



NEW ZEALAND GOVERNMENT GAZETTE.

(PROVINCE OF NEW MUNSTER.)

Published by Authority.

All Public Notifications which appear in this Gazette, with any Official Signature thereunto annexed, are to be considered as Official Communications made to those persons to whom they may relate, and are to be obeyed accordingly.

By His Excellency's Command,
ALFRED DOMETT, Colonial Secretary.

VOL IV.] WELLINGTON, FRIDAY, AUGUST 22, 1851. [No. 21

*Colonial Secretary's Office,
Wellington, 19th August, 1851.*

HIS EXCELLENCY the Governor directs it to be notified that **HIS HONOR MATTHEW RICHMOND, Esq.**, Superintendent at Nelson, has been appointed to receive Claims under the "New Zealand Company's Land Claimant's Ordinance," for the District of Nelson, and refer the same to the Commissioners appointed under the said Ordinance.

By His Excellency's Command,
ALFRED DOMETT,
Colonial Secretary.

NOTICE TO LAND CLAIMANTS.

*Colonial Secretary's Office,
Wellington, 19th August, 1851.*

HIS EXCELLENCY the Governor directs it to be notified that all claims under the provisions of the New Zealand Company's Land Claimants Or-

dinance, Session XI., No. 15, made by persons resident in New Zealand, must be sent in to the Government on or before the 1st January, 1852.

Persons claiming land under original or derivative title from the New Zealand Company, are accordingly requested to give the necessary notice immediately to either of the following officers, namely:

- At Wellington:—The Colonial Secretary of New Munster.
- Nelson:—His Honor the Superintendent.
- New Plymouth:—The Commissioner of Crown Lands.
- Auckland:—The Colonial Secretary of New Ulster.

Printed Forms of Notice and Application may be obtained at the Offices of the Commissioners of Crown Lands in each settlement.

By His Excellency's Command,
ALFRED DOMETT,
Colonial Secretary.

*Colonial Secretary's Office,
Wellington, 19th August, 1851.*

HIS EXCELLENCY the Governor has been pleased to make the following appointments under the Ordinance of the Legislative Council of the New Zealand Islands, intituled "*The New Zealand Company's Land Claimants Ordinance*," No. 15 of Session XI.:

FRANCIS DILLON BELL, Esquire, to be Commissioner for the Wellington District.

JOHN POYNTER, Esquire, and The Honorable CONSTANTINE AUGUSTUS DILLON,

to be Commissioners for the District of Nelson.

WILLIAM HALSE, Esquire, to be Commissioner for the District of New Plymouth,

to carry out the provisions of the said Ordinance.

By His Excellency's Command,
ALFRED DOMETT,
Colonial Secretary.

*Colonial Secretary's Office,
Wellington, August 19th, 1851.*

HIS EXCELLENCY the Governor has been pleased to appoint

MR. HENRY COOPER DANIELL,

to be Clerk to the Commissioner of Crown Lands for the Nelson District. The appointment to have effect from the 1st March last.

By His Excellency's Command,
ALFRED DOMETT,
Colonial Secretary.

*Colonial Secretary's Office,
Wellington, 19th August, 1851.*

HIS EXCELLENCY the Governor has been pleased to appoint

J. DICKEN, Esquire,

to lay informations under the 1st Clause of the "*Native Land Purchase Ordinance*" No. 19 of Session VII., against persons acting contrary to the provisions of the said Ordinance, within the limits of the District of Akaroa.

By His Excellency's Command,
ALFRED DOMETT,
Colonial Secretary.

*Colonial Secretary's Office,
Wellington, 18th August, 1851.*

HIS EXCELLENCY the Governor has been pleased to make the follow-

ing appointments and promotions in the Customs Department of the Province of New Munster; to have effect from the dates set opposite the names of the Officers respectively:

Port of Wellington.

MR. EDWARD CATCHPOOL, to be First Landing Waiter, (18th Aug. 1851.)

MR. CHARLES SHARP, to be Tide Surveyor, (1st August 1851.)

MR. WILLIAM EADES, to be *Acting* Clerk and Warehouse-keeper, (18th Aug. 1851.)

MR. DAVID JOHNSTONE, to be Second Landing Waiter, (1st Aug. 1851.)

MR. ROBERT BANNISTER, to be Second Clerk, (19th February 1851.)

Port Victoria.

WILLIAM JOHN WARBURTON HAMILTON, Esquire, to be Sub-Collector (21st May, 1851), *vice* HENRY GODFREY GOULAND, Esquire, transferred to Akaroa.

MR. JOHN MACARTHY, to be Landing Waiter, (18th August, 1851.)

Akaroa.

HENRY GODFREY GOULAND, Esquire, to be Sub-Collector, (1st September, 1851.)

By His Excellency's Command,
ALFRED DOMETT,
Colonial Secretary.

*Crown Lands' Office,
Wellington, 19th August, 1851.*

NOTICE IS HEREBY GIVEN, that all applications for Pasture and Timber Licenses in this District, are in future to be addressed to the Under-signed.

Applicants for Cattle and Sheep Runs are particularly requested to give a detailed description of the boundaries thereof, in the form prescribed by the published "*Rules and Regulations for the Issues of Licenses*;" and wherever practicable, to send in a plan or sketch of the land applied for.

Copies of the Regulations and printed Forms of Application may be obtained at this Office.

F. D. BELL,
Commissioner of Crown Lands.

*Colonial Secretary's Office,
Wellington, 19th August, 1851.*

HIS EXCELLENCY the Governor has directed the publication of the following Regulations relating to the occupation of Crown Lands for the Depasturing of Stock, and for Cutting Timber.

By His Excellency's Command,
ALFRED DOMETT,
Colonial Secretary.

RULES AND REGULATIONS

FOR THE ISSUE OF PASTURE AND TIMBER
LICENSES FOR THE OCCUPATION OF
WASTE LANDS OF THE CROWN OUTSIDE
HUNDREDS.

Issue of Depasturing Licenses outside the Boundaries of Proclaimed Hundreds.

1. All persons requiring Licenses for Runs on unoccupied portions of the Crown Lands, or for portions of the same which they now occupy, shall lodge a description of such run (as near as may be in the form of Schedule B. hereunto annexed,) with the Commissioner of Crown Lands for the District in which such Run is situated.

2. If no objection exist to the applicant being allowed to occupy such Run, the Commissioner will thereupon publicly notify that it has been claimed as a Run, and he will at the same time publish (in the *Government Gazette*, or in a local newspaper) whenever he has the means of so doing, the name of the person claiming the Run, and the description of it.

3. No person shall be allowed to dispute the claim of another person to any Run described according to these Regulations, unless he shall do so within three months subsequently to the date of the publication above alluded to.

4. From the date of the expiration of the above named period of three months, the applicant will be required to pay rent for the Run at the rate and in the manner after mentioned; and he will be required to distinguish, by marked trees or posts, or in such manner as shall be satisfactory to the Commissioner, such boundaries of the Run as are not distinctly defined by streams or natural boundaries.

5. Any person who shall have a Run, or any considerable part thereof unoccupied by the requisite amount of stock for

a period of six months after he shall have claimed the same, shall be liable to be regarded as having abandoned such Run or part thereof; and if the Commissioner of Crown Lands shall find it necessary publicly to notify that such Run or part thereof has been so abandoned, it shall thereupon be given into the occupation of the first applicant for it.

6. In estimating the Sufficiency of Stock for any Run applied for, the Commissioner shall not allow for natural increase in any proportions, with respect to the amounts of Stock on the Run, greater than those set forth in the following scale:—

For any number of Sheep up to 500 inclusive run to be granted for any number not exceeding	5000 Sheep
For every additional hundred between 500 and 1000 for	500 additional [Sheep.
„ 1000 and 3000	400 „
„ 3000 and 5000	200 „
„ 5000 and 10,000	100 „

And in no case shall a Run be granted capable of containing more than 25,000 Sheep. In estimating runs for great Cattle, one head of such cattle shall be rated as six sheep.

7 In case of any question arising as to attempts to evade the foregoing Regulation, or to obtain unduly the benefits thereof, the Commissioner shall have full power to decide such questions in such manner as may most effectually carry out the true spirit and meaning of such Regulation.

8. So soon after the time at which rent for a Run may have become payable under these Regulations, as the occupant may in the opinion of the Commissioner have sufficiently stocked the same, he will be entitled to a License to depasture Stock upon it for fourteen years in the form of Schedule A. hereunto annexed, and subject to the following conditions:

1st. If at any time during the currency of such License the land comprised therein, or any part thereof, shall be included within the boundaries of any Hundred, the said license shall cease and determine as to so much of the land as shall be included within such boundaries, from and after the day of the date of the Proclamation by which such Hundred shall be constituted.

2nd. If at any time during the currency of such License, the land comprised therein, or any part

thereof, shall be sold by or on behalf of the Crown, then and in that case also the said License shall cease and determine as to so much of the land as shall be so sold as aforesaid, from and after the day of the date of the *Government Gazette* in which notice of such sale shall be published.

3rd. The annual license fee shall be in all cases at least five pounds, and each person who occupies a run shall pay annually in addition a further license fee at the rate of one pound sterling for every thousand sheep above five thousand which the run so occupied shall be estimated to be capable of containing, and in the same proportion for Great Cattle; six Sheep being rated as one head of Great Cattle.

4th. If at any time during the currency of such License, such Annual fees, and the Annual assessment imposed by law, should not be paid by the holder of it, in the manner and at the time required by the Local Ordinance, and by these Regulations; then and in that case the said License shall cease and determine, and the Commissioner of Crown Lands will thereupon be empowered to notify publicly the forfeiture of such License, and to let the Run to which it relates by public auction to the highest bidder, for a term of 14 years, subject to the conditions of these regulations and of any law for the regulation of pastoral pursuits.

9. No such License for fourteen years will be granted to any applicant for a Run until he shall have paid all arrears of rent and assessments which may be owing by him for such Run.

10. In the event of any dispute arising between two or more claimants regarding the boundaries of their respective Runs, it shall be in the power of the Commissioner of Crown Lands to make such alterations in the boundaries of their Runs, or of any of them as he may, upon enquiry judge to be just and expedient.

11. Every proper facility will be afforded for the acquisition of homesteads on their Runs, not exceeding eighty acres, to persons who may be desirous of purchasing the same; but the Government will not undertake to survey and offer for sale any smaller block than fifty acres of land.

12. Whenever it becomes necessary to offer for sale by public auction any homestead of the licensed occupier of a Run on which he has made improvements, such improvements will be valued by two arbitrators appointed respectively by the Government and by the lessee, or by an umpire chosen by them, and the homestead will be offered for sale at a price made up of the upset price of the land and the value of the improvements. Should the holder of the License not become the purchaser, the value of his improvements, estimated as above, will be paid to him immediately after the sale. But should there be no bidding for such homestead, the holder of the License will be required to purchase the land at the upset price immediately after the sale. Should he not do so, the Government will at any time sell the homestead at the price at which it shall have been last offered to the holder of the License, or at any other price which it may judge expedient.

ISSUE OF TIMBER LICENSES.

13. Persons occupying waste land of the Crown, for the purpose of cutting timber, will be required to pay a fee of Five Pounds yearly to the Crown upon the issue of the License.

14. The Commissioner of Crown Lands will determine the extent of land to which such License shall give a right of occupancy, and the Licenses are only to have effect within the district specified in them.

15. No fresh applicant for a License will be permitted injuriously to interfere with a portion of forest upon which any other person may have expended capital and labour.

16. In the event of any occupant of a portion of forest, upon which he may have expended any considerable sum in the formation of roads or improvements to facilitate the removal of timber, wishing to resign his license, he will, if in the consideration of the Commissioner he should be regarded as having established a claim to this indulgence, be permitted to transfer his license and right of pre-occupancy to such person as he may select.

17. All applicants for Timber Licenses must address their applications to the Commissioner of Crown Lands, stating their names and residences in full.

18. When the application has been

approved, it will be forwarded to the Colonial Treasurer, by whom, upon payment of the required fee, the License will be issued.

19. No person will be allowed to cut or remove timber, on or from the Crown Lands, which have been reserved by Government for the public use.

20. The form of Timber License will be according to Schedule C. herenuto annexed.

GENERAL.

21. All Annual Licenses to be drawn so as to expire simultaneously on the last day of each year.

22. Licenses applied for after the 1st June in each year, will only be chargeable with half of the usual fee.

23. Licenses to be signed and issued by the Colonial or Provincial Treasurer, upon payment of the proper fee.

24. No License will preclude the Government from including within a Hundred, or Selling, or will in any way affect the rights of the Crown to Land occupied in virtue of such Licenses.

25. All disputes between holders of Licenses having reference to depasturing

Stock, or cutting Timber, shall be heard and decided by the Commissioner of Crown Lands, who is authorised by the Crown Lands Ordinance to charge, at his discretion, to the party against whom his decision shall be made, a fee of Five Pounds.

26. Licenses for depasturing purposes can be transferred from one person to another, with the authority of the Government previously obtained through the Commissioner of Crown Lands.

27. These Regulations are not intended to affect any rights already acquired by occupants of purchased Land, to depasture upon Crown Lands in their vicinity a certain quantity of Cattle in proportion to the extent of purchased Land which they may occupy, whether such rights have been acquired under Regulations issued by the Government, or by the New Zealand Company.

By His Excellency's Command,
ALFRED DOMETT,
Colonial Secretary.

Wellington,
19th August, 1851.

SCHEDULE A.

FORM OF LICENSE.

WHEREAS _____ of _____ has made application for a License to (depasture Stock) upon the Waste Lands of the Crown, within the District of (Boundaries), and has this day paid into my hands the sum of £ _____ s. _____ d. I _____ do hereby License the said _____ to (depasture Stock) upon the said Land for the term of Fourteen Years from the date hereof, subject nevertheless to be sooner determined pursuant to the provisions of _____ and of the regulations under which this License is issued, and to be cancelled as by Law and these Regulations is provided.

Dated this _____ day of _____

Signed (_____)

SCHEDULE B.

Description of a Run on the Waste Lands of the Crown, claimed by

Situation

Boundaries

Estimated extent

Number and description of Stock left upon the Run.

(Signature.)

SCHEDULE C.

Timber License to _____ at _____ Permission to cut, saw, split, and remove
 timber on and from the Waste Crown Lands at _____ within such limits as may at any time
 be assigned by the Commissioner of Crown Lands, subject to the provisions of
 and to the provisions of such rules as may be duly made by His Excellency the Governor-in-Chief in confor-
 mity with Law, is hereby granted to _____ of
 by direction of the Governor of New

()

Colonial Treasurer.

N.B.—If the holder of the above License shall contravene or violate any order or regulation of the Govern-
 ment made with respect to any of the purposes for which this License is granted, the Government reserves
 to itself the power of declaring the License of any such person so offending to be cancelled, and such License
 shall thereupon become null and void, and shall not be pleaded in justification of any offence committed
 against the provisions of any Ordinance relating thereto.