



**THE STATES assembled on Thursday  
16th November 2017, at 09.30 a.m. under  
the Presidency of the Greffier of the States,  
Dr. Mark Egan.**

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All members were present at roll call with the exception of –

Senator Philip Francis Cyril Ozouf – en défaut (défaut raised at 9.37 a.m.)  
Senator Alan John Henry Maclean – en défaut (défaut raised at 9.40 a.m.)  
Senator Sir Philip Martin Bailhache – excused attendance (arrived in the Chamber at 10:00 a.m.)  
Connétable Sadie Anthea Le Sueur-Rennard of St. Saviour – en défaut (défaut raised at 9.40 a.m.)  
Deputy Geoffrey Peter Southern of St. Helier – en défaut (défaut raised at 9.40 a.m.)  
Deputy Susan Jane Pinel of St. Clement – en défaut  
Deputy Richard John Rondel of St. Helier – ill

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Prayers

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### Notification of lodged propositions

Draft Budget Statement 2018 (P.90/2017): eighth amendment. P.90/2017.  
Lodged: 16th November 2017. Amd.(8)  
*Senator P.F.C. Ozouf.*

### Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment P.84/2017

THE STATES resumed consideration of the proposition of the Chief Minister entitled ‘Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment’ (P.84/2017), as amended, and, adopting a proposition of Senator Paul Francis Routier, M.B.E., agreed, in accordance with the provisions of Standing Order 84, that the debate on the principles be put to the vote.

Members present voted as follows –

#### **POUR: 28**

Senator P.F. Routier  
Senator P.F.C. Ozouf  
Senator P.M. Bailhache  
Senator A.K.F. Green  
Senator S.C. Ferguson  
Connétable of St. Clement  
Connétable of St. Peter  
Connétable of St. Mary  
Connétable of St. Ouen  
Connétable of St. Brelade  
Connétable of St. Martin  
Connétable of St. Saviour  
Connétable of Grouville  
Connétable of St. John  
Connétable of Trinity  
Deputy J.A. Hilton (H)

#### **CONTRE: 16**

Connétable of St. Helier  
Connétable of St. Lawrence  
Deputy J.A. Martin (H)  
Deputy G.P. Southern (H)  
Deputy of Grouville  
Deputy K.C. Lewis (S)  
Deputy M. Tadier (B)  
Deputy of St. John  
Deputy M.R. Higgins (H)  
Deputy S.Y. Mézec (H)  
Deputy of St. Ouen  
Deputy L.M.C. Doublet (S)  
Deputy R. Labey (H)  
Deputy S.M. Wickenden (H)  
Deputy T.A. McDonald (S)  
Deputy P.D. McLinton (S)

#### **ABSTAIN: 1**

Senator I.J. Gorst

Deputy J.A.N. Le Fondré (L)  
Deputy of Trinity  
Deputy E.J. Noel (L)  
Deputy J.M. Maçon (S)  
Deputy of St. Martin  
Deputy R.G. Bryans (H)  
Deputy of St. Peter  
Deputy A.D. Lewis (H)  
Deputy S.M. Bree (C)  
Deputy M.J. Norton (B)  
Deputy of St. Mary  
Deputy G.J. Truscott (B)

THE STATES, adopting the proposition of the Chief Minister, as amended –

- (1) subject to paragraph (3) agreed that –
  - (a) the States Assembly should select its Speaker either from amongst the elected members of the Assembly, or by appointing a person who was not a Member of the Assembly but who would be eligible for election to the Assembly;
  - (b) the States Assembly should select a Deputy Speaker from amongst the elected members of the Assembly;
  - (c) the selection and appointment of the Speaker and Deputy Speaker should be the first items of business for any new States Assembly and, should either office become vacant during the term of an Assembly, be the first item of business at the next scheduled meeting of the Assembly;
  - (d) the Speaker and Deputy Speaker should be elected to serve for the duration of an Assembly term, or for the remainder of the Assembly's term if (for any reason) they were elected mid-term;
  - (e) the process for electing the Speaker and Deputy Speaker should follow a similar format as those for the election of the Chief Minister, Ministers and Scrutiny Panel Chairmen;
  - (f) provision should be made for the Speaker and Deputy Speaker to resign and/or be removed from office by the States Assembly;
  - (g) the Speaker should be required to act impartially, and be seen to act impartially, at all times. To that end, the Speaker may not lodge propositions, table questions, participate in debates or vote on propositions. Upon being elected, the Speaker would be required to resign from any membership of a political party;
  - (h) the Deputy Speaker should be required to act impartially when chairing meetings of the Assembly and undertaking official duties related to their role as Deputy Speaker. When not acting as Deputy Speaker, the Member elected to this post may continue to lodge propositions, table questions, participate in debates, vote on propositions and sit on scrutiny panels;
  - (i) the functions of the Speaker should include –
    - (i) fulfilling all the functions of the Presiding Officer as set out in the States of Jersey Law 2005 and the Standing Orders of the States of Jersey;
    - (ii) representing the States Assembly both within Jersey and overseas;

- (iii) promoting the development of the States Assembly and democracy in Jersey;
- (j) the functions of the Deputy Speaker should include –
  - (i) fulfilling the functions of the Speaker in the absence of, or at the request of, the Speaker or at any other time when the office of Speaker became vacant;
  - (ii) supporting the Speaker in representing the States Assembly within Jersey and overseas;
  - (iii) supporting the work of the Speaker in promoting the development of the States Assembly and democracy in Jersey;
- (k) the additional resources required to support a Speaker and Deputy Speaker should be provided for within the current structure of the States Greffe;
- (l) the Bailiff should remain as the Civic Head of Jersey, continue to swear in Members of the States Assembly in the Royal Court, Preside in the Assembly during the process of electing a Speaker, and be invited to Preside in, or address the Assembly, on ceremonial and other appropriate occasions;
- (2) the Privileges and Procedures Committee, with the support of the Chief Minister’s Office, should bring forward all necessary actions, including legislative amendments, to implement these changes in time for the Assembly to select and appoint a Speaker and Deputy Speaker at its first meeting in 2019, provided that any such legislative amendments must include provisions for an Appointed Day Act which should only be brought to the Assembly after the elections of May 2018;
- (3) paragraphs (1) and (2) should be void and of no effect unless the majority of the people voting in a referendum on the question of whether the Bailiff should remain the President of the States, held in accordance with the Referendum (Jersey) Law 2017, had voted against the Bailiff remaining the President of the States.

Members present voted as follows –

**POUR: 25**

Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator A.J.H. Maclean  
 Senator I.J. Gorst  
 Senator L.J. Farnham  
 Senator P.M. Bailhache  
 Senator A.K.F. Green  
 Senator S.C. Ferguson  
 Connétable of St. Lawrence  
 Connétable of St. Martin  
 Connétable of St. John  
 Deputy of Grouville  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy of Trinity  
 Deputy K.C. Lewis (S)  
 Deputy E.J. Noel (L)  
 Deputy of St. Martin

**CONTRE: 21**

Connétable of St. Helier  
 Connétable of St. Clement  
 Connétable of St. Peter  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Connétable of Trinity  
 Deputy J.A. Martin (H)  
 Deputy G.P. Southern (H)  
 Deputy M. Tadier (B)  
 Deputy of St. John  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy S.Y. Mézec (H)  
 Deputy A.D. Lewis (H)  
 Deputy R. Labey (H)  
 Deputy S.M. Bree (C)

**ABSTAIN: 0**

Deputy R.G. Bryans (H)	Deputy M.J. Norton (B)
Deputy of St. Peter	Deputy T.A. McDonald (S)
Deputy of St. Ouen	Deputy P.D. McLinton (S)
Deputy L.M.C. Doublet (S)	
Deputy S.M. Wickenden (H)	
Deputy of St. Mary	
Deputy G.J. Truscott (B)	

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(c), Senator Sir Philip Martin Bailhache declared an interest which was not financial, and remained in the Chamber for the duration of the debate on the proposition of the Chief Minister.

### Roll Call

During consideration of the proposition of the Chief Minister entitled ‘Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment’ (P.84/2017), as amended, the Presiding Officer, in accordance with Standing Order 56(1), directed that elected members be summoned as the Assembly was inquorate. In accordance with Standing Order 56(2), having allowed such time as he considered reasonable for elected members to return to the Chamber, the Presiding Officer asked the Greffier to call the roll, as he believed that the States remained inquorate.

The following members were present in the Chamber for this second roll call –

Senator P.F. Routier  
 Senator I.J. Gorst  
 Senator A.K.F. Green  
 Senator S.C. Ferguson  
 Connétable of St. Helier  
 Connétable of St. Clement  
 Connétable of St. Peter  
 Connétable of St. Lawrence  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Connétable of St. John  
 Deputy G.P. Southern (H)  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy K.C. Lewis (S)  
 Deputy M. Tadier (B)  
 Deputy M.R. Higgins (H)  
 Deputy S.Y. Mézec (H)  
 Deputy of St. Ouen  
 Deputy S.M. Bree (C)  
 Deputy T.A. McDonald (S)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)

**Draft Road Works and Events (Jersey) Law 2016 (Appointed Day) (No. 2) Act 201- P.85/2017**

THE STATES, in pursuance of Article 71 of the Road Works and Events (Jersey) Law 2016, made an Act entitled the Road Works and Events (Jersey) Law 2016 (Appointed Day) (No. 2) Act 2017.

**Draft Road Works (Embargo Periods and Protected Roads) (Jersey) Regulations 201- P.86/2017**

THE STATES commenced consideration of the Draft Road Works (Embargo Periods and Protected Roads) (Jersey) Regulations 201- and adopted the principles.

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Regulations 1 to 4.

THE STATES, in pursuance of Articles 28, 29 and 68 of the Road Works and Events (Jersey) Law 2016, made Regulations entitled the Road Works (Embargo Periods and Protected Roads) (Jersey) Regulations 2017.

Members present voted as follows –

**POUR: 31****CONTRE: 0****ABSTAIN: 0**

Senator A.J.H. Maclean  
 Senator P.M. Bailhache  
 Senator A.K.F. Green  
 Senator S.C. Ferguson  
 Connétable of St. Helier  
 Connétable of St. Clement  
 Connétable of St. Peter  
 Connétable of St. Lawrence  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Martin  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Connétable of St. John  
 Connétable of Trinity  
 Deputy J.A. Martin (H)  
 Deputy of Grouville  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy of Trinity  
 Deputy K.C. Lewis (S)  
 Deputy E.J. Noel (L)  
 Deputy of St. John  
 Deputy J.M. Maçon (S)  
 Deputy of St. Peter  
 Deputy L.M.C. Doublet (S)  
 Deputy S.M. Bree (C)  
 Deputy T.A. McDonald (S)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy P.D. McLinton (S)

**Draft Road Works and Events (Consequential Provisions) (Jersey) Regulations 201- P.87/2017**

THE STATES commenced consideration of the Draft Road Works and Events (Consequential Provisions) (Jersey) Regulations 201- and adopted the principles.

Members present voted as follows –

**POUR: 29**

**CONTRE: 0**

**ABSTAIN: 0**

Senator A.J.H. Maclean  
 Senator A.K.F. Green  
 Senator S.C. Ferguson  
 Connétable of St. Helier  
 Connétable of St. Clement  
 Connétable of St. Peter  
 Connétable of St. Lawrence  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Martin  
 Connétable of Grouville  
 Deputy J.A. Martin (H)  
 Deputy of Grouville  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy of Trinity  
 Deputy K.C. Lewis (S)  
 Deputy E.J. Noel (L)  
 Deputy of St. John  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy of St. Peter  
 Deputy of St. Ouen  
 Deputy L.M.C. Doublet (S)  
 Deputy S.M. Bree (C)  
 Deputy T.A. McDonald (S)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy P.D. McLinton (S)

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Regulations 1 and 2.

THE STATES, in pursuance of Article 69(4) of the Road Works and Events (Jersey) Law 2016, made Regulations entitled the Road Works and Events (Consequential Provisions) (Jersey) Regulations 2017.

**Draft Maintenance Orders (Enforcement) (Amendment No. 3) (Jersey) Law 201- P.89/2017**

THE STATES commenced consideration of the Draft Maintenance Orders (Enforcement) (Amendment No. 3) (Jersey) Law 201- and adopted the principles.

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Articles 1 to 4.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Maintenance Orders (Enforcement) (Amendment No. 3) (Jersey) Law 201-.

**Draft Marriage and Civil Status (Amendment No. 4) (Jersey) Law 201- P.91/2017**

THE STATES commenced consideration of the Draft Marriage and Civil Status (Amendment No. 4) (Jersey) Law 201- and adopted an amendment of the Chief Minister (P.91/2017 Amd.)

THE STATES, resuming consideration of the Draft Marriage and Civil Status (Amendment No. 4) (Jersey) Law 201-, as amended, adopted the principles.

Members present voted as follows –

**POUR: 33**

Senator P.F. Routier  
 Senator L.J. Farnham  
 Senator P.M. Bailhache  
 Senator A.K.F. Green  
 Senator S.C. Ferguson  
 Connétable of St. Helier  
 Connétable of St. Clement  
 Connétable of St. Lawrence  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Brelade  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Connétable of St. John  
 Deputy J.A. Martin (H)  
 Deputy of Grouville  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy of Trinity  
 Deputy K.C. Lewis (S)  
 Deputy M. Tadier (B)  
 Deputy of St. John  
 Deputy J.M. Maçon (S)  
 Deputy R.G. Bryans (H)  
 Deputy S.Y. Mézec (H)  
 Deputy L.M.C. Doublet (S)  
 Deputy R. Labey (H)  
 Deputy S.M. Wickenden (H)  
 Deputy S.M. Bree (C)  
 Deputy T.A. McDonald (S)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy P.D. McLinton (S)

**CONTRE: 1**

Connétable of St. Martin

**ABSTAIN: 2**

Connétable of Trinity  
 Deputy of St. Ouen

THE STATES, having been informed by the Chairman of the Corporate Services Scrutiny Panel that, in accordance with the provisions of Standing Order 72(1), he wished to have the Draft Marriage and Civil Status (Amendment No. 4) (Jersey) Law 201- referred to that Scrutiny Panel, agreed that, in accordance with the provisions of Standing Order 72(6), the 2nd reading of the draft Law should be listed to continue on 30th January 2018.

**Jersey Appointments Commission: re-appointment of Commissioner P.92/2017**

THE STATES, adopting a proposition of the States Employment Board entitled 'Jersey Appointments Commission: re-appointment of Commissioner' (P.92/2017), re-appointed Professor Edward Sallis, O.B.E. as a Commissioner of the Jersey Appointments Commission, in accordance with Article 18 of the Employment of States of Jersey Employees (Jersey) Law 2005, until 31st October 2019.

**Arrangement of public business for future meetings**

THE STATES agreed the following arrangement of public business for future meetings proposed, as amended, by the Chairman of the Privileges and Procedures Committee in accordance with the provisions of Standing Order 88(3) –

**27th November 2017**

*(Meeting to commence at 2.45 p.m. on Monday 27th November 2017. Consideration of Public Business to commence at 9.30 a.m. on 28th November 2017.)*

Draft Budget Statement 2018. Lodged: 3rd October 2017. <i>Minister for Treasury and Resources.</i>	P.90/2017.
Draft Budget Statement 2018 (P.90/2017): amendment. Lodged: 14th November 2017. <i>Connétable of St. Helier.</i>	P.90/2017. Amd.
Draft Budget Statement 2018 (P.90/2017): second amendment. Lodged: 14th November 2017. <i>Connétable of Grouville.</i>	P.90/2017. Amd.(2)
Draft Budget Statement 2018 (P.90/2017): third amendment. Lodged: 14th November 2017. <i>Deputy S.Y. Mézec of St. Helier.</i>	P.90/2017. Amd.(3)
Draft Budget Statement 2018 (P.90/2017): fourth amendment. Lodged: 15th November 2017. <i>Senator P.F.C. Ozouf.</i>	P.90/2017. Amd.(4)
Draft Budget Statement 2018 (P.90/2017): fifth amendment. Lodged: 15th November 2017. <i>Senator P.F.C. Ozouf.</i>	P.90/2017. Amd.(5)
Draft Budget Statement 2018 (P.90/2017): sixth amendment. Lodged: 15th November 2017. <i>Senator P.F.C. Ozouf.</i>	P.90/2017. Amd.(6)
Draft Budget Statement 2018 (P.90/2017): seventh amendment. Lodged: 15th November 2017. <i>Senator P.F.C. Ozouf.</i>	P.90/2017. Amd.(7)
Draft Budget Statement 2018 (P.90/2017): eighth amendment. Lodged: 16th November 2017. <i>Senator P.F.C. Ozouf.</i>	P.90/2017. Amd.(8)
Draft Finance (2018 Budget) (Jersey) Law 201-. Lodged: 17th October 2017. <i>Minister for Treasury and Resources.</i>	P.98/2017.



Draft Finance (2018 Budget) (Jersey) Law 201- (P.98/2017): amendment. Lodged: 14th November 2017. <i>Connétable of St. Helier.</i>	P.98/2017. Amd.
Draft Public Employees (Pensions) (Deferred Pensions, Transfer Payments and Refund of Contributions) (Miscellaneous Amendments) (Jersey) Regulations 201-. Lodged: 10th October 2017. <i>Chief Minister.</i>	P.93/2017.
Draft Public Employees (Pensions) (Deferred Pensions, Transfer Payments and Refund of Contributions) (Miscellaneous Amendments) (Jersey) Regulations 201- (P.93/2017): amendment. Lodged: 14th November 2017. <i>Chief Minister.</i>	P.93/2017. Amd.
Draft Loi (201-) (Amendement No. 6) sur la propriété foncière. Lodged: 11th October 2017. <i>Chief Minister.</i>	P.94/2017.
Draft EU Legislation (Payment Services – SEPA) (Amendment) (Jersey) Regulations 201-. Lodged: 17th October 2017. <i>Chief Minister.</i>	P.99/2017.
Short-Term Incapacity Allowance: lower threshold. Lodged: 23rd October 2017. <i>Deputy G.P. Southern of St. Helier.</i>	P.102/2017.
Minimum Wage: revocation of Social Security Order (R&O.109/2017) and amendment of States Act dated 21st April 2010. Lodged: 31st October 2017. <i>Deputy S.Y. Mézec of St. Helier.</i>	P.109/2017.
<b><u>11th December 2017</u></b>	
<i>(Meeting to commence at 2.30 p.m. on Monday 11th December 2017. Consideration of Public Business to commence at 9.30 a.m. on 12th December 2017.)</i>	
Draft Public Health and Safety (Rented Dwellings) (Jersey) Law 201-. Lodged; 17th July 2017. <i>Minister for the Environment.</i>	P.66/2017.
States Employment Board: living wage 2017. Lodged: 31st July 2017. <i>Deputy G.P. Southern of St. Helier.</i>	P.72/2017.
Draft Petty Debts Court (Miscellaneous Amendments) (Jersey) Regulations 201-. Lodged: 12th October 2017. <i>Chief Minister.</i>	P.95/2017.
Draft States of Jersey (Appointment Procedures) (Jersey) Law 201-. Lodged: 13th October 2017. <i>Privileges and Procedures Committee.</i>	P.97/2017. (re-issue)
Jersey Infrastructure Levy: approval in principle. Lodged: 20th October 2017. <i>Minister for the Environment.</i>	P.100/2017.

Draft Royal Court (Amendment No. 15) (Jersey) Law 201- Lodged: 23rd October 2017. <i>Deputy M. Tadier of St. Brelade.</i>	P.101/2017.
Draft Employment (Minimum Wage) (Amendment No. 14) (Jersey) Regulations 201- Lodged: 24th October 2017. <i>Minister for Social Security.</i>	P.104/2017.
Draft Howard Davis Farm (Arrangements for further Abrogation of Covenant) (Jersey) Law 201- Lodged: 24th October 2017. <i>Minister for Infrastructure.</i>	P.105/2017.
Draft Statistics and Census (Jersey) Law 201- Lodged: 27th October 2017. <i>Chief Minister.</i>	P.106/2017.
Future Hospital: approval of preferred scheme and funding. Lodged: 31st October 2017. <i>Minister for Treasury and Resources.</i>	P.107/2017.
Independent Jersey Care Inquiry Report: implementation of recommendations. Lodged: 31st October 2017. <i>Chief Minister.</i>	P.108/2017.
Draft Public Finances (Amendment No. 5) (Jersey) Law 201- Lodged: 7th November 2017. <i>Minister for Treasury and Resources.</i>	P.111/2017.
<b><u>16th January 2018</u></b>	
Draft Road Traffic (No. 63) (Jersey) Regulations 201- Lodged: 17th July 2017. <i>Minister for Infrastructure.</i>	P.67/2017.
JT Group Limited: restructuring of enterprise. Lodged: 12th October 2017. <i>Senator S.C. Ferguson.</i>	P.96/2017.
JT Group Limited: restructuring of enterprise (P.96/2017) – comments. Presented: 13th November 2017. <i>Council of Ministers.</i>	P.96/2017. Com.
JT Group Limited: restructuring of enterprise (P.96/2017) – amendment. Lodged: 31st October 2017. <i>Senator S.C. Ferguson.</i>	P.96/2017. Amd.
Draft Connétables (Amendment No. 2) (Jersey) Law 201- Lodged: 14th November 2017. <i>Privileges and Procedures Committee.</i>	P.112/2017.
Income Support: reinstatement of single parent component. Lodged: 15th November 2017. <i>Health and Social Security Scrutiny Panel.</i>	P.113/2017.

**30th January 2018**

Jersey Electricity plc.: referral of stand-by charges to the Channel Islands Competition and Regulatory Authorities. P.88/2017.  
Lodged: 26th September 2017.  
*Deputy of Grouville.*

Draft Marriage and Civil Status (Amendment No. 4) (Jersey) Law 201-. P.91/2017.  
Lodged: 3rd October 2017.  
*Chief Minister.*

Draft Liquor Licensing (Jersey) Law 201-. P.103/2017.  
Lodged: 24th October 2017.  
*Minister for Economic Development, Tourism, Sport and Culture.*

THE STATES rose at 5.29 p.m.

**W. MILLOW**

*Acting Greffier of the States*