



1847.

No. 16.

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

To Facilitate the Recovery of Assessments under the Crown Lands Ordinance, No. 11 of 1846.

[23rd September, 1847.]

*Repealed by
No. 10 - 1848.*

WHEREAS by an Ordinance passed on the Twenty-eighth day of August, One thousand eight hundred and forty-six, intituled "An Ordinance to regulate the Occupation of Crown Lands in South Australia," it was enacted, that there should be paid and levied in each and every year in respect of all Cattle depastured or kept upon any Waste Lands of the Crown, an Assessment of Sixpence for every head of great Cattle, and One penny for every head of small Cattle: AND WHEREAS many persons liable under the said Ordinance to the payment of such Assessment have neglected and still neglect to pay the same: AND WHEREAS in cases where the Commissioners of Crown Lands have omitted, or may omit, to serve Notices upon Persons so liable within the period prescribed by the said Ordinance, doubts may arise whether Payment of the amount of

Preamble:
1846, No. 11.

of Assessment, and the Penalty for the non-payment of the same, can be enforced:

Execution of the powers for recovery of Assessment authorised, although notice not served within the time prescribed.—In past cases.

BE IT THEREFORE ENACTED by the GOVERNOR OF SOUTH AUSTRALIA, with the advice and consent of the LEGISLATIVE COUNCIL thereof: THAT if any Person liable to be Assessed under the Provisions of the said Ordinance, upon whom Notice has been served in manner prescribed by the said Ordinance, of the amount in which he has been so Assessed for any year, notwithstanding such service shall not have been within the period required by the said Ordinance, shall neglect to pay the amount of such Assessment within One calendar Month after the passing of this Ordinance, it shall be lawful for any Commissioner of Crown Lands to put in execution the Powers and Provisions of the said Ordinance, in like manner as if such Notice had been served within the time thereby prescribed.

In future cases.

II. AND BE IT ENACTED, that if any Person so liable as aforesaid, upon whom any such Notice shall be served after the passing of this Ordinance, requiring payment of such Assessment within One calendar Month from and after such service, notwithstanding such service shall not be within the period required by the said Ordinance, shall neglect to pay the amount of such Assessment within One calendar Month after such service, it shall be lawful for any such Commissioner to put in execution the Powers and Provisions of the said Ordinance, in like manner as if such Notice had been served within the time thereby prescribed, anything in the said Ordinance contained to the contrary notwithstanding.

Want of form in Notice.

III. AND BE IT ENACTED, that no want of Form in the Notice of the amount of Assessment shall be deemed to invalidate such Notice, so long as the amount Assessed is clearly set forth therein.

Commencement of Ordinance.

IV. AND BE IT ENACTED, that this Ordinance shall commence and take effect from and after the passing thereof.

FREDK. H. ROBE,
Lieutenant Governor.

Passed the Legislative Council this Twenty-third day of September, One thousand eight hundred and forty-seven.

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