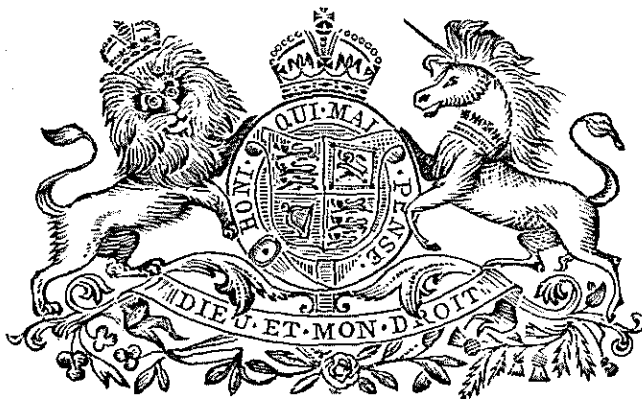


# WESTERN AUSTRALIA.



ANNO NONO

## EDWARDI SEPTIMI REGIS,

XLV.

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No. 49 of 1909.

### AN ACT to amend the Settled Land Act, 1892.

[Assented to 21st December, 1909.]

**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 Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Settled Land Act Amendment Act*, 1909, and shall be read as one with the Settled Land Act of 1892, hereafter referred to as the principal Act.

Short title.

2. The Court may, in any case where it appears proper, make an order directing or authorising capital money to be applied in or towards payment for any improvement authorised by the principal Act, notwithstanding that a scheme was not, before the execution of the improvement, submitted for approval, as required by the principal Act, to the trustees of the settlement or to the Court.

Court may order payment for improvements executed.  
See 53 and 54 Vict c. 69, s. 15.

3. (1.) Subject to the provisions of the principal Act, where money is required for the purpose of discharging an encumbrance on the settled land or part thereof, or for the purpose of paying for any improvements authorised by the principal Act, the tenant for life may raise the money so required, and also the amount properly required for payment of the costs of the transaction, on mortgage of the settled land, or of any part thereof, by conveyance of

Power to raise money by Mortgage.  
See 53 and 54 Vict c. 69, s. 11.

the fee simple or other estate or interest the subject of the settlement, or by creation of a term of years in the settled land, or any part thereof, or otherwise, and the money so raised shall be capital money for that purpose, and may be paid or applied accordingly.

(2.) Encumbrance in this section does not include any annual sum payable only during a life or lives or during a term of years absolute or determinable.