



ANNO VICESIMO QUINTO ET VICESIMO SEXTO

VICTORIÆ REGINÆ.

A.D. 1862.

No. 17.

An Act to provide for the future appropriation of the proceeds of the Waste Lands of the Crown in the Province of South Australia.

[Assented to, 21st October, 1862.]

WHEREAS, by virtue of the provisions of an Act of the Imperial Preamble.
Parliament, passed in the Session of Parliament holden in the eighteenth and nineteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to repeal the Acts of Parliament now in force respecting the disposal of the Waste Lands of the Crown in Her Majesty's Australian Colonies, and to make other provisions in lieu thereof," the Legislature of the Province of South Australia is empowered to make laws for regulating the sale and other disposal of the waste lands of the Crown therein, and the disposal of the proceeds arising therefrom, but so as that no such law shall affect or be construed to affect any contract, or extend to prevent the fulfilment of any promise lawfully made by or on behalf of Her Majesty before the commencement of the said Act: And 18 & 19 Vic., cap. 56.
whereas, by the Act of the Governor of the said Province, with the advice and consent of the Legislative Council and House of Assembly of the said Province, called The Waste Lands Act, it is amongst other things enacted that "all moneys received on account, or in respect of the said waste lands of the Crown, whether as purchase money, rent, licence fees, or otherwise, shall be paid to the Treasurer on account of the General Public Revenue of the said Province:" 21 Vic., No. 5, sec. 19.
And whereas it is expedient that the proceeds arising from the sale of the said waste lands should be for the future appropriated only to the purposes and in the proportions hereinafter mentioned and set forth—Be it therefore Enacted, by the Governor-in-Chief of the Province

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 :

Recited clause partially repealed.

1. So much of the hereinbefore recited clause or provision of the Waste Lands Act as relates to moneys received as purchase money for any of the waste lands of the Crown in the said Province shall be and the same is hereby repealed, save as regards any such moneys received before the commencement of this Act.

Purchase moneys to be held for purposes after mentioned.

2. All moneys which may be received on account of the said waste lands of the Crown, after the commencement of this Act, as purchase money on any sale thereof in fee simple, shall be paid to the Treasurer, for the purposes hereinafter mentioned, and for no other purpose.

Two-thirds to form Public Works Fund, and the remaining one-third an Immigration Fund.

3. Two equal third parts of the gross proceeds of the sale of the said waste lands shall be appropriated as and for and shall constitute a fund, to be called "The Public Works Fund;" and the remaining one third part of the said gross proceeds shall be appropriated as and for and shall constitute a separate fund, to be called "The Immigration Fund."

Public Works Fund to pay public debt, and for public works.

4. The Public Works Fund shall be and the same is hereby appropriated to the payment of the principal and interest of the public debt of the said Province, as and when the same principal and interest shall become due and payable; and also to roads, bridges, railways, and other public works connected with the development of the resources of the said Province, and communication between different parts of the same.

Appropriation of Immigration Fund.

5. The Immigration Fund shall be and the same is hereby appropriated towards defraying the expenses of the passage from the United Kingdom of Great Britain and Ireland to the said Province of immigrants under the provisions of the Act No. 4 of 1857, intituled "An Act to authorize the appointment of an Emigration Agent, and to encourage and regulate Immigration into the Province of South Australia."

Neither fund to be expended without sanction of Parliament.

Balances may be invested.

6. No money shall be at any time expended from either of the said funds except in respect or on account of the said public debt without the sanction of an Act of the Parliament of the said Province expressly directing or allowing such expenditure: Provided that the Treasurer may invest from time to time any unexpended balance of either of the said funds in the purchase of Government securities, and the produce of any securities so purchased shall belong and be paid to the fund by or on account of which the same shall be purchased.

Short title.

7. In referring to this Act, it shall be sufficient to make use of the expression "The Waste Lands Appropriation Act, 1862."

8. This

8. This Act shall not commence and take effect until the 1st Commencement day of July, 1863.

In the name and on behalf of the Queen I hereby assent to this Act.

D. DALY, Governor.