ANNO DECIMO TERTIO

GEORGII V REGIS.

A.D. 1922.

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Private Act.

An Act to authorise the Kingsland Irrigation Company, Limited, to construct a Dam or Dams across the Black Swamp Creek, to impound and sell Water, and for other purposes.

[Assented to, December 21st, 1922.]

WHEREAS a certain joint stock company has been lately formed and registered under the provisions of "The Companies Act, 1892," under the name or style of the "Kingsland Irrigation Company, Limited": AND WHEREAS the said Company is the owner of certain lands in the Hundred of Nangkita, County of Hindmarsh, situated on both sides and including the bed of a certain creek, called the "Black Swamp Creek," and the swamp adjoining, called the "Black Swamp": AND WHEREAS the said Company proposes to purchase certain other lands in the said Hundred, and to prepare the same and the land of which it is already the owner for intense culture by irrigation, and for that purpose to construct a dam or dams across the course of the said creek for impounding water, to excavate channels, to drain and clear the said lands, and to subdivide the same into blocks suitable for intense culture by irrigation, and to lease the said blocks and to supply water to the lessees of the said blocks and other persons: AND WHEREAS plans and sections of the proposed dam or dams and plans and sections of the proposed channels and of the proposed bridges or culverts to cross the said channels, signed by Lawrence Harcourt Landseer and George Harold Holland, two of the Directors of the said Company, and sealed with the seal of the said Company, have been deposited in the Survey Office, at Adelaide: AND WHEREAS the said Company is unable to completely carry out its objects without the authority of Parliament: AND WHEREAS it would be
of advantage to the State for its natural resources to be developed as proposed by the said Company: And whereas it is therefore expedient for certain additional powers to be granted to the said Company to carry out its objects—

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

1. This Act may be cited as the "Kingsland Irrigation Company Act, 1922."

2. In this Act the words "the Company" shall mean Kingsland Irrigation Company, Limited, its successors or assigns.

3. This Act shall not take effect until the Company shall have become the owner in fee simple of the lands (other than public reserves, public roads, and lands vested in the South Australian Railways Commissioner, hereinafter referred to as the "Railways Commissioner") lying immediately on either side and including the bed of the said creek from the site or sites of the proposed dam or dams, as far as is indicated by the line colored yellow in the plan in the Schedule hereto.

4. The Company is hereby empowered at its own expense to do, perform, and execute all such works, acts, matters, and things as may be necessary or expedient for—

   i. the erection, construction, and making of such dam or dams on the Company's land across the bed of the said creek and swamp in accordance with the deposited plans and sections, and for erecting, constructing, and making such other dam or dams as may from time to time be considered necessary by the Company for impounding all or any of the water flowing in the bed of the said creek or through the said swamp:

   ii. the excavation and the laying under or over and across the public roads and public reserves shown on the plan in the Schedule hereto of such channels and pipes for draining and irrigating the said lands as may be required for the purposes of the Company, such channels to be excavated, constructed, and made in accordance with the deposited plans and sections: Provided that the Company shall construct, erect, or make bridges or culverts over such channels where the same cross such public roads, such bridges or culverts to be constructed, erected, or made, in accordance with the deposited plans or sections and in such manner that the said public roads shall not at any time be closed to traffic: And the Company may from time to time, with the consent and approval of the District Council
Council or other the local authority for the time being of the district in which the said roads are situated, alter the position of such channels or such pipes or construct such other channels or lay such other pipes under or over and across the said public roads or such other public roads as may from time to time be opened in the said district:

III. the excavation and laying under, over, and across the railway shown on the said plan, and such other railway as may from time to time be constructed in the said Hundred of Nangkita, of such channels and pipes for draining and irrigating the said lands as may by the Company be considered necessary or expedient for the purposes of the Company: Provided that such channels shall be excavated and such pipes shall be laid and carried under, over, and across the railway under the supervision and to the satisfaction of the Railways Commissioner, and only at such places and by such routes as are approved in writing by the Railways Commissioner.

5. It shall be lawful for the Company, so long as it shall supply free of charge to the Railways Commissioner, at the site of the tank at Black Swamp siding now used by the Railways Commissioner for watering locomotive engines, or at such other place near thereto as the Railways Commissioner may select, with all fresh water required by him for railway purposes, to impound by the said dam or dams all or any of the water flowing in the bed of the said creek above the said dam or dams and which but for such dam or dams would or might have flowed into and above the bed of such creek below such dam or dams or into or through the said swamp.

6. The Company may, under conditions approved of by the Minister of Irrigation, sell or supply water to the lessees of the lands referred to in the preamble to this Act, or to any other persons who may desire to purchase the same.

7. If the Company shall fail to erect, construct, and make a dam across the course of the said creek and swamp within five years of the passing of this Act, all the powers and authorities given by this Act shall thereupon cease and determine, but such period of five years may from time to time be extended by the Governor.

8. All persons who shall have subscribed any money towards carrying the works of the Company hereby authorised into execution shall make payment to the Company of the sums severally subscribed by them.

9. The Company having deposited with the Treasurer of the State the sum of Three Hundred Pounds, being the amount reckoned on the estimate of the expense of the undertaking, as provided by the 34th Joint Standing Order of the Houses of Parliament relating to Private
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Private Bills, such sum shall be held by the Treasurer and returned to the company, its successors or assigns, on completion of a dam across the course of the said creek and swamp.

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

TOM BRIDGES, Governor.

SCHEDULE.

Adelaide: By authority, R. E. E. ROGERS, Government Printer, North Terrace.