the survey, shall take possession of the land, upon which, for the first five years, either the lessee or the representative must reside.
3. Half the leasehold must be fenced within the first two years, and the whole within four years.
4. From the sixth to the fifteenth year, both inclusive, the lessee must expend annually in improving the leasehold, if it be second-class land, an amount equal to eightpence, and if third-class land, fivepence an acre for the whole area, and any moneys exceeding the amount prescribed expended in any one year may be carried forward to credit of future payments.

Improvements consist of subdivision, clearing, cultivating, grubbing, draining, ring-barking, tanks, dams, wells, and any other work which increases or improves the agricultural or pastoral capabilities of the land.

When fenced, the exterior boundary fence of the leasehold must be kept in proper repair. If the land when applied for is not surveyed, the time within which the fencing and improvements must be performed, and completed, dates from the completion of the survey.

If at the expiration of the lease the rent has been regularly paid, and all the prescribed conditions complied with, the Crown grant is issued to the lessee upon payment of the usual departmental fees; under certain circumstances, also, a lessee can obtain the Crown grant prior to the expiration of the lease.

In case of the death of a lessee, the agent or representative can perform the conditions.

Should the conditions imposed not be duly complied with, the lease, with all improvements, is forfeited.

The ordinary Land Regulations operate until it is leased over any land set apart for homestead leases.

When the lessee has fenced in the leasehold, and complied with the residential conditions, he may transfer the lease to any person not then holding a homestead lease; but should the transfer be made to secure money advanced to the transferor, and not with a view to the occupation of the land by any other person, the transfer may be made to the holder of a homestead lease.

The fee chargeable for the transfer is £1.

Applications for homestead farms and leases take priority according to receipt in the Crown Lands Office in Perth.

Forfeited lands are either sold by auction, or re-vest, together with all improvements, in the Crown.

The Governor has, however, power to waive any forfeiture as he may think fit.