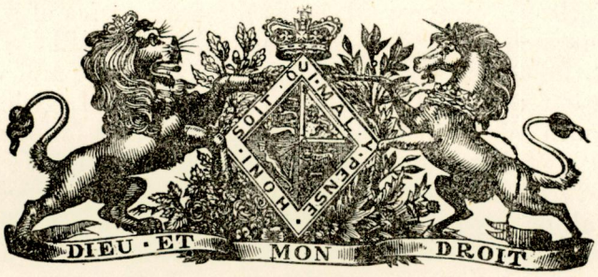


This Private Bill *originated in the* Legislative Assembly, *and, having this day passed, is now ready for presentation to the* Legislative Council *for its concurrence.*

Legislative Assembly Chamber,
Sydney, 30 *May,* 1876.

STEPHEN W. JONES,
Clerk of Legislative Assembly.

New South Wales.

ANNO TRICESIMO NONO

VICTORIÆ REGINÆ.

* *

An Act to enable Elizabeth Nevell and Joseph Nevell interested under the Will of the late John Nevell to lease certain lands near Cudgegong in the Colony of New South Wales.

Preamble.

WHEREAS John Nevell late of Carwell in the District of Mudgee in the Colony of New South Wales farmer deceased duly made and executed his last will and testament in writing bearing date the twenty-third day of August one thousand eight hundred and fifty-one whereby the said testator devised all his real estate of whatsoever description and wheresoever the same might be situated to the use of his wife Elizabeth Nevell and her assigns for the term of her natural life for her sole and separate use and benefit free from the debts control or interference of any husband with whom she might thereafter intermarry And from and immediately after her decease As to all that parcel of land containing one thousand and twenty acres more or less situated in the county of Roxburgh in the Colony aforesaid known as Oakborough on the Cudgegong River purchased by the said testator from Edward Cox and coloured yellow on the plan to the said will annexed to the use of the said testator's

son Joseph Nevell and his assigns for the term of his natural life without impeachment of waste And from and immediately after the decease of the said Joseph Nevell to the use of all and every the child and children of the said Joseph Nevell for ever with cross limitations of the shares original and accruing of each of them on his or her dying under the age of twenty-one years without leaving issue to the use of the survivors equally share and share alike as tenants in common And in the event of there being no child or children of the said Joseph Nevell who should attain the age of twenty-one years or die under that age without leaving lawful issue him or her surviving to the use of the said testator's right heirs for ever And whereas the said testator died on the eighth day of October one thousand eight hundred and fifty-four without having revoked or altered his said will And whereas valuable mines of quicksilver and other minerals and substances have been discovered within upon or under the said lands hereinbefore particularly mentioned or some of them And whereas it is greatly for the benefit of all the parties interested in the said lands that the said Elizabeth Nevell and Joseph Nevell should be empowered to grant leases of the said lands for long terms of years but no power to grant such leases is contained in the said will Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled as follows:—

Power to grant mining leases in upon or under devised lands.

1. It shall be lawful for the said Elizabeth Nevell and Joseph Nevell to grant leases by deed for any term of years not exceeding twenty-one years of all or any part of the lands hereinbefore specifically mentioned and described (containing one thousand and twenty acres more or less) for the purposes of mining thereon and of all and every or any of the mines quarries veins strata leads quicksilver and all other minerals whatsoever unopened or opened in under or upon the said lands together with any part of the same which may be thought necessary or convenient to be held for buildings roads or ways or other purposes with such mines or quarries together with full liberty and authority to search for work win take use and dispose of all such ores and minerals as shall be found therein and to sink and make such pits shafts adits and mineral works as may be thought necessary or expedient and to erect and use any smelting refining or other furnaces or mills fire steam or other engines and machinery workmen's and other houses buildings sheds or other conveniences and to use all other lawful ways and means whatsoever not only for finding separating and cleansing any of the said minerals but for converting any of them into a manufactured condition and also to take and use sufficient ground-room heap-room and pit-room for placing or manufacturing any of the said minerals and for laying the waste refuse or rubbish to be from time to time produced from the said mines and quarries and also with free and full liberty to use or to make and use all proper and convenient railways tramways or other ways for the carriage of materials and articles to such mines or quarries and for the carriage and delivery of any of the said minerals with horses carts waggons and other carriages and generally upon such terms and with such stipulations as shall be reasonable usual or necessary for any of the purposes aforesaid so that in every such lease there be reserved and made payable the best and most improved yearly rent dues duties tolls or royalties that can be reasonably obtained for the same without taking any fine premium or foregift for the granting thereof and so as there be contained in every such lease proper and reasonable covenants and agreements by every such lessee for the due payment of such rent dues duties tolls or royalties thereby reserved and for the working and management of the said mines quarries and works and a power of re-entry for nonpayment of such rents dues duties

tolls

tolls or royalties and so as the respective lessees duly execute a duplicate or counterpart of such leases Provided however that no such lease shall be granted unless the terms and conditions thereof be settled and approved of by the Master in Equity who shall by memorandum under his hand determine what portion of the rent payable under any such lease shall be reserved and paid for the use and benefit of the children of the said Joseph Nevell Provided that no greater portion of the said land than one hundred acres shall be the subject of any lease at any one time during such term of twenty-one years but that all the leases granted shall expire at the expiration of twenty-one years from the passing of this Act.

2. This Act shall be styled the "Nevell's Leasing Act of 1876." Short title.

Sydney: Thomas Richards, Government Printer.—1876.

NEVELL'S LEASING BILL.

SCHEDULE of the Amendments referred to in Message of 28th June, 1876.

Page 3, clause 1, line 5. *After* "rent" *insert* "duties tolls and royalties"
" " line 6. *Omit* "and paid" *insert* "or invested and if invested in "what manner from time to time"

This PRIVATE BILL *originated in the* LEGISLATIVE ASSEMBLY, *and, having this day passed, is now ready for presentation to the* LEGISLATIVE COUNCIL *for its concurrence.*

Legislative Assembly Chamber,
Sydney, 30 *May,* 1876.

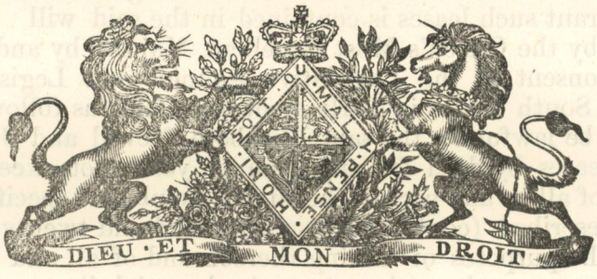
STEPHEN W. JONES,
Clerk of Legislative Assembly.

The LEGISLATIVE COUNCIL *has this day agreed to this Bill with Amendments.*

Legislative Council Chamber,
Sydney, 28*th June,* 1876.

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO QUADRAGESIMO

VICTORIÆ REGINÆ.

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WHEREAS John Nevell late of Carwell in the District of Mudgee in the Colony of New South Wales farmer deceased duly made and executed his last will and testament in writing bearing date the twenty-third day of August one thousand eight hundred and fifty-one whereby the said testator devised all his real estate of whatsoever description and wheresoever the same might be situated to the use of his wife Elizabeth Nevell and her assigns for the term of her natural life for her sole and separate use and benefit free from the debts control or interference of any husband with whom she might thereafter intermarry And from and immediately after her decease As to all that parcel of land containing one thousand and twenty acres more or less situated in the county of Roxburgh in the Colony aforesaid known as Oakborough on the Cudgegong River purchased by the said testator from Edward Cox and coloured yellow on the plan to the said will annexed to the use of the said testator's son Preamble.

NOTE.—The words to be *omitted* are ruled through; those to be *inserted* are printed in **black letter.**

son Joseph Nevell and his assigns for the term of his natural life without impeachment of waste And from and immediately after the decease of the said Joseph Nevell to the use of all and every the child and children of the said Joseph Nevell for ever with cross limitations of the shares original and accruing of each of them on his or her dying under the age of twenty-one years without leaving issue to the use of the survivors equally share and share alike as tenants in common And in the event of there being no child or children of the said Joseph Nevell who should attain the age of twenty-one years or die under that age without leaving lawful issue him or her surviving to the use of the said testator's right heirs for ever And whereas the said testator died on the eighth day of October one thousand eight hundred and fifty-four without having revoked or altered his said will And whereas valuable mines of quicksilver and other minerals and substances have been discovered within upon or under the said lands hereinbefore particularly mentioned or some of them And whereas it is greatly for the benefit of all the parties interested in the said lands that the said Elizabeth Nevell and Joseph Nevell should be empowered to grant leases of the said lands for long terms of years but no power to grant such leases is contained in the said will Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled as follows:—

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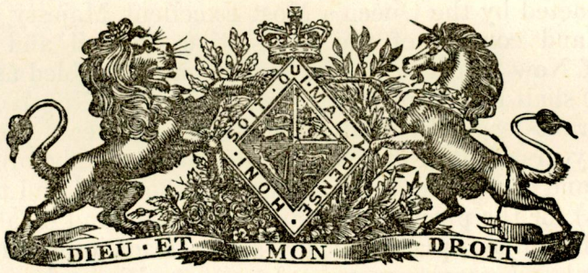
Sydney: Thomas Richards, Government Printer.—1876.

[3*d*.]



New South Wales.

ANNO QUADRAGESIMO

VICTORIÆ REGINÆ.

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An Act to enable Elizabeth Nevell and Joseph Nevell interested under the Will of the late John Nevell to lease certain lands near Cudgegong in the Colony of New South Wales.

[Assented to, 28th July, 1876.]

Preamble.

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By Authority: THOMAS RICHARDS, Government Printer, Sydney, 1876.

[3*d*.]