**AGRICULTURAL COLLEGE ENDOWMENT ACT AMENDMENT BILL 1919**

**House of Assembly, 2 October 1919, pages 1059-60**

Second reading

**The COMMISSIONER of CROWN LANDS (Hon. E. A. Anstey)—**A block of land has been purchased which is more convenient to work in connection with the College, and it is desired to sell some of the land used by the College which is too far away. The report of the Parliamentary Draftsman states:—

This Bill is purely of an administrative character. The necessity for it arose out of a proposal to sell certain of the lands now used in connection with the Roseworthy Agricultural College, and to buy certain other land more conveniently situated for the purposes of the College. It was found on reference to the Act which endows the College with land, and which authorises the College to carry on the teaching of the science and practice of agriculture, and the branches of knowledge connected therewith, namely, the Agricultural College Endowment Act, 1886, that the Com­missioner of Crown Lands, although constituted a body corporate for the purposes of the Act under the name of Commissioner for Agricultural Endowments, has no power to acquire, hold, or sell land in his corporate capacity. The Act expressly vests in him certain specified lands, and authorises the Governor to grant to him Crown lands not exceeding in the aggregate 50,000 acres. But beyond the land so expressly dealt with, the Commissioner has no legal power to acquire or alienate land for .the purposes for which the College exists. The legal position has not, however, been clearly understood in the past, and as a matter of fact considerable land has been purchased for use in connection with the College, some of it being transferred to His Majesty, and some to the Commissioner for Agricultural Endowments. The land transferred to His Majesty has become Crown lands, and to vest it in the Commissioner it would be necessary for the Governor to grant it to the Commissioner under the Act of 1886. But this cannot be done, as the limit of land which may be granted for this purpose, namely, 50,000 acres, has already been reached. As to the land transferred to the Commissioner, the transfers have not been effectual to vest the title thereto in the Commissioner, because at the time of their execution and registration the Commissioner had no power to acquire land in his corporate capacity as Commissioner for Agricultural Endowments. It is now proposed to sell some of the land which was acquired after the passing of the Act of 1886, for use in connection with the College, and in its stead to purchase other land for the purposes of the Act. But in order to do this it is necessary, firstly, that the Commissioner should be in a position to confer a good title to the land sold, and, secondly, that he have capacity to deal with land. Clause 4 confers on the Commissioner, in addition to the powers already vested in him by the Act of 1886, all the usual powers of a body corporate, including that of acquiring, holding, leasing, and alienating land. Clause 5 enables him to acquire land compulsorily. It is not at present proposed to exercise this power, but it is desirable that the Commissioner should have this power should the necessity arise. It may be assumed that the College will grow, and the land in the neighborhood of the College which is unsuitable for use in teaching agriculture must necessarily be limited. The very exis­tence of such a power, quite apart from the exercise, has in many cases a very great influence in facilitating the acquisition of land by agreement. Clause 6 is the usual provision for disposal of surplus land. Amongst other things, it provides for a report of all. such transactions to be laid before Parliament annually. Clause 7 is of minor importance. It makes it quite clear that all the lands granted to the Commissioner under the Act of 1886 or acquired by him under this Bill are to be used for the teaching of agriculture and its kindred sciences, and not merely the actual College itself and the grounds immediately connected with it. There is a similar provision in subclause (5) of clause 8, with respect to lands acquired before the Bill becomes law. Clause 8 clears up the question of title to all the lands now used in connection with the College. Those lands transferred to His Majesty, already referred to, it vests in the Commissioner, and the clause authorises the Registrar of Deeds to make the necessary endowments

On the certificate's of title. As to lands transferred to the Commissioner for Agricultural Endowments, it declares them to be vested in him in his corporate capacity. The remaining portion of the land now used by the College is part section 704. This section appears never to have been granted to the College or alienated from the Crown at all. Clause 8 therefore vests that portion of the section used by the College in the Commissioner, and authorises the Governor to issue him a land grant therefor.

I move the second reading.

Mr, O’FLAHERTY secured the adjournment of the debate until October 7.