



ANNO DECIMO

GEORGII V REGIS.

A.D. 1919.

No. 1404.

An Act to amend the Agricultural College Endowment Act, 1886.

[Assented to, November 27th, 1919.]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited alone as the "Agricultural College Endowment Act Amendment Act, 1919." Short titles.

(2) The Agricultural College Endowment Act, 1886 (hereinafter referred to as "the principal Act"), and this Act, may be cited together as the "Agricultural College Endowment Acts, 1886 and 1919." No. 384 of 1886.

2. This Act is incorporated with the principal Act, and that Act and this Act shall be read as one Act. Incorporation with principal Act.

3. In this Act, unless some other meaning is clearly intended, "Commissioner" means the Commissioner for Agricultural Endowments as constituted a body corporate by the principal Act. Meaning of "Commissioner."

4. Section 2 of the principal Act is amended by inserting after the word "Justices" in the fifth line thereof the words "and shall be capable of acquiring, holding, leasing and alienating land, and of being a party to arbitration, and of doing and suffering all such other acts and things as bodies corporate may by law do and suffer." Amendment of principal Act, s. 2—Power of Commissioner of Agricultural Endowments to hold and acquire land.

5. Section

Agricultural College Endowment Act Amendment Act.—1919.

Amendment of
principal Act, s. 3—
Power to Governor to
grant land to
the Commissioner for
purposes of Act.

Commissioner may
take and acquire
lands.

5. Section 3 of the principal Act is amended by striking out the proviso and inserting the words “which may from time to time be required for the purpose of this Act”.

6. The Commissioner may acquire, by agreement any land which may be required for use in or in connection with the teaching, pursuant to the principal Act and this Act, of the science and practice of agriculture and the branches of knowledge connected therewith.

Power to sell
property not required.
Cf. 1305, 1917, s. 4.

7. (1) Where it appears to the Commissioner that any land vested in him is not required or conveniently situated or suitable for use in or in connection with the teaching, pursuant to the principal Act and this Act, of the science and practice of agriculture and the branches of knowledge connected therewith, he may—

- (a) sell such land, or any estate, right or interest therein, or
- (b) exchange such land, or any estate, right or interest therein, for any other land or any estate, right or interest therein, or
- (c) dispose in any other way of such land, or any estate, right or interest therein,

for such price or other consideration as he deems sufficient, and upon such (if any) terms and conditions as he deems proper.

May execute
assurances.

(2) For the purpose of carrying out any such transaction as mentioned in subsection (1) of this section, the Commissioner may execute any and every assurance, deed, instrument, and writing, and do all such other things as may be deemed necessary or expedient.

Commissioner's
receipt sufficient
discharge.

(3) The Commissioner's receipt shall be a sufficient discharge for any moneys to be paid in pursuance of any such transaction, and it shall not be necessary for any person paying any such moneys to inquire whether or not a proper case has arisen for the exercise of any power conferred by this Act.

Application of
moneys.

(4) All moneys received by the Commissioner by the exercise of the powers conferred by this section shall be delivered to the Treasurer for the public uses of the said State.

Other powers
preserved.

(5) Nothing in this Act shall be deemed to derogate from any power vested in the Commissioner or any other person by the principal Act or any other Act or otherwise howsoever.

Report of transactions
to be laid before
Parliament annually.

(6) The Commissioner shall, in the month of July in every year, present to the Governor a report stating—

- (a) particulars of all lands (if any) with regard to which he has, during the period ended on the preceding thirtieth day of June, exercised any of the powers conferred by this section ;
- (b) how he has dealt therewith respectively under this section ;
and
- (c) the

Agricultural College Endowment Act Amendment Act.—1919.

- (c) the price or other consideration, and the other terms or conditions (if any), in each case.

Every such report shall be laid before both Houses of Parliament within fourteen days after it is presented to the Governor if Parliament is in Session, and if not, then within fourteen days after the commencement of the next Session.

8. All lands granted to the Commissioner under the principal Act, or acquired by him pursuant to this Act, shall be used for the purpose of the teaching of the science and practice of agriculture and the branches of knowledge connected therewith, either separately or in conjunction with the land mentioned in section 4 of the principal Act and the building called the Agricultural College erected thereon.

All lands vested in Commissioner to be used for purposes of the Agricultural College.

9. Whereas, of the pieces of land situate in the Hundred of Mudla Wirra in the County of Gawler in the said State, which are now used in or in connection with the teaching of the science and practice of agriculture and the branches of knowledge connected therewith in conjunction with the land mentioned in section 4 of the principal Act and the building called the Agricultural College erected thereon, the pieces of land referred to in Part I. of the Schedule to this Act have at different times been transferred to His Majesty the King and have not been granted to the Commissioner pursuant to the principal Act or otherwise vested in him, and the pieces of land referred to in Part II. of the said Schedule have at different times been transferred to the Commissioner and the several transfers have been duly registered on the respective certificates of title for the said pieces of land, but such transfers and the registration thereof as aforesaid have not been effectual to vest the said pieces of land in the Commissioner in his corporate capacity as the Commissioner for Agricultural Endowments by reason of the fact that the Commissioner had, at the time of the execution and registration of the memoranda of transfer of the said several pieces of land, no power to acquire or hold land in his corporate capacity, and the piece of land referred to in Part III. of the said Schedule has not been alienated from the Crown and has not been granted to the Commissioner pursuant to the principal Act or otherwise vested in him: And whereas it is desirable to vest in the Commissioner those pieces of land mentioned in Part I. and Part III. of the said Schedule and to validate the title of the Commissioner to the pieces of land mentioned in Part II. of the said Schedule, and to provide for the use of all the said pieces of land for the purpose and in the manner mentioned in section 8 hereof: Now it is hereby enacted that—

Provision for vesting in Commissioner certain land used for purposes of Agricultural College, and to validate his title to certain other land so used.

(1) Those pieces of land referred to in Part I. and Part III. of the said Schedule are hereby from the passing of this Act vested in the Commissioner for an estate in fee simple.

(2) The several memoranda of transfer of those pieces of land mentioned in Part II. of the said Schedule are hereby declared to be,
and

Agricultural College Endowment Act Amendment Act.—1919.

and always to have been, as effectual for all purposes as if at the time of the execution thereof the Commissioner had had power to acquire and hold land in his corporate capacity, and the said pieces of land are hereby declared to have been and to be vested in the Commissioner as the registered proprietor thereof.

(3) The Registrar-General of Deeds shall call in the existing certificates of title of those pieces of land mentioned in Part I. of the said Schedule, and shall enter upon each original certificate of title and, upon production of the duplicate certificate of title, upon each duplicate certificate of title a memorandum as follows: "By virtue of the Agricultural College Endowment Act Amendment Act, 1919, the within land is vested in the Commissioner for Agricultural Endowments for an estate in fee simple," and shall sign such memorandum.

(4) The Governor may issue to the Commissioner a land grant of the piece of land referred to in Part III. of the said Schedule.

(5) All land hereby vested, or declared to have been and to be vested, in the Commissioner shall be used for the purpose of the teaching of the science and practice of agriculture and the branches of knowledge connected therewith in conjunction with the lands mentioned in section 8 hereof.

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

H. L. GALWAY, Governor.

*Agricultural College Endowment Act Amendment Act.—1919.***THE SCHEDULE.****PART I.****LAND TRANSFERRED TO HIS MAJESTY THE KING.**

Those pieces of land situate in the Hundred of Mudla Wirra, County of Gawler, in the State of South Australia, being the sections undermentioned and being the whole of the land comprised in the Certificates of Title the reference to which is set opposite to the numbers of the said sections respectively :—

Section.	Certificate of Title. Register Book.	
	Volume.	Folio.
684.....	LVIII. ..	244
685.....	LVIII. ..	245
679.....	LVI. ..	22
705, 706.....	CCXXI. ..	14
688.....	CCXXII. ..	226

PART II.**LAND TRANSFERRED TO THE COMMISSIONER FOR AGRICULTURAL ENDOWMENTS.**

Those pieces of land situate in the Hundred of Mudla Wirra, County of Gawler, in the State of South Australia, being the sections undermentioned and being the whole of the land comprised in the Certificates of Title the reference to which is set opposite to the numbers of the said sections respectively :—

Section.	Certificate of Title. Register Book.	
	Volume.	Folio.
412.....	XXXIV. ..	199
503.....	LVIII. ..	98
406, 700.....	CXI. ..	142
839.....	CXXXXVIII. ..	233
413 (except as in Certificate of Title, Register Book, Volume CXXVIII., folio 48, excepted).	CXXVIII. ..	48
842.....	CCCH. ..	59
841.....	CCXXXI. ..	215
830, 832.....	CCCXCIII. ..	49
838.....	CCXLVIII. ..	120

PART III.

That piece of land being the whole of section No. 704, situated in the Hundred of Mudla Wirra, County of Gawler, in the State of South Australia, except—

- (a) the stone reserve placed under the care, control, and management of the District Council of Mudla Wirra South by proclamation made the eighth day of April, one thousand eight hundred and eighty-four, and published in the *Government Gazette* on the tenth day of April, one thousand eight hundred and eighty-four, and
- (b) that piece of land dedicated by the Governor by notice published in the *Government Gazette* on the twenty-first day of October, one thousand eight hundred and seventy-five, as a site for the interment of the dead, to be called the Public Cemetery of the District of Mudla Wirra South; and
- (c) existing roads.