



ANNO QUADRAGESIMO SECUNDO ET QUADRAGESIMO
TERTIO

VICTORIÆ REGINÆ.

A.D. 1879.

No. 153.

An Act to amend the Crown Lands Consolidation Act, by providing that credit Selectors may Mortgage their Selections under certain circumstances.

[Assented to, 25th October, 1879.]

WHEREAS it is expedient to amend the "Crown Lands Consolidation Act"—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 "Mortgage of Selections Act."

Short title.

2. Notwithstanding anything contained in the "Crown Lands Consolidation Act," or in "The Crown Lands Act of 1878," it shall be lawful for any selector who now holds, or who may hereafter hold, land upon credit on agreement, and who shall have complied with all the provisions of such agreement, for a period of at least two years and a half from the date thereof, to assign his interest by way of mortgage, in manner hereinafter provided, in the land so held as security for advances made to him, or for other valuable consideration, subject to the following conditions:

Power to selectors to mortgage.

- i. The approval thereto, in writing, of the Commissioner of Crown Lands shall be first had and obtained: Provided that it shall be within the discretion of the said Commissioner either to give or to withhold such approval: And provided also that every application for permission to mortgage as aforesaid shall be published twice consecutively in the *Government Gazette* before such approval be given:
- ii. The

Mortgage of Selections Act.—1879.

Conditions

II. The selector applying for permission to mortgage shall state in such application :—1. The name of the mortgagee ; 2. The consideration given ; 3. The rate of interest and other charges ; and 4th. The term of the mortgage : and the agreement when so mortgaged shall be produced in the Crown Lands Office on payment of a fee of Two Shillings and Sixpence :

Exercise of power of sale.

III. In the event of the selector mortgaging as aforesaid, failing to comply with any of the conditions of the mortgage, the lands described in such mortgage may be sold by the mortgagee in the same manner, and subject to the same conditions, as are contained in clause 39 of the "Crown Lands Consolidation Act," in reference to sales by assignees of insolvent or assigned estate.

Governor may make regulations.

3. The Governor may, from time to time, make regulations for giving effect to this Act, and may in such regulations fix the forms to be used for mortgages and discharges or otherwise in connection therewith.

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

WM. F. DRUMMOND JERVOIS, Governor.