



NEW ZEALAND GOVERNMENT GAZETTE.

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,

ANDREW SINCLAIR, Colonial Secretary.

Vol. III.] — AUCKLAND, FRIDAY, FEB. 9, 1855. [No. 4.

PROCLAMATION.

By His Excellency Colonel ROBERT HENRY WYNYARD, Companion of the most Honourable Order of the Bath, the Officer administering the Government, and Commander-in-Chief in and over the Islands of New Zealand, &c., &c.

WHEREAS by an Act made and enacted by the General Assembly of New Zealand, entitled the "Marriage Act, 1854," it is provided that it shall be lawful for the Governor by Proclamation to divide the Colony of New Zealand into such and so many districts as he shall think fit, and that every such district shall be called by a distinct name, and shall be a Registrar's District for the purposes in the said Act mentioned.

Now I, the Officer administering the Government, pursuant to the authority in me vested in that behalf, do hereby proclaim and declare, that so much of the said Colony of New Zealand as is comprised within the following boundaries shall be a Registrar's District, and shall be called the "Chatham Islands District," viz.:

"The Chatham Islands, and the other Islands adjacent thereto.

Given under my hand, and issued under the Public Seal of the Islands of New Zealand, at Auckland, in the Islands aforesaid, this eighth day of February, in the year of

Our Lord one thousand eight hundred and fifty-five.

R. H. WYNYARD,

Officer administering the Government,
By His Excellency's command,
ANDREW SINCLAIR,
Colonial Secretary.

GOD SAVE THE QUEEN!

PROCLAMATION.

By His Excellency Colonel ROBERT HENRY WYNYARD, Companion of the most Honourable Order of the Bath, Officer administering the Government, and Commander-in-Chief in and over the Islands of New Zealand, &c., &c.

WHEREAS by an Act of the Session of the Imperial Parliament, holden in the 15th and 16th years of the reign of Her Majesty Queen Victoria, chapter 72, it is amongst other things enacted, That it shall be lawful for the Governor of New Zealand by Proclamation to constitute within each of the said Provinces by the above in part recited Act established convenient Electoral Districts for the election of the Superintendent and for the appointing of Returning Officers, and for issuing, executing, and returning the necessary Writs for such Elections, and for taking the poll thereat.

Now I, the Officer administering the Government of New Zealand, do hereby proclaim and declare, that at the ensuing Election

for the office of Superintendent of the Province of Auckland, and at every future Election for that office, every elector entitled to vote at any such Election shall be allowed to poll at any of the polling places already or to be hereafter appointed as a polling place for the Election of Superintendent within the said Province.

Given under my hand, and issued under the Public Seal of the Islands of New Zealand, at Auckland, in the Islands aforesaid, this ninth day of February, in the year of our Lord one thousand eight hundred and fifty-five.

R. H. WANYARD,
Officer administering the Government.
By His Excellency's command,
ANDREW SINCLAIR,
Colonial Secretary.

GOD SAVE THE QUEEN!

PROCLAMATION.

By His Excellency Colonel ROBERT HENRY WYNYARD, Companion of the Bath, Officer Administering the Government and Commander-in-Chief in and over the Islands of New Zealand, and its dependencies, &c., &c.

WHEREAS, by an Act of the General Assembly of New Zealand, intituled "The Waste Lands Act, 1854," it is provided that if the Superintendent and Provincial Council of any province shall recommend to the Governor any Regulations for the sale, letting, disposal, and occupation of the Waste Lands of the Crown within such Province, it shall be lawful for such Governor, if he shall think fit, with the advice of his Executive Council, by Proclamation in the New Zealand Government Gazette to issue and put in force such Regulations within such Province on a day to be named in the Gazette in which the same shall be published, not being less than one calendar month from the publication thereof. And whereas the Superintendent and the Provincial Council of the Province of Auckland have recommended to me the following Regulations for the sale, letting, disposal, and occupation of the Waste Lands of the Crown within the said Province, now therefore I, the Officer administering the Government, pursuant to the authority vested in me in that behalf by the said recited act, do hereby, with the advice of the Executive Council, proclaim and issue the following Regulations, and I do hereby declare that the same shall come in force on the 15 day of March, one thousand eight hundred and fifty-five.

Given under my hand and issued under the public Seal of the Colony of New Zealand, at Auckland, in the Colony afore-

said this 8th day of February in the year of our Lord, one thousand eight hundred and fifty-five.

R. H. WYNYARD,

By His Excellency's command,
ANDREW SINCLAIR,
Colonial Secretary.

GOD SAVE THE QUEEN!

I.

General Regulations.

1. All Regulations now in force in the Province of Auckland for the sale, letting, disposal, and occupation of the Waste Lands of the Crown (except such Regulations as are hereinafter confirmed) are hereby repealed.

2. All such Waste Lands shall, from and after the day on which these Regulations shall come into force, be sold, let, disposed of, and occupied according to these Regulations, and not otherwise.

3. For the purpose of settlement the Waste Lands of the Crown shall from time to time be divided by the Waste Land Board hereinafter constituted, into five classes as follows, viz.—

1. Town Land—being the sites reserved, or to be hereafter reserved, for Towns and Villages.
2. Suburban Land—being the land in the immediate vicinity of Town and Village sites.
3. Rural Land—being land deriving especial value from its proximity to Town and Village sites.
4. Special Occupation Land—being the land to be set apart as such under the Regulations hereinafter contained.
5. General Country Land—being the Waste Land of the Crown not comprised in one of the above four classes.

4. Such division into classes shall, before the same come into force, be approved of by the Superintendent and his Executive Council, and when so from time to time approved of, the land therein respectively comprised shall immediately be notified and declared by the Waste Land Board in the *Provincial Government Gazette* as open to settlement, according to the terms of these Regulations, on and after a day to be named in such notice.

5. It shall be lawful for the said Waste Land Board, with the consent of the Superintendent and his Executive Council, at any time, and from time to time, to declare by notice in the *Provincial Government Gazette*, that any land (except Special Occupation Land) which may have been placed in any such class shall thenceforth cease to belong to such class, and that the same shall, from a day to be named in such notice, belong to any other of the said classes.

6. Provided always that nothing in these Regulations contained shall affect any contract, or prevent the fulfilment of any promise or engagement lawfully made by or on behalf of Her Majesty before these Regulations shall come into force.

7. Provided also, whenever the title to any Native land shall have been extinguished, it shall be lawful for the Governor, if he shall think fit, immediately on the completion thereof, to permit the native sellers to purchase at the rate of ten shillings an acre any portion of such land, and the same may be conveyed by Crown Grant accordingly.

II.

Town, Suburban, and Rural Land.

8. All town land, suburban land, and rural land shall be sold by auction according to the Regulations hereinafter prescribed for auctions. The upset price of allotments of such land respectively shall be fixed by the Waste Land Board, subject to the approval of the Superintendent and his Executive Council.

III.

Special Occupation Land.

9. In every district of land throughout the Province, which shall from time to time be declared open for settlement as aforesaid, the quantity of land to be set apart for Special Occupation Land shall be at least one-third part of such district, and the same shall be set apart by the Waste Land Board, subject to the approval of the Superintendent and his Executive Council.

10. Such land so to be set apart shall be at least of the average quality of the Rural and General Country Land in the district, having regard especially to natural fertility and to position as respects the vicinity of wood and water, and of roads and other facilities of communication with markets and with other parts of the Province.

11. Such land shall be set apart in blocks not exceeding in size ten thousand acres in one block and such blocks shall be distributed throughout the district, and shall be situate, nearly as may be, equi-distant from each other.

12. As soon as conveniently may be after any such block shall have been set apart as aforesaid, it may be surveyed and divided into allotments of such size and description as the Waste Land Board, subject to the approval of the Superintendent and his Executive Council, shall direct, and such allotments shall be distinguished on a plan thereof by appropriate marks.

13. After any such block shall have been set apart as aforesaid, and the outside boundaries thereof surveyed, and either before or after the same shall have been subdivided into allotments, it shall be lawful for the Superintendent, with the advice of his Executive Council, to declare by Proclamation to be published in the *Provincial Government Gazette* that the same shall be open for sale in New Zealand on and after a day to be fixed by Public Notice of at least one month to that effect, to be published in the *Provincial Government Gazette*.

14. Or it shall be lawful for the Superintendent, with such advice as aforesaid, to declare by a notice to be published in the said *Gazette* that any such block of land is reserved for sale in the United Kingdom or elsewhere without the Colony of New Zealand.

15. All such Special Occupation Land shall be sold at the fixed price of ten shillings an acre, and shall be disposed of only to persons intending *bona fide* to occupy and improve the same, and who shall be willing to take the same subject to the conditions herein contained.

16. Any person desirous of making a selection of Special Occupation Land shall, on application to the Waste Land Board in Auckland or to their Agent elsewhere out of New Zealand respectively be entitled, upon payment of a sum of one shilling per acre by way of deposit, to receive a Land Order in a form to be prescribed by the Waste Land Board. Provided always that no person shall be entitled to any Land Order for more than five hundred acres of land (unless the same be claimed in respect of intermediate or steerage passengers as hereinafter provided) or less than forty acres.

17. Such Land Order shall not be transferable, but in the event of the death of any person to whom any such Order shall have been issued, all his right and interest under the same shall vest in his appointee constituted in writing, and in default of such an appointee shall vest in his legal representative, either of whom shall be subject to the like terms and conditions as the person to whom such Land Order was originally granted.

18. Every such Land Order shall authorise the person entitled to the same, or his agent constituted in writing, to make a selection out of the particular block or blocks of land which shall have been specially set apart for the purpose, and which shall be specified in such Land Order, or out of any other Special Occupation Land which shall have been set apart for section 13 of these Regulations for sale in New Zealand, and which shall be open for selection at the time such person shall desire to make the same. Provided always, that the land so selected shall be either in one allotment or in contiguous allotments.

19. Every right of selection must be exercised within two calendar months from the date of the Land Order where the same shall have been issued by the Waste Land Board in Auckland, before the expiration of six calendar months from the date of the Land Order where the same shall have been issued by an Agent of the said Board in any one of the Australian Colonies, and before the expiration of twelve calendar months from the date of such Land Order where the same shall have been issued by an Agent of the said Board elsewhere out of the Colony of New Zealand, and in default of any such selection being made within the time limited for making the same as aforesaid the right to make a selection shall cease, and the deposit paid in respect of the same shall be forfeited.

20. The selection under any Land Order shall be deemed to be complete whenever the person making the same shall have delivered such order during office hours to the Waste Land Board, together with a description in writing (under a sealed cover, with the words "Description of Special Occupation Land" legibly written thereon) sufficient for the purpose of identifying the land selected, and all such sealed covers shall be opened at ten o'clock in the morning of the next business day, in the presence of the applicants if they shall attend, and if there be more than one application for the same land, or any part thereof, one of the Commissioners shall (as to the land in dispute) at once decide by lot the priority of choice.

21. The person whose application shall be granted shall then be entitled to have immediate occupation of the land selected, and shall be entitled to a lease of the same for five years, in a form to be prescribed by the Waste Land Board, at a yearly rent after the rate of sixpence per acre, payable yearly, and the payment hereinbefore required by way of deposit, shall be deemed to be in payment of the first two years' rent.

22. After five years *bona fide* occupation, and the payment of the rent reserved by the lease, the lessee shall be entitled to a grant from the Crown in fee simple of the land comprised in such lease on payment of the price thereof after the rate of ten shillings an acre. Provided always that if the purchase money and all rent due be not paid within six calendar months after the expiration of the lease, the land therein comprised shall be forfeited and may be resumed by the Waste Land Board on behalf of the Crown.

23. No Lessee will be permitted to assign, underlease, or part with the possession of any Special Occupation Land, and none other than the

original lessee will be entitled to the occupation of the same. Provided always that the estate and interest of any lessee who shall die during the currency of the lease shall vest in his appointee constituted in writing, and, in default of such appointee, in his representative, either of whom shall be subject to the like terms and conditions as the lessee was subject to.

24. If any person holding under such lease as aforesaid shall not enter into *bona fide* occupation of or shall cease to *bona fide* occupy the land thereby leased, or shall refuse to pay the rent which shall from time to time become due, in every such case it shall be lawful for the Waste Land Board, by a notification to be published in the *Provincial Government Gazette*, to declare that the right and interest of such lessee in such land shall cease and be forfeited.

25. If any lessee or any other person shall continue in possession of land which shall have become forfeited under clauses 22 or 24. (unless an appeal to the Waste Land Board as hereinafter provided be pending) he shall be deemed to be in the unlawful occupation of Crown land, and subject to the provisions and penalties of the Crown Lands Ordinance No. 1 of Session 10.

26. If any question shall at any time arise as to whether a forfeiture has been incurred under clauses 22 or 24, it shall be lawful for the lessee within one month after such question shall have arisen, to appeal to the Waste Land Board by whom such question shall be fully and fairly investigated and decided according to equity and good conscience. Provided always that if the lessee be dissatisfied with any decision of the said Board on such question, the same shall, at the request of the lessee, if preferred in writing to the Chairman of the said Board, within seven days after the decision shall have been given, be referred to two arbitrators and an umpire, to be appointed in the usual way, and whose decision shall be final and conclusive.

27. Every person shall be deemed to have *bona fide* occupied any Special Occupation Land, held under lease as aforesaid, who shall at any time have made improvements thereon, or any part thereof, after the rate (for all such Occupation Land held by him) of ten shillings per acre for every year during such occupation. And a *bona fide* residence by the lessee on any such land shall be deemed and taken to be equivalent to improvements made thereon to the extent of twenty pounds for each year of such residence.

IV.

Emigration from United Kingdom, &c.

28. As it is expedient that persons emigrating from the United Kingdom or elsewhere to settle in the Province of Auckland should be entitled to acquire property in land free of cost in proportion to their actual outlay on emigration, every such person who shall, out of the Colony of New Zealand, purchase a Land Order for the selection of Special Occupation Land and pay a deposit thereon as hereinbefore provided, shall be entitled to nominate any number of persons, himself included, (the amount of whose passage money shall not exceed the purchase money of the land selected) as intending to emigrate to the Province of Auckland and *bona fide* settle there, and the Agent of the Waste Land Board shall thereupon grant a nomination certificate stating the names and ages of the persons so nominated, a description of the Land Order in respect of which such Nomination Certificate is claimed, and that the person to whom such certificate is granted claims to acquire land free of cost in respect of the same.

29. Every Nomination Certificate shall be presented to the Waste Land Board in Auckland, or to their agent elsewhere in the Province, before whom shall appear personally such of the persons named therein as shall have arrived, and the Waste Land Board, or their agent, on being satisfied as to the *bona fide* intention of such persons to settle in the Province of Auckland, shall in exchange for such Nomination Certificate, grant a Money Certificate in respect only of such persons who shall have actually arrived, or who shall have embarked, but died on the passage, stating the amount for which such Money Certificate will be received in payment of the purchase money of the land which shall be selected under the Land order in respect of which such Nomination Certificate shall have been granted.

30. In making up the total sum for which any Money Certificate shall be granted, the amount to be allowed shall be—

	For every cabin passenger as follows—	If from Europe.	If from any of the Australian Colonies.
For every person 14 years of age and upwards	£40		
For every child between 7 and 14 years of age	24	6	
For every child above one year and not exceeding 7 years of age	16	4	

For intermediate and steerage passengers as follows—

		If from Europe.	If from any of the Australian Colonies.
For every person 14 years of age and upwards	£20		
For every child between 7 and 14 years of age	12	5	
For every child above one year and not exceeding 7 years of age	8	3	

31. Every such Money Certificate shall at any time be received instead of money for the amount therein expressed, in payment or part payment, as the case be, of the purchase money of land purchased under the Land Order in respect of which the said Money Certificate shall have been granted.

32. It shall be lawful for any person having made such selection as aforesaid, to pay the whole of the purchase money at any time, or such portion thereof as may be paid by a Money Certificate under these Regulations, and all rent shall from the date of such payment cease to be payable, or a deduction therefrom shall be made in proportion to the amount of money paid on account by such Money Certificate as the case may be. Provided nevertheless that no Grant shall be made until after a *bona fide* occupation as herein provided.

V.

Emigration from India.

33. As the appointment of agents in India cannot at present be conveniently made, and it is desirable to encourage emigration therefrom, every person arriving from India for the purpose of settling in the Province of Auckland, and desirous of selecting land, shall be entitled to acquire property free of cost, in proportion to his actual outlay on Emigration upon the following terms.

34. Every such person shall, within three days after his arrival, personally attend at the office of the Waste Land Board in Auckland, and

state his claim to acquire land under these Regulations.

35. The Waste Land Board shall appoint a day for investigating such claim, when, if it shall appear to them that such person left India with a *bona fide* intention of becoming a settler in the Province of Auckland, they shall grant him a Money Certificate, amounting in value to two-thirds of the sum which he shall prove to the satisfaction of the Waste Land Board that he has actually expended in the payment of passage money for himself, his family, and servants to New Zealand, not exceeding in the whole the price of five hundred acres of Special Occupation Land.

36. Such Money Certificate shall be received for the amount therein expressed, in payment of any Special Occupation Land which he may select from such as may have been declared as hereinbefore provided to be open for sale in New Zealand.

VI.

Naval and Military Settlers.

37. Every Naval and Military Officer whether on full or half pay, and every non-commissioned Officer and private marine and seaman, whether belonging to Her Majesty's service or to the service of the East India Company, who being on service in New Zealand, shall retire or obtain his discharge there, shall be entitled to receive from the Waste Land Board (in lieu of an allowance in respect of money expended in passages, as hereinbefore provided in respect of settlers emigrating from the United Kingdom) a Money Certificate enabling him to acquire land free of cost, after the following rate—

Commissioned officers	400 acres.
Non-commissioned officers above the rank of Corporal or equivalent to that rank in the sea service	80 acres.
Non-commissioned officers being corporals or under that rank or equivalent to or under that rank in the sea service	60 acres.
Private soldiers, marines, and seamen	40 acres.

38. Such Money Certificate shall be received for the amount therein expressed in payment of any Special Occupation Land, which the person entitled to such Certificate may select from such as may have been declared as hereinbefore provided to be open for sale in New Zealand.

VII.

General Country Land.

39. Any person desirous of purchasing any General Country Land which shall have been declared open for settlement as aforesaid, shall send in a written application to the Waste Land Board, under a sealed cover, with the words "Application for Land" legibly written thereon, stating the number of acres such person is desirous of purchasing, and describing the same as accurately as may be, so that the same may be identified and marked on a plan of the district to be provided by the said Board.

40. Every applicant shall, at ten o'clock in the morning of the next business day after making such application, pay to the said Board the price of the land so selected by him, which price shall be at the rate of ten shillings an acre.

41. All such applications shall be opened at ten o'clock in the morning of the next business day after the same shall have been sent in, in the presence of the persons applying, if they shall attend, and if it shall be found that there are two or more applications for the same piece of land, or any part thereof, sent in on the same day, the

piece of land in dispute shall be put up for sale by auction by one of the Commissioners of the Waste Land Board, at the upset price of ten shillings an acre, at ten o'clock in the morning of the fourth day (and if such day be Sunday, Christmas day, or Good Friday, then on the following day), after the application for the same shall have been opened as aforesaid, and posted as hereinafter provided by section 72. At such auction the persons who applied for the land shall alone be permitted to bid.

42. Every such selection shall comprise not less than forty acres of land, and shall, so far as the features of the country will permit, be of a rectangular form, and when fronting on a river, road, lake, or coast, be of a depth not less than three times the length of the frontage. Provided always that, under special circumstances, the said Waste Land Board may permit proprietors to complete their properties by the purchase of adjoining lands in blocks of irregular shape and of small extent, so that the same shall not unduly interfere with the advantageous dividing of the adjoining land into convenient allotments.

43. The Waste Land Board, at the time of any application being granted, or as soon as conveniently may be thereafter, shall inform the applicant that the land so selected will be surveyed at the expense of the Government, or that the applicant must have the same surveyed at his own expense, by a Surveyor to be approved of by the Board, in which latter case such applicant shall be entitled to receive an allowance of five acres for every one hundred acres so surveyed, as compensation for the cost thereof.

44. Every survey to be performed by the applicant at his own expense, must be completed and delivered at the Waste Land Office within twelve months after the Waste Land Board shall have informed such applicant that the land is to be so surveyed, and in default thereof, it shall be lawful for the said Waste Land Board either to have the land surveyed at the applicant's expense (which shall be repaid by him to the Board before the Crown Grant shall be issued), or it shall be lawful for the said Board to dispose of the said land to any other person, and in such latter case, the purchase money paid by the first applicant shall be returned to him on demand, after deducting one-tenth part thereof as a forfeiture for the default.

45. Where General Country Land shall be purchased in a district in which the lines of road shall not have been determined on and laid out, a right of laying out a road over the said land shall be reserved in the grant, and an allowance made to the purchaser after the following scale,—

Purchasers of 500 acres or less shall receive an allowance of five acres per cent.

Purchasers of upwards of 500 acres and not more than 1000 acres, four acres per cent.

Purchasers of more than 1000 acres, three acres per cent.

46. It shall at any time be competent for the Waste Land Board to offer for sale, by auction, or to dispose by lease as hereinafter provided: any general country land which shall be deemed to possess especial value as containing Minerals.

VIII.

Mineral Land Leases.

47. Any person applying for a lease of land whether rural land, special occupation land set apart for sale in New Zealand, or general country land shall be entitled to the same upon the following terms and conditions.

1. That the lease shall comprise so much land as shall in the opinion of the Waste Land Board be necessary for the efficient working of the

Minerals, not being less than fifty acres or more than one hundred and fifty.

That the term to be granted shall be any number of years at the option of the Lessee, not exceeding twenty-one.

That there shall be reserved a royalty or rent of one-fifteenth of the minerals to be raised.

That the lease shall contain clauses in the usual form introduced into Mining Leases, 1.

For securing the payment of the Royalty or rent.

2. For enabling some person on the part of the Lessor from time to time, to enter and examine the mine. 3. For securing the regular, proper, and efficient mining and working of the Minerals.

4. For making void the Lease or breach of the stipulations on the part of the Lessee therein contained. 5. For delivering up the property at the termination of the Lease in good tenable repair. 6. For enabling the Lessee to abandon the working of the Minerals whenever he shall find the same unprofitable to work—and surrender the Lease.

48. All applications for Leases shall be sent in by the applicant and dealt with by the Waste Land Board in the same manner as applications for General Country Land, and in the event of an auction taking place, the upset price for a twenty-one year's lease shall be a Rent or Royalty of one-fifteenth of the Minerals to be raised.

49. The Land comprised in any Mining Lease shall, at the request of the Lessee at any time, be put up to Auction at an upset price of one pound per acre subject to the Lease thereof already granted.

50. Every applicant for a Mineral Lease shall furnish to the Waste Land Board within a time to be fixed by them, after the application shall have been granted, a plan and description of the land to be leased, which plan and description shall be made and prepared by a licensed Surveyor.

IX.

Auctions.

51. Notice of the time and place at which any Auction (except Auctions in order to decide between two applicants for the same land as hereinbefore provided,) is intended to be held, and also of the allotments of land which will then be offered for sale or lease shall be given by the Waste Land Board, by notice in the *Provincial Government Gazette* not more than three months or less than one month before such Auction shall take place.

52. No land shall be included in any such notice, unless the same shall have been previously surveyed and have been distinguished by an appropriate mark upon a map, to be exhibited in the Waste Land Office for public inspection during usual office hours.

53. The Land shall be offered at Auction by some person appointed by the Waste Land Board for the purpose.

54. Immediate payment of one-tenth part of the purchase money shall be a condition of every sale by auction, and the remaining nine-tenths of the purchase money must be paid by the purchaser within one calendar month next, after the time of such sale by auction, or the one-tenth of the purchase money so paid, by way of deposit as aforesaid will be forfeited, and the contract for the sale of the land will thenceforth be null and void.

55. In the case of lands thus forfeited by non-completion of the contract for their purchase, it shall be competent for any person within the next three years, after the Auction at which the bidding for such lands was made—to purchase such lands for the amount that was then bid for them, after deducting the amount of any deposit that

shall have been paid thereon.

56. It shall also be competent for any person within three years next, after any Auction, to become without any further Auction the purchaser of any lands so put up for sale as aforesaid, and not then sold by offering and paying for the same, the upset price at which the same may have been put up for sale.

57. Notwithstanding anything herein contained it shall be competent for the said Waste Land Board, instead of permitting any Land to be purchased as authorised by the above clauses 55 and 56, to cause any land which shall not have been already applied for under the said clauses, to be put up again to Auction, giving such notice thereof as is hereinbefore provided, in respect of land to be offered at auction.

X.

Occupation of Crown Lands.

58. The right of pasturage on the Waste Lands of the Crown within any Hundred is enjoyed exclusively by occupants of land held under grant from the Crown. Emigrants enrolled for services in New Zealand or persons of the Native Race, Caste, race occupying land within the Hundred by permission of the Government.

59. The right of occupation of Waste Lands of the Crown outside Hundreds under pasture, and Timber Licenses is provided for by the Rules and Regulations made under the Crown Lands Ordinance, No. 1, of Session 10, and the "Crown Lands Amendment Ordinance," No. 10, of Session 11.

60. The provisions of the said Ordinances and such of the said Rules and Regulations made in pursuance thereof, as are contained in the said Regulations, are for the present hereby confirmed. Provided always, that the acts of the Commissioner of Crown Lands appointed under the said Ordinance, No. 1, of Session 10, shall be subject to revision by the Waste Land Board (except such duties as are prescribed by clause 26 of the said Act), in the same manner as the Acts of the Chief Commissioner of the Land Board are subject to the revision of the said Board.

61. No person will be allowed to purchase any portion of the land occupied by a pasture or timber license holder, wherein a homestead shall have been erected, or improvements made, until the offer of purchasing such land shall have been made to such license holder at the price of ten shillings an acre.

62. The license holder in such case will be allowed to exercise the right of purchasing at such fixed price his homestead or improved land, together with such land adjoining thereto as he may desire, not being on the whole less than ten or more than eighty acres, and subject to the provisions hereinbefore contained as to the form of selected allotments of General Country Land, and shall be allowed six calendar months for the payment of his purchase money, provided always that such license holder shall not be allowed to select land set apart or required for public purposes.

63. Whenever any portion of land comprised in any pasture or timber license shall be purchased by other than the holder of such license, it shall be lawful for the Waste Land Board to delay giving possession of the said land for any time not exceeding three months, in order to afford such license holder a reasonable time for the removal of his property.

64. It shall be lawful for the Waste Land Board to require any license holder to exercise his right of purchase at any time after one month's notice, although no person shall have applied to purchase the land.

XI.

Appropriation of Land Fund.

65. In respect to the provisions of the Imperial Act of Parliament, 15 and 16 Victoria, chapter 72, all proceeds arising from the sale, letting, disposal, and occupation of the Waste Lands of the Crown will be appropriated to emigration, to the making of roads and bridges, and to other Public Works in such proportions as the Superintendent with the advice and consent of the Provincial Council shall from time to time direct and appoint.

XII.

Fees on Crown Grants.

66. By the Local Ordinance No. 11 Session 7, the sum of twenty shillings is payable before the delivery of every Crown Grant by the person entitled to receive the same, no other fee is payable on the issue of Crown Grants.

XIII.

Waste Land Board.

67. There shall be established a Board to be called the Waste Land Board to consist of one chief Commissioner and of at least two other Commissioners all of whom (except such one as shall be appointed to act as Treasurer) shall be appointed and be removeable by the Superintendent with the advice and consent of his Executive Council. The Chief Commissioner shall also hold the office of Commissioner of Crown Lands under the Crown Lands Ordinance No. 1 of Session 10.

68. One member of the Waste Land Board shall also be the Treasurer thereof, and such member shall be appointed and be removeable by the Governor.

69. The Waste Land Board may with the consent of the Superintendent and his Executive Council from time to time appoint one or more agents to act for them out of New Zealand, and such agent or agents may be removed by the said Board with such consent as aforesaid.

70. The salaries of officers to be appointed by the Governor shall be paid by the General Government, and the salaries of officers to be appointed by the Superintendent or by the Waste Land Board shall be paid by the Provincial Government.

71. All business connected with the sale, letting, disposal and occupation of the Waste Lands of the Crown, except as hereinafter provided by section 72 shall be transacted by the Waste Land Board.

72. There shall be at the office of the Waste Land Board a room open to the public, and the particulars of every application for the sale, letting, disposal or occupation of any Waste Land of the Crown shall be posted as soon as opened, as herein before provided in section 41, in some conspicuous part of such room for three days before such application shall be decided on.

73. Before any application shall be decided on, any person may give notice in writing to the said Board that he intends to dispute the granting of the same and if such person shall at the same time deposit with the said Board the sum of £5 no such application shall be decided on except at a meeting of the Board after a full hearing of all parties. The £5 so deposited or any part thereof, may be appropriated in payment of costs to any party or returned to the person depositing the same at the discretion of the Board.

74. All applications in reference to which no such notice shall have been given, shall be disposed of and all the routine business of the Waste Land Office shall be transacted by the Chief Commissioner as soon as conveniently may be, subject

nevertheless within ten days in all matters to reconsideration and revision by the Board.

75. All applications in reference to which any such notice shall have been given, and all disputes and differences relating or incident to the sale, letting, disposal and occupation of the Waste Lands of the Crown or to any act to be done under these Regulations or to the interpretation or meaning thereof shall be heard and determined at meetings of the Board.

76. All meetings of the Board for the despatch of business shall be attended by at least three Commissioners and shall be open to the public. Reasonable public notice shall be given of all business to be transacted at such meetings.

77. The decisions of the Board on all such matters as aforesaid to be heard and determined by them shall be final and conclusive. Provided always that the Board may on the application of any person grant a re-hearing of any case decided by them if they shall think that justice requires it, and on such re-hearing may reverse, alter or modify any previous decision in the same case.

78. The Board shall keep a Record of their proceedings in which shall be entered in writing a full and particular account of all business transacted by them and a minute of the opinions of the members of the Board in cases where they differ, which record shall be open to the inspection of any person at all reasonable hours on payment of a fee of two shillings and sixpence for each inspection.

79. There shall also be kept in the office of the Board in a convenient form for reference every letter report and communication received and a copy of every letter written and order made by the said Board and by the Chief Commissioner thereof and a convenient index shall be made thereto, all which shall be open to inspection by any person at all reasonable times on payment of a fee of two shillings and sixpence for each inspection.

XIV.

Definition of "Waste Lands of the Crown."

80. The terms "Waste Lands of the Crown" and "Waste Lands" in the first and second sections of these Regulations shall be deemed to include all such Lands as are declared by the 72nd section of the Constitution Act to be Waste Lands of the Crown within the meaning thereof.

81. The terms "Waste Lands of the Crown" and "Waste Lands" throughout these Regulations (except in the first and second sections thereof) shall be taken to comprise only land whereof the native title shall have been extinguished and the fact of such extinguishment shall have been notified by the General Government to the Provincial Government, and it shall be the duty of the General Government from time to time to give such notification in respect of all lands the native title to which shall have been extinguished and the boundaries thereof satisfactorily defined.

XV.

Commencement of Regulations.

82. These Regulations shall come into force on the fifteenth day of March 1855.

T. H. BARTLEY,
Speaker.

I, Robert Henry Wynyard Superintendent of the Province of Auckland do hereby recommend to the Governor the above regulations for the sale, letting, disposal and occupation of the Waste Lands of the Crown, that they be issued and put in force in the said Province.

R. H. WYNYARD,
Superintendent.

RULES AND REGULATIONS

For the issue of Pasture and Timber Licenses for the occupation of Waste Lands of the Crown outside Hundreds, referred to in the 60th Section of the above Regulations.

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 exists 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 claims 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 amount 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 100 between 500 and 1000.....	500
1000 and 3000.....	400
3000 and 5000.....	200
5000 and 10000.....	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 questions arising as to attempts to evade the foregoing Regulations, 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:—

1. 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.

2. 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.

3. 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.

4. 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 fourteen 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.

Issue of Timber Licenses.

11. 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.

12. 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.

13. 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.

14. 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.

15. All applicants for timber licenses must address their applications to the Commissioner of Crown Lands, stating their names and residences in full.

16. 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.

17. 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.

18. The form of Timber Licenses will be according to Schedule C. hereunto annexed.

General.

19. All annual licenses to be drawn so as to expire simultaneously on the last day of each year.

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

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

22. No license will preclude the Government from including within a hundred, or selling, or will in any way effect the rights of the Crown to land occupied in virtue of such license.

23. 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.

24. 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.

25. 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.

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 conformity 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 Government 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.

Colonial Secretary's Office, Auckland,
 8th February, 1855.

HIS Excellency the Officer administering the Government has been pleased to direct and appoint that at the forthcoming election of Superintendent for the Province of Auckland, there shall be additional Polling Places in the undermentioned districts, viz. :—

SCHEDULE OF ADDITIONAL POLLING PLACES.

PENSIONERS' SETTLEMENTS.

At such convenient place at Panmure as shall be specified by the Returning Officer.
 At such convenient place at Otahuhu as shall be specified by the Returning officer.
 At the Police Office, Howick.

SOUTHERN DIVISION.

At such convenient place at Waiheki as shall be specified by the Returning Officer.
 At Moore's Station, Coromandel Harbour.
 At Cole's Inn, Papakura.
 At the Resident Magistrate's Station at Rangiawhia.
 At the Customs' Station at Kawhia.
 At Constable's Inn at Waiuku.

NORTHERN DIVISION.

At such convenient place at the North Shore as shall be specified by the Returning Officer.
 At Maxwell's Station.
 At Maurice Kelly's Station on the Wade.
 At Henderson's Mill.
 At such convenient place at Little Muddy Creek as shall be specified by the Returning Officer.
 At the Resident Magistrate's Station at Kaipara.
 At Blake's House, Kaipara Landing Place, at the head of the Waitemata River.
 At Henry's Station, Titirangi.
 At such convenient place at Mahurangi as shall be specified by the Returning Officer.

At such convenient place at Wangarei as shall be specified by the Returning Officer.
At Skelton's Station at Matakana.

BAY OF ISLANDS.

At Mr. George Clarke's Station in the village of Waimate.

At the Customs' Station at Hokianga.

At such convenient place at Wangarua as shall be specified by the Returning Officer.

At the Police Station at Mongonui.

At such convenient place at Wangarei as shall be specified by the Returning Officer.

ANDREW SINCLAIR,
Colonial Secretary.

NOTICE.

NOTICE is hereby given that at the approaching Election, the Polling Places for the "North Shore," "Little Muddy Creek," "Mahurangi," and "Wangarei," will be as follows—

North Shore—Mr. Alexander McKay's Station, Shoal Bay.

Little Muddy Creek—Mr. Cox's Station.

Mahurangi—The District Surveyor's Station.

Wangarei—Mr. Duncan McKenzie's Station, near Wangarei Heads.

THOMAS BECKHAM,
Returning Officer.

Police Office, Auckland,
Feb. 9th. 1855.

Colonial Secretary's Office, Auckland,
9th February, 1855.

HIS Excellency the Officer administering the Government has been pleased to appoint the following Gentlemen to act as Deputy Returning Officers for the places set opposite to their respective names, at the approaching election of Superintendent of the Province of Auckland.

Howick—The Resident Magistrate.

Rangiahia—The Resident Magistrate.

Kawhia—The Sub-Collector of Customs.

Kaipara—The Resident Magistrate.

Mahurangi—The District Surveyor.

Wangarei—The Commissioner for the purchase of Native Lands.

Mongonui—The Resident Magistrate.

Hokianga the Sub-Collector of Customs.

By His Excellency's command,

ANDREW SINCLAIR,
Colonial Secretary.

Colonial Secretary's Office,
Auckland, 9th Feb. 1855.

HIS Excellency the Officer administering the Government has been pleased to direct that the following "Notice to Mariners" should be published for general information.

By His Excellency's command,

ANDREW SINCLAIR,
Colonial Secretary

NORTHERN LIGHTHOUSE.

NOTICE TO MARINERS.

WHALSEY SKERRIES, SHETLAND—TEMPORARY LIGHTHOUSE.

The Commissioners of Northern Light-

houses hereby give notice that they are at present engaged in erecting a Lighthouse on the Out-Skerries of Whalsey, on the Eastern Coast of the Shetland Isles, and that until the completion of the permanent Lighthouse, a Light will be shewn from a temporary Tower, and will be exhibited for the first time on the night of Friday the 15th September, and every night thereafter, from the going away of day-light in the evening, till the return of day-light in the morning.

The following is a specification of the Lighthouse, and the appearance of the Light, by Mr. David Stevenson, Engineer to the Commissioners:—

The Lighthouse is situated on the Eastern part of the Island of Gruna, in N. Lat. 60° 25' 24", and W. Long. 0° 44' 20", the Bound Skerry of Whalsey bearing from the Lighthouse about E. by compass. The outer or seaward extremity of the Bound Skerry is about half a mile or thereby from the site of the Lighthouse, so that Vessels in rounding the Light must give it a wide berth.

The Whalsey Light will be known to Mariners as a REVOLVING LIGHT, which shews a bright White Light once in every minute.

The temporary Light will be exhibited from a Tower of Timber Frame Work, and is elevated about 108 feet above the level of high water of ordinary spring-tides, and may be seen at the distance of about 16 nautic miles, and at lesser distances according to the state of the atmosphere. To a near observer, in favourable circumstances, the Light will not wholly disappear between the intervals of greatest brightness.

The Commissioners further give notice, that by Order in Council, dated the 3rd day of July last, the following Tolls are authorised to be levied in respect of the said Lighthouse, viz—

For every Vessel belonging to the United Kingdom (the same not belonging to Her Majesty, her heirs or successors, nor being navigated wholly in ballast) and for every Foreign Vessel privileged to enter the Ports of the United Kingdom upon paying the same duties of Tonnage as are payable by British Vessels which may pass or derive benefit from the Light, the Toll of two-sixteenths of a penny per Ton of the burthen of every such Vessel for every time of passing or deriving benefit therefrom, if on a Coasting Voyage.

For each time of passing or deriving benefit on an Oversea Voyage, one penny per ton for every such Vessel.

For every Foreign Vessel not navigated wholly in ballast, and not privileged in manner before specified, double the respective Tolls above set forth.

Which Tolls are liable to the following abatements on payment:—for a Coasting Voyage, ten per cent; for an Oversea Voyage, twenty-five per cent.

By order of the Board.

(Signed) ALEX. CUNNINGHAM,
Secretary.

Northern Lighthouse Office,
Edinburgh, 12th January, 1854.

NOTICE.

Colonial Secretary's Office, Auckland,
7th February, 1855.

AS the "Merchant Shipping Act" 17th and 18th Vict., Cap. civ, comes into operation on the 1st May, 1855. His Excellency the Officer administering the Government has been pleased to direct that the atten-

tion of Officers of Customs and of other persons whom it may concern—should be drawn to the said Act, and to the instructions in respect of the measurement and registry of ships and other matters to which the Act relates.

By His Excellency's command,
ANDREW SINCLAIR,
Colonial Secretary.