



ANNO QUADRAGESIMO QUARTO ET QUADRAGESIMO
QUINTO

VICTORIÆ REGINÆ.

A.D. 1881.

No. 235.

An Act to amend the "Crown Lands Consolidation Act,"
and "The Crown Lands Amendment Act,
1880."

[Assented to, November 18th, 1881.]

WHEREAS it is expedient to amend the "Crown Lands Consolidation Act," and "The Crown Lands Amendment Act, 1880"—Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said province, in this present Parliament assembled, as follows:

Preamble.

1. This Act may be cited for all purposes as "The Crown Lands Amendment Act, 1881."

Short title.

2. Section 6 of "The Crown Lands Amendment Act, 1880," is hereby repealed, but such repeal shall not affect the validity of any agreement entered into in pursuance of the said section, nor any estate, right, interest, or liability now or hereafter existing under or by virtue of any such agreement

Repeal of section 6 of "The Crown Lands Amendment Act, 1880."

3. Any person holding land under agreement, may at any time apply in writing to the Commissioner for leave to surrender his agreement or agreements, and shall, upon proof that he has up to the time of the application complied to the satisfaction of the Commissioner with the condition of the Acts and of the agreement or agreements under which he holds such land, be entitled to surrender his existing agreement or agreements and to enter into a new agreement or agreements under this Act in respect of such land.

Holders of agreements existing before "The Crown Lands Amendment Act, 1880," or who have come in under that Act, may surrender their agreements and come in under this Act.

4. Every such new agreement shall bear the same date as the original

Form of agreement.

The Crown Lands Amendment Act.—1881.

original agreement, and shall be in the form of the First Schedule to "The Crown Lands Amendment Act, 1880," or to the like effect.

Agreements brought under "Crown Lands Amendment Act, 1880," to be under this Act.

5. Any agreement into which a person has entered, pursuant to section 6 of "The Crown Lands Amendment Act, 1880," on surrendering his agreement or agreements under "The Waste Lands Alienation Act, 1872," or "The Crown Lands Consolidation Act," shall be held to be under this Act in respect of such land, and no surrender or new agreement shall be requisite: Provided always that the selector shall, by application, in writing, to the Commissioner, duly witnessed, request to come under the Act, and produce the agreement for an indorsement thereon, as prescribed by regulations to be made.

Holders of agreements coming in under this Act to be credited with moneys paid by them beyond the 10 per cent. payable at sale.

6. Every person entering into a new agreement or agreements under this Act, who shall have paid any interest beyond the ten pounds per centum on the amount of his purchase-money payable at the time of sale, shall be credited with the amount of the interest so paid against the interest payable under such new agreement or agreements: And every person entering into any such new agreement or agreements, who shall have paid any part of the purchase-money payable under his existing agreement or agreements, shall be credited with the amount of the purchase-money so paid against the purchase-money payable under such new agreement or agreements, but shall pay interest only on the unpaid balance of his purchase-money.

Commissioner to have care and control of reserved and dedicated lands.

7. The care, control, and management of all lands reserved or dedicated by the Governor for or to any public purpose shall, in the interim between the reservation or dedication of such lands, and until the same shall be granted in fee, be vested in the Commissioner, and such land shall, during such interim, be deemed to be Crown lands: Provided that nothing herein contained shall affect any lands the care, control, and management of which shall have been or shall hereafter be placed in a Municipal Corporation or District Council.

Amendment of the Third Schedule to the "Crown Lands Amendment Act, 1880."

8. The word "Willunga" in the sixth line of the Third Schedule to "The Crown Lands Amendment Act, 1880," is hereby repealed, and the said Act and Schedule shall be read and construed as if the word "Wiltunga" had been inserted in the said Schedule instead of the word hereby repealed.

Incorporation.

9. Except in so far as the same are inconsistent with the provisions of this Act, the "Crown Lands Consolidation Act," and all Acts incorporated therewith, shall be read and incorporated herewith as forming one Act.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

WM. F. DRUMMOND JERVOIS, Governor.