



ANNO VICESIMO NONO

VICTORIÆ REGINÆ.

A.D. 1865-6.

No. 16.

An Act to amend the laws relating to the Leasing of the Waste Lands of the Crown, within the Province of South Australia, for Pastoral Purposes.

[Assented to, 16th March, 1866.]

WHEREAS it is desirable to amend the laws relating to the leasing of the waste lands of the Crown, within the Province of South Australia, for pastoral purposes—Be it therefore Enacted, by the Governor-in-Chief of the Province of South Australia, by and 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. The several lessees of the waste lands of the Crown for pastoral purposes, whose names and the number of whose leases are mentioned and described in the Schedules A, B, and C, to this Act annexed, or the assigns of the said several lessees respectively, shall be entitled to the benefit of this Act, by giving notice in writing to the Commissioner of Crown Lands and Immigration, within six months of the passing hereof, of their desire to surrender their present leases or rights of renewal, and obtain new leases, which notice may be in the form or to the effect following, that is to say—

Pastoral tenants may surrender and get fresh leases, on giving notice within six months of date of this Act.

To the Commissioner of Crown Lands. Sir—I [*name at full length*] of [*place of abode and description*], being the lessee of that portion of the waste lands of the Crown included in the lease [*or leases*] numbered *1*, do hereby give you notice that it is my desire to surrender such lease [*or leases*], and to obtain a fresh lease [*or leases*], under the Act No. *1* of 1866. Dated this *1* day of *1* 186 *1*. Provided

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Provided that no lessee shall be entitled to the benefit of this Act by surrendering a portion only of the lands held by him at the time of the passing of this Act which may be contiguous to one another and included in any one Schedule.

On receipt of notice, Governor may grant renewed lease.

2. On receipt of such notice, within the period aforesaid, it shall be lawful for the Governor to demise the lands to the lessee or assignee giving such notice, at the rent and for the term of years or respective terms of years to be ascertained as herein mentioned upon such conditions and clauses of forfeiture and of resumption as are or shall be prescribed by any regulations now in force or hereafter to be made touching the waste lands of the Crown demised for pastoral purposes: Provided that if any such demise shall terminate either by effluxion of time or otherwise, the land comprised therein shall not be re-let for pastoral purposes without the same having been first offered to be let to the person bidding the highest rent for the same at public auction: Provided also that all lands surrendered by any lessee which are contiguous to one another and included in any one Schedule shall be demised by one lease only, and no lease under this Act shall contain lands included partly in one Schedule and partly in another Schedule.

Term for which renewed leases to be granted.

3. The term for which the renewed lease shall be granted to any lessee, for land held under one lease only, included in any one Schedule, not being contiguous to any other land in the same Schedule demised to such lessee, shall be the unexpired time of the term granted by the surrendered lease, and the additional number of five years to which the lessee may be entitled by virtue of the Act No. 20 of 1858, and the additional number of years herein mentioned, according to the Schedule in which the lands intended to be demised are included, that is to say—if such lands be in Schedule A, the additional number of years shall be three; if such land be in Schedule B, the additional number of years shall be six; if such land be in Schedule C, the additional number of years shall be ten.

Term for which renewed leases to be granted of lands contiguous to one another.

4. The term for which the renewed lease shall be granted to any lessee for lands contiguous to one another included in any one Schedule, and held by him at the time of the passing of this Act, under several leases, shall be the average of the unexpired time of the several terms granted by the surrendered leases respectively, such average being calculated with reference to the area and the unexpired time of such leases respectively, the additional number of five years to which the lessee may be entitled by virtue of the Act No. 20, of 1858, and the additional number of years herein mentioned according to the Schedule in which the lands intended to be demised are included, that is to say, if such lands be in Schedule A the additional number of years shall be three; if such lands shall be in Schedule B the additional number of years shall be six; and if such lands be in Schedule C the additional number of years shall be ten.

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5. The rents to be reserved upon demises made in pursuance of this Act, shall be as follows:—

Rent to be payable
under new leases.

- i. Where the lands shall have been valued under the provisions of the Act passed in the 22nd year of the reign of Her present Majesty, No. 20, intituled "An Act for an Assessment on Stock, and for other purposes," and the lessee shall hold such lands under or by virtue of one lease only, then during the unexpired term for which such lessee would, except for this Act be entitled to hold such lands, the rent shall be the amount ascertained by the said Act, subject to any reductions therein for improvements, according to such valuation, and for the remainder of the term the rent shall be the amount so ascertained as aforesaid without any reduction for improvements that may have been allowed under Act No. 8 of 1864:
- ii. When the lands shall have been valued as aforesaid, and the lessee shall hold the same under or by virtue of two or more leases, then, during the term for which such lessee would be entitled, except for this Act, to hold the whole of such land, the rent shall be the amount ascertained by the said Act, subject to any reductions therein for improvements according to such valuations; but when and so soon as the term of any lease, except for this Act, would have expired, the rent payable under the new lease shall be increased by such an amount as shall have been fixed by such valuations as aforesaid, in respect of the lands included in the original lease, without any reduction for improvements, and so on from time to time until the whole of the leases, except for this Act, would have expired, and for the remainder of the term the rent shall be for the total amount so ascertained as aforesaid, without any reduction for improvements: Provided nevertheless, that whenever the lessee shall not have been allowed the full value of his improvements, according to such valuation, by reduction in the rent as provided by Act No. 8 of 1864, the rent payable under the renewed lease for the additional number of years, as provided by this Act, shall be reduced so that the said lessee may be allowed the value of such improvements: Provided that in no case shall the rent payable be less than Ten Shillings per square mile.
- iii. Where the lands shall not have been valued as aforesaid, the rent under the new lease or leases shall be the amount of rent, or rent and assessment, as the case may be, payable under the original lease or leases, or in respect of the lands therein contained; but when and as often the term of any lease would, except for this Act, have expired, the lands included therein shall be valued, as provided by the said Act, No. 20 of 1858, and the future rent shall be the sum to be ascertained, as is provided in the preceding part of the section, as though the land had been valued at the time of the passing of this Act.

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Lessees under renewed leases not to be entitled to renewal.

6. No lessee holding any new lease under this Act shall be entitled to any further right of renewal, or to any compensation for improvements, save and except for such improvements of a permanent character as are mentioned in the Act No. 22 of 1864; but at the expiration of any such lease the lands therein included, together with all improvements made thereon, shall vest absolutely in Her Majesty, Her heirs and successors for the uses of the said Province.

Term for which future leases to be granted.

7. Leases of waste lands of the Crown for pastoral purposes which have not heretofore been held under lease, may be granted for a term not exceeding twenty-five years, and at the expiration of such term, the lands and all improvements thereon shall absolutely revert to the Crown.

Interpretation.

8. Where the word "Lessee" occurs in this Act, it shall mean as well lessee as the assignee, or personal representative of such lessee.

Short title.

9. This Act may be cited as "The Waste Lands Amendment Act, 1865-6."

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

D. DALY, Governor.

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SCHEDULES REFERRED TO.

A

No. of Lease.	Name of Lessee.	No. of Lease.	Name of Lessee.
6	Tinline & Fisher	319	Tinline & Fisher
7	Ware & Chapman	332A	Grant & Stokes
10	J. Gilbert	332B	John Taylor
14	Robert Stevens	333	Grant & Stokes
15	W. T. Salter	333A	P. Levi
*22	H. Ayers	344	J. Taylor
26	A. McCulloch	345	G. Hiles
30	A. McCulloch	348	Dare & Mundy
32	A. Scott	350	H. J. Richman
33	A. Barker	360	C. Swinden
55	A. Scott	361	J. Taylor
56	J. H. Angas	362	C. Swinden
57	John Taylor	371	W. L. Marchant
59	H. J. Richman	372	A. McCulloch
64A	George Hiles	381	J. Taylor
*69	B., G., & J. Ragless	383	Price Maurice
74	A. W. T. Grant	394	A. W. T. & F. A. Grant
74A	Phillips, Waterhouse, & Milne	400	G. S. Williams
†80	P. Maurice	401	P. McKechnie
†107	D. Cudmore	405	J. Williams
†108	J., W. C., & T. R. Bowman	413	Levi & Williams
109	J. & A. Hallett	421	John Ellis
110	J. H. Angas	426	A. Scott
112	J. Williams	426A	W. T. Salter
113	J. Williams	427	J. McKechnie
121	J. H. Angas	434	Levi & Williams
122	Grant & Stokes	438	A. Stewart
137	M. Forster	445	E. Stirling
138	M. Forster	448	P. Maurice
*235	A. W. T. & F. A. Grant	449	J., W. C. & T. R. Bowman
237	J., W. C., & T. R. Bowman	456	A. McCulloch
239	A. McCulloch	463	P. Levi
241	A. Scott	465	P. Levi
245	P. Maurice	467	John Ellis
247	W. C., John, & T. R. Bowman	472	A. Stewart
248	W. C., John, & T. R. Bowman	477	P. Levi
251	A. W. T. Grant	480	J. McKechnie
255	J. Gilbert	486	J. McKechnie
262	J. Williams	492	John Ellis
262A	W. L. Marchant	522	A. Scott
263	Philip Levi	530	J. McKechnie
264	John Taylor	536	P. Levi
268	P. Maurice	541	P. Levi
269	J. McKechnie	559	C. Swinden
274	J. Taylor	570	J. Taylor
279	George Hiles	579	J. H. Angas
281	Tinlre & Fisher	601	J. Williams
†288	D. Cudmore	594	Messrs. Hope, Moorhouse, Foster, Faulding, & Fisher
290	A. W. T. Grant	610	Levi & Williams
291	A. W. T. Grant	632	W. T. Salter
297	A. W. T. Grant	690	J. Taylor
301	P. Levi	707	J. McKechnie
308	B., G., & J. Ragless	717	G. S. Williams
311	Price Maurice		

* Partly in Class A and partly in Class B. † Part excluded from extension.

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No. of Lease.	Name of Lessee.	No. of Lease.	Name of Lessee.
721	F. H. Dutton	780	A. Tennant
823	J. Taylor	796	Heath & Wooldridge
897	A. D. Tassie	800	H. C. Hawson
898	A. D. Tassie	801	H. C. Hawson
899	A. D. Tassie	816	Jno. Forster
904	P. McKechnie	821	W. A. Horn
908	A. D. Tassie	838	Jno. Kelsh
911	J. McKechnie	839	Jno. Kelsh
1024	J. Taylor	917	Heath & Wooldridge
1029	H. J. Richman	921	H. C. Hawson
1030	H. Holroyd	926	Jno. Forster
1037	A. D. Tassie	927	Jas. Thompson
1039	C. Swinden	936	H. C. Hawson
1099	H. J. Richman	937	H. C. Hawson
1101	J. McKechnie	943	H. C. Hawson
1120	John Morphett	947	Heath & Wooldridge
1124	P. Levi	972	F. W. Frampton
1134	J. Jonas	973	F. W. Frampton
1137	J. Taylor	974	James Geharty
453	J. C. Marchant	976	A. Schlinke
487	Acraman & Co.	1038	Hoskin & Bryant
491	G. Hawson	1079	Hoskin & Bryant
495	Tennant and Love	1080	Hoskin & Bryant
514	J. C. Marchant	1087	H. C. Hawson
580	C. W. Dutton	1090	Crawford & Linklater
727	J. C. Marchant	1091	Carlisle & Irwin
831	Acraman & Co.	1093	H. C. Hawson
856	Bishop & Baird	1098	W. A. Horn
932	Tennant & Love	1102	Dalwood, Goode, & Good
935	Bishop & Baird	1109	H. A. Crawford
969	J. & T. Kelsh	1110	James Hiern
611	W. A. Horn	1111	James Linklater
675	H. A. Crawford	1129	Crawford & Linklater
726	H. C. Hawson	1152	Dalwood, Goode, & Good
779	W. A. Horn	1154	H. A. Crawford

B

No. of Lease.	Name of Lessee.	No. of Lease.	Name of Lessee.
*22	H. Ayers	271A	W. J. & J. H. Browne
50	J. Taylor	271B	P. Butler
*69	B., G., & J. Ragless	273	W. J. & J. H. Browne
76	W. J. & J. H. Browne	276	Grant & Phillips
82	C. Thorold	276A	W. J. & J. H. Browne
83	W. L. Marchant	280	Grant & Phillips
84	W. J. & J. H. Browne	282	A. W. T. & F. A. Grant
117	Grant & Phillips	285	H. Ayers
118	Grant & Phillips	287	J. & A. Hallett
119	M. Gillies	298	J. & A. Hallett
120	M. Gillies	*299	Daniel McCullum
141	W. J. & J. H. Browne	300	Ware & Chapman
141A	Samuel Sleep	305	A. P. Marryat
229	A. McCulloch	306	Giles & Bocaut
231	S. Boord	307	P. Levi
233	P. Butler	307A	Gooch, Hayward & Scott
*235	A. W. T. & F. A. Grant	313	W. J. & J. H. Browne
238	C. Davies	313A	A. W. T. Grant
252	Grant & Phillips	†313	Chas. Thorold
259	F. W. Stokes	316	Taylor & Smith
260	P. Butler	317	F. W. Stokes
266	C. Thorold	318	W. Warwick

* Partly in Class A, and partly in Class B.

† Partly in Class B, and partly in Class C.

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No. of Lease.	Name of Lessee.	No. of Lease.	Name of Lessee.
327	S. Sleep	517	J. F. Hayward
328	M. Gillies	517A	Saml. Sleep
331	A. McCulloch	524	A. McCulloch
334	C. Davies	528	J. F. Hayward
340	A. W. T. & F. A. Grant	528A	W. J. & J. H. Browne
341	D. McAllum	531	P. Levi
342	W. Warwick	531A	Gooch, Hayward, & Scott
343	P. Butler	543	Alex. Stewart
352A	J. G. Sims	545	Barritt & Duffield
352B	A. W. T. & F. A. Grant	546	F. A. Grant
369	A. Scott	551	S. King
373	A. P. Marryat	552	S. Sleep
382	S. Boord	553	Dare & Mundy
388	John Taylor	597	A. McCulloch
392	W. L. Marchant	602	A. P. Marryat
398	Dare & Mundy	606	P. Butler
399	J. & A. Hallett	639	Grant & Stokes
408	W. J. & J. H. Browne	645A	J. Williams
414	G. S. Williams	645B	A. P. Marryat
417	P. Butler	668	J. & R. Ragless
418	F. W. Stokes	669	B, G., & J. Ragless
419	S. Tomkinson	670	B., G., & J. Ragless
420	C. Davies	671	B., G., & J. Ragless
425	W. L. Marchant	672	O. Ragless
428	A. McCulloch	677	W. R. Swan
429	W. J. & J. H. Browne	688	O. Ragless
†435	H. S. Price	745	A. P. Marryat
436	Phillips & Grant	746	A. P. Marryat
439	W. Warwick	793	J. Hedger
447	W. J. & J. H. Browne	867	J. Keynes
454	Dare & Mundy	869	J. Keynes
455	W. J. & J. H. Browne	870	J. Keynes
459	J. F. Hayward	984	R. Bruce
459A	Saml. Sleep	1011	A. Scott
462	C. Swinden	1025	J. Taylor
462A	Gooch, Hayward, & Scott	1026	Gooch, Hayward, & Scott
462B	P. Levi	1040	Ware & Chapman
466	J. Wills	1058	J. Keynes
469	F. A. Grant	1059	J. Keynes
488	W. R. Swan	1060	J. Keynes
496	C. Davies	1077	A. Scott
497	H. S. Price	1089	R. Hicks
498	W. J. & J. H. Browne	1103	Gooch, Hayward, & Scott
499	F. A. Grant	1121	T. Brinkworth
504	A. Barker	1131	J. Waller
512	J. Taylor	1132	J. Waller
515	S. Sleep	1148	Gooch, Hayward, & Scott
516	C. Thorold	1149	Gooch, Hayward & Scott
516A	Grant & Phillips		

C

No. of Lease.	Name of Lessee.	No. of Lease.	Name of Lessee.
94	C. H. Armytage	339	L. McBean
236A	P. Levi	351	W. J. & J. H. Browne
236B	J. F. Hayward	359	J. Baker
242	C. H. Armytage	367	P. Levi
289	W. J. & J. H. Browne	368	J. Baker
299	W. J. & J. H. Browne	379	R. B. Smith
312	S. Boord	393	J. F. Hayward
335	W. R. Swan	403	J. Baker

† Partly in Class B, and partly in Class C.

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No. of Lease.	Name of Lessee.	No. of Lease.	Name of Lessee.
404	P. Levi	673	J. T. & R. Brown
407	W. J. & J. H. Browne	681	W. R. Swan
415	J. & A. Hallett	699	D. McAllum
416	Giles & Boucaut	709	R. B. Smith
422	P. Levi	718	W. R. Swan
424	H. S. Price	733	J. Warwick
432	W. J. & J. H. Browne	756	J. Thyer
§435	H. S. Price	764	Giles & Boucaut
437	J. Baker	879	Giles & Boucaut
441	C. H. Armytage	890	P. Waite
442	J. Baker	895	C. H. Armytage
443	P. Levi	896	C. H. Armytage
444	P. Levi	900	C. H. Armytage
446	P. Levi	901	C. H. Armytage
457	S. Boord	922	W. Warwick
458	P. Levi	941	S. Davidson
460	S. Boord	942	S. Davidson
464	R. B. Smith	944	J. Chewings
475	J. Baker	945	J. Chewings
476	P. Levi	946	W. Cockrum
478	A. Scott	960	I. Killicoat
489	J. Baker	961	A. McCulloch
500	H. S. Price	985	S. Sleep
501	S. Boord	994	Chas. Swinden
503	P. Levi	995	Richd. Bosworth
505	Giles & Boucaut	1003	J. Warwick
506	Taylor & Smith	1005	Thomson, Stobie, & Fowler
508	W. L. Marchant	1055	T. Worsnop
509	G. Vickery	1057	T. Worsnop
513	G. Vickery	1128	Richd. Bosworth
523	C. Swinden	68	J. White
533	P. Levi	86	J. Chambers
537	W. Warwick	87	E. M. Bagot
538	H. S. Price	93	D. Cudmore
548	P. Waite	95	J. Chambers
550	D. McAllum	246	J & A. Hallett
550 ^A	W. R. Swan	253	C. H. Armytage
563	W. J. & J. H. Browne	275	J. & A. Hallett
567	Giles & Boucaut	303	J. Chewings
576	Taylor & Smith	304	Levi & Sprigg
576 ^A	Taylor & Smith	330	J. Hart
581	J. Chewings	347	J. Whyte
582	C. Swinder.	353	E. M. Bagot
585	C. Swinden	353 ^A	J. F. Cudmore
586	W. J. & J. H. Browne	370	C. H. Armytage
591	J. M. McBride	378	J. Whyte
596	A. Scott	380	D. Cudmore
616	P. Levi	386	J. Chambers
617	P. Levi	387	Levi & Sprigg
618	P. Levi	389	J. Chambers
619	H. S. Price	397	Levi & Sprigg
620	P. & J. Cadby	402	Duffield & Harrold
629	J. H. Angas	431	J. & A. Hallett
629 ^A	P. Levi	468	A. Scott
634	W. J. & J. H. Browne	470	J. H. Angas
635	W. J. & J. H. Browne	470 ^A	P. Levi
636	W. J. & J. H. Browne	471	J. & A. Hallett
648	W. R. Swan	473	G. Vickery
649	P. Levi	490	A. Scott
650	P. Levi	518	G. Vickery
656	P. Waite	520	D. Power

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No. of Lease.	Name of Lessee.	No. of Lease.	Name of Lessee.
526	Duffield & Harrold	711	I. P. Hall
527	T. Elder	714	W. & J. Jacobs
529	A. Scott	715A	Crase & Moyle
535	J. & A. Hallett	715	W. & J. Jacob
540	T. Elder	716	J. Baker
544	Messrs. Thomas	723	J. Taylor
549	Dare & Mundy	730	Levi & Sprigg
556	J. Scott	731	J. & A. Hallett
557	P. Levi	734	J. H. Angas
558	Levi & Sprigg	735	P. Levi & Sprigg
560	J. McTaggart	742	Dare & Mundy
560A	M. D. & J. McCallum	743	J. & A. Hallett
562	T. Elder	744	J. H. Angas
564	Levi & Sprigg	747	J. Taylor
565	T. Elder	748	J. Taylor
566	Jas. Thomas	749	J. Taylor
572	I. P. Hall	750	J. Taylor
575	G. H. Davenport	760	J. H. Angas
577	G. Vickery	765	Levi & Watts
581	J. Chewings	777	Younghusband & Ferguson
583	J. Chambers	781	Davenport & Power
587	H. McConville	786	Davenport & Power
592	J. Scott	806	P. Levi
593	R. Smart	812	J. Whyte
595	W. & J. Jacob	813	J. Whyte
598	P. Levi	833	Levi & Watts
603	I. P. Hall	834	Lucas & Reid
605	R. Beetson	836	J. H. Angas
607	Duffield & Harrold	873	Elder & Smith
613	W. & J. Jacob	878	Elder & Smith
613A	Crase & Moyle	880	T. Elder
615	M. D. & J. McCallum	881	T. Elder
621	P. Levi	882	Elder & Smith
622	J. Baker	888	Levi & Sprigg
626	J. H. Angas	889	Levi & Sprigg
630	J. Baker	891	I. P. Hall
631	H. C. Gleeson	892	Levi & Sprigg
637	Dare & Mundy	893	Levi & Sprigg
640	J. Baker	894	Elder & Smith
641	J. Baker	903	J. Baker
643	I. P. Hall	905	Davenport & Fowler
647	H. C. & J. W. Gleeson	907	P. Levi
651	Milne, Tomkinson, & Waterhouse	909	E. M. Bagot
652	John McAllum	910	J. F. Cudmore
653	Duffield & Co.	919	J. Taylor
654	Duffield & Co.	920	J. Taylor
655	Dare & Mundy	924	P. Levi
657	J. Chewings	925	P. Levi
658	W. R. Swan	928	Davenport & Power
659	J. & A. Hallett	939	T., T. H., & A. Mathews
665	Levi & Sprigg	944	J. Chewings
666	Levi & Sprigg	948	C. H. Armytage
674	Milne & Tomkinson	949	P. Levi
676	J. T. & R. Browne	950	P. Levi
678	Levi & Sprigg	951	P. Levi
679	Levi & Sprigg	952	P. Levi
680	J. Chewings	953	P. Levi
682	J. H. Angas	954	P. Levi
686	James Thomas	955	P. Levi
689	J. McTaggart	956	P. Levi
700	J. & A. Hallett	957	P. Levi
702	I. P. Hall	958	J. Taylor
703	I. P. Hall	966	P. Ferguson

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No. of Lease.	Name of Lessee.	No. of Lease.	Name of Lessee.
968	J. Baker	1100	Smith & Russell
971	R. Standley	1104	I. P. Hall
977	J. Taylor	1105	Younghusband & Ferguson
978	P. Levi	1106	I. P. Hall
979	P. Levi	1112	Duffield & Co.
987	W. & J. Jacob	1113	Duffield & Co.
988	W. & J. Jacob	1115	J. Taylor
996	Thomas Elder	1116	J. Taylor
997	W. & J. Jacob	1117	J. Taylor
1012	R. B. Lucas	1119	J. Whyte
1019	R. B. Lucas	1122	P. Levi
1020	Levi & Watts	1125	Levi & Sprigg
1021	J. Reed	1133	T. Elder
1046	G. H. Davenport	1135	Freeman & Murray
1049	T. Elder	1138	R. Beetson
1050	T. Elder	1141	P. Levi
1051	R. B. Smith	1142	P. Levi
1052	R. B. Smith	1143	D. Power
1054	J. Chambers	1144	D. Power
1071	J. Taylor	1145	Gregory Hawson
1086	J. Chambers	1150	J. Chambers
1088	J. F. Cudmore	1151	J. Chewings
1092	Duffield & Co.		

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

D. DALY, Governor.