



1849.

No. 7.

ORDINANCE Enacted by the Governor of South Australia, with the advice and consent of the Legislative Council thereof.

To Quiet Titles to Lands granted by the Crown under Reservation of a Royalty on Metallic Ores.

[14th August, 1849.]

WHEREAS, in pursuance of instructions from the Right Honourable Secretary of State for the Colonies, certain regulations for the Sale of Waste Lands belonging to the Crown in South Australia were made by the then Lieutenant Governor of the Province, with the advice and consent of the Council of Government, bearing date the third, and published in the *South Australian Government Gazette* the fifth days of March, one thousand eight hundred and forty-six, whereby it was provided that there should be reserved to Her Majesty, Her heirs and Successors, one-fifteenth of all Metals, and Ores containing Metals, lying upon, in, or under such lands, payable at the mouth of the pit, gallery, or quarry from which they might be raised : And whereas on the sixteenth day of August, one thousand eight hundred and forty-eight, the said Royalty reservations were discontinued by the present Lieutenant-Governor, with the advice and consent of the Council of Government, until the further signification of Her Majesty's commands : And whereas Her Most Gracious Majesty, through the Right Honourable the Principal Secretary of State for the Colonies, was pleased to signify Her Royal will and pleasure, conceding to the expressed wishes of the Great Body of the Community in South Australia, the free and entire relinquishment of the said Royalty or Seignorage

Preamble.
3rd March, 1846.
16th August, 1848.

Seignorage: And whereas during the subsistence of the said Regulations certain Waste Lands of the Crown were alienated and conveyed by Deeds of Grant containing certain provisions and reservations for securing to Her Majesty the due render and delivery of the Royalty or Seignorage, and other rights reserved by the said regulations: And it is expedient to quiet the titles of Her Majesty's subjects, holding or entitled to hold any lands so granted or conveyed as aforesaid:

All Grants containing reservations of a Royalty on metallic ores to be construed as if no such reservation were therein contained.

Be it therefore Enacted and declared by the Governor of South Australia, with the advice and consent of the Legislative Council thereof—That all Deeds of Grant and Conveyances of any Crown Lands made and issued pursuant to the before recited Regulations, and wherein any Provision or Reservation is inserted for securing the aforesaid Royalty or Seignorage, and other rights incident thereto, shall be construed as if no such Provisions or Reservations were therein contained or expressed.

Commencement.

II. And be it Enacted, That this Ordinance shall commence and take effect from the passing thereof.

H. E. F. YOUNG,
Lieutenant-Governor.

*Passed the Legislative Council, this }
Fourteenth day of August, One }
Thousand Eight Hundred and }
Forty-nine.*

W. L. O'HALLORAN,
Clerk of Council.