



ANNO QUADRAGESIMO QUINTO ET QUADRAGESIMO
SEXTO

VICTORIÆ REGINÆ.

A.D. 1882.

No. 274.

An Act to encourage Ostrich Farming

[Assented to, November 17th, 1882.]

WHEREAS it is desirable to encourage ostrich farming—Be Preamble.
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 :

1. This Act may be cited for all purposes as “The Ostrich Short title.
Farming Act, 1882.”

2. The Governor may demise any portion of Crown lands of the Governor may demise
province within hundreds for the purpose of ostrich farming. lands.

3. Any person desirous of obtaining a lease under this Act shall, Mode of application
by himself, or his agent thereunto duly authorised, make an appli- for lease.
cation, in writing, to the Commissioner of Crown Lands and Immi-
gration (hereinafter designated “the Commissioner”) for the land
in respect of which he is desirous of obtaining a lease. Every such
application shall be in such form, and for blocks of such shape, as
may be directed by any regulation to be made under the authority
of this Act, and shall be accompanied by a payment of Two
Shillings and Sixpence for every acre of land included in such
application.

4. Every lease under this Act shall be for the period of twenty- Term and conditions
one years, computed from the date of application, and shall contain of lease.
covenants by the lessee that he will not use the demised land for
any

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any other purpose whatever; that he will pay all rates, taxes, assessments, and other impositions made, declared, assessed, or imposed upon the said demised premises, or any part thereof; that he will keep in good condition and repair all erections and improvements which may, during the currency of the lease, be erected or made upon the said demised land; that he will within two years commence, and during the remainder of the term carry on, the industry for which such land is demised, to the satisfaction of the Commissioner; that he will, at the end of three years from the commencement of his lease, and during the succeeding seven years of the said term, have and keep upon the said demised premises at least eight ostriches for every one thousand acres so leased; that he will, from the end of the tenth year, have and keep upon the said demised land twenty ostriches for every one thousand acres so leased; and will, at the end of the fourteenth year, and during the remainder of his said term, have and keep at least fifty ostriches for every one thousand acres so leased upon the said demised premises; and shall contain a power for the Commissioner, and every person by him authorised, at all times to enter upon the demised premises to view the state and condition thereof, and of the industry for which such land is demised; and shall contain such other covenants by the lessee, and be upon such other terms and conditions consistent with this Act, as the Governor may see fit to impose: Provided that the lessee shall annually furnish to the Commissioner of Crown Lands a return showing the number of ostriches on the land, and their ages. Such return shall be laid before Parliament.

Right of purchase.

5. Every such lease shall also contain a right by the lessee (subject to his performance of the covenants contained in such lease) to purchase the freehold of the land thereby demised at the price of One Pound per acre at the expiration of the termination of such lease, and shall also contain a proviso for forfeiture upon breach of any covenant therein contained to be performed by the lessee.

Lands may be granted.

6. Every lessee, having complied with the terms and conditions contained in his lease, shall, upon giving three months' previous written notice to the Commissioner of his intention to exercise the right of purchase, and upon payment of the sum of One Pound per acre (of which the sum of Two Shillings and Sixpence per acre paid on application shall be considered part), be entitled to, and the Governor is hereby authorised to issue, at the expiration of the term of such lease, a grant of the fee simple of the land comprised in such lease.

No lease to be for more than five thousand acres.

7. No person shall hold, either in his own name or in the name of any other person for or on his behalf, or be capable to have any interest whatever in, more than five thousand acres of land leased pursuant to this Act; and if any person shall so hold or have any interest in any such land in excess of the quantity hereby limited, all leases of land so held by him or on his behalf, or in which

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which he has any interest, shall be forfeited. The blocks to be leased under this Act shall be distant not less than five miles from each other.

8. No further lease shall be granted after one hundred thousand acres have been demised under the provisions of this Act: Provided that, in the computation of such one hundred thousand acres, there shall not be included any lands comprised in any lease which shall become forfeited, or the right to purchase which shall not be exercised.

Not more than one hundred thousand acres to be leased.

No person whose lease has been forfeited shall be afterwards allowed to hold any land under the provisions of this Act.

9. All moneys paid upon any application for a lease which shall afterwards become forfeited shall be forfeited, and the lands comprised in any such lease shall revert to the Crown, and may therefore be dealt with as Crown lands in the same manner as if they had never been demised.

Application money and improvements may be forfeited.

10. The lessee under this Act who shall first satisfy the Commissioner that he has reared on his said demised land, or placed thereon until the same are one year old, two hundred and fifty ostriches, and has otherwise complied with the conditions of this Act, shall be discharged from any further payment in respect of the said land, and shall be forthwith entitled to a grant of the fee simple thereof.

First lessee entitled to grant.

11. The Governor shall have power from time to time to make regulations for the carrying out of the objects, purposes, and provisions of this Act, and such regulations, when published in the *Government Gazette*, shall have the force of law; all such regulations shall be laid before Parliament within fourteen days after the publication thereof, if the Parliament be then sitting, and if the Parliament is not then sitting, within fourteen days after its next sitting for the dispatch of business.

Regulations.

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

WM. F. DRUMMOND JERVOIS, Governor.