



Auckland Provincial Government Gazette.

PUBLISHED BY AUTHORITY.

VOL. XXIV.]

MONDAY, JULY 19, 1875.

[No. 38.

PUBLIC NOTIFICATION.

By His Honour SIR GEORGE GREY, Knight
Commander of the Most Honourable
Order of the Bath, Superintendent of the
Province of Auckland.

UNDER and in pursuance of Section 4 of "The
Impounding Act, 1867," I do hereby abolish
as a Public Pound, under the said Act, all the
enclosure situate on allotments Nos. 3 and 4, of
section 15, City of Auckland.

Given under my hand at Auckland,
this sixteenth day of July, 1875.

G. GREY,
Superintendent.

PUBLIC NOTIFICATION.

By His Honour Sir GEORGE GREY, Knight
Commander of the Most Honourable
Order of the Bath, Superintendent of the
Province of Auckland.

UNDER and in pursuance of the powers in me
vested by the seventh Section of "The High-
ways Act, 1874," I do hereby notify that, from and
after the date hereof, all that portion of the Province of
Auckland hereunder described shall be a District
under the said Act, and that such District shall be
known by the name of

The COROMANDEL HIGHWAY DISTRICT.

Comprising all that block of land lying on both
sides of the main road Coromandel from its junction
with the wharf at Keven's point to its terminus at
Ring's bridge Upper Township: Bounded by lines
running parallel with aforementioned main road and
distant on either side seven chains therefrom and by
a line fifteen chains long at right angles to the main

road at its junction with the wharf and by a line
fifteen chains long at right angles to the main road
at its terminus at Ring's bridge Upper Township.

Given under my hand at Auckland,
this sixteenth day of July, 1875.

G. GREY,
Superintendent.

PUBLIC NOTIFICATION.

By His Honour SIR GEORGE GREY, Knight
Commander of the Most Honourable
Order of the Bath, Superintendent of the
Province of Auckland.

IN pursuance of the fifteenth Section of "The
Highways Act, 1874," I do hereby bring the said
Act into force within the

COROMANDEL HIGHWAY DISTRICT,

and I do hereby appoint the First meeting of Rate-
payers to take place at the Court-house, Coromandel,
on Wednesday, the 28th July instant, at three o'clock
in the afternoon; and Mr. Eusebius Wilson to be
Chairman of such meeting.

Given under my hand at Auckland,
this sixteenth day of July, 1875.

G. GREY,
Superintendent.

PUBLIC NOTIFICATION.

By His Honour Sir GEORGE GREY, Knight
Commander of the Most Honourable
Order of the Bath, Superintendent of
the Province of Auckland.

IN pursuance of the fifteenth section of "The
Highways Act, 1874," I do hereby bring the said

Act into force within the

EPSOM HIGHWAY DISTRICT,

and I do hereby appoint the First meeting of Rate payers to take place at the Junction Hotel, Epsom, on Monday, the 26th instant, at seven o'clock in the evening; and Albert Beetham, Esq., J.P., to be Chairman of such meeting.

Given under my hand at Auckland, this sixteenth day of July, 1875,

G. GREY,
Superintendent.

PUBLIC NOTIFICATION.

Superintendent's Office,
Auckland, 15th July, 1875.

I DO hereby notify that
WILLIAM BUCHANAN, Esq.,
has been duly elected a Member of the Auckland Harbour Board, in the place of Thomas Macready, Esq., deceased, in pursuance of section 14 of "The Auckland Harbour Board Act, 1871."

G. GREY,
Superintendent.

PUBLIC NOTIFICATION.

Superintendent's Office,
Auckland, 16th July, 1875.

THE following Scale of Fees, authorised by His Honour the Superintendent to be charged by the LOCAL ANALYST appointed under "The Adulteration of Food Act, 1866," is published for general information:—

1. For each Analysis under the said Act, Ten shillings and sixpence (10/6).
2. For each Mineral Analysis, One pound one shilling (£1 1s.)
3. For each Miscellaneous Analysis, not less than One pound one shilling (£1 1s.), nor more than Three pounds three shillings (£3 3s.)

Provided that the Local Analyst is authorised to remit any such Fee aforesaid, at his discretion, in case the Analysis be made for the public benefit.

VINCENT E. RICE,
For the Provincial Secretary.

REGULATIONS FOR GRANTING AGRICULTURAL LEASES.

Superintendent's Office,
Auckland, 15th July, 1875.

HIS Honour the Superintendent has been pleased to make the following Regulations for the granting of Agricultural Leases within the Ohinemuri Goldfield.

VINCENT E. RICE,
For the Provincial Secretary.

REGULATIONS

For granting Agricultural Leases within the Ohinemuri Goldfield under the terms of Clause 5 of the Deed for the acquisition of that Block concluded with the Natives upon the 18th February 1875 which Regulations are to be brought before the General Assembly of New Zealand.

Applications.

1. On and after the 3rd day of August next blocks of land within the Ohinemuri Goldfield shall be proclaimed open for lease and every person desirous of obtaining a lease of any portion thereof, shall previous to the day so fixed lodge with the Warden an application for such land in form or to the effect of Schedule A.

2. Every such application as aforesaid shall be made during office hours (viz. 10 a.m. to 4 p.m.) and shall be accompanied by a sketch plan of the land so applied for, which shall, so far as practicable, exhibit to the satisfaction of the Warden the boundaries of the land in question, and its estimated acreage.

Deposit to be made.

3. Before lodging such application and sketch plan as aforesaid, the applicant shall deposit the sum of (£5) five pounds sterling with the Receiver of Gold Revenue who shall give a receipt in duplicate, and no application shall be entertained unless one of such duplicate receipts shall be annexed to the application; the amount of such deposit, in the event of the issue of the lease, to be placed to the credit of the applicant towards the payment of the expense of survey and the cost of the preparation of the lease.

Applications to be recorded.

4. Every application as aforesaid shall be recorded in a book to be kept for that purpose, and the date day and hour of the receipt of such application, together with the name of the applicant and the area and situation of the land applied for, shall be duly minuted therein. Such book shall be open to the public for inspection during office hours, and any person may take a copy of any minute entered therein.

Term and area.

5. No application shall be received for any such lease of less than 10 acres or more than 50 acres and no lease shall be granted for a longer term than 21 years.

Application not to be opened until day appointed.

6. The applications so received shall not be opened until noon of the first day appointed in manner aforesaid for the lease of such land on which day no further applications shall be receivable.

On day appointed applications to be opened.

7. The Warden shall on the day so appointed and in the presence of such of the applicants or their agents as may attend for that purpose proceed to open all such applications so received.

If only one application, applicant to be the purchaser.

8. Where it shall appear that but one application has in manner aforesaid been received for any one piece of land the person making such application shall be deemed to be entitled to have the same awarded to him.

If two or more applicants priority of choice to be decided by lot.

9. But if at any time two or more applications be simultaneously received for one and the same piece of land or any part thereof the Warden shall at once in the presence of the applicants or of the persons presenting such applications decide by lot the priority of choice.

After day fixed unappropriated lands open for lease.

10. After the day fixed for opening the applications sent in as aforesaid all the unappropriated portions of such lands shall be open for lease to the first applicant for the same, and in all applications for leases made after the day fixed as aforesaid that application which shall be first lodged with the Warden shall be deemed to be the prior application and shall entitle the person in whose favor it is made to the right of priority of selection.

Manner of making application after day fixed.

11. Every such application must be made in manner prescribed by sections 1, 2, and 3, of these Regulations.

Unsuccessful applicant entitled to return of deposit.

12. In the event of any land, in respect of which a deposit has been paid, not being afterwards awarded to the depositor by the Warden the amount so deposited will be returned to him.

Figure of selection to be rectangular.

13. Every area of land applied for must, so far as the features of the country will permit, be of a rectangular form and when fronting on a road river lake or coast be, where practicable of a depth not less than three times the length of its frontage, but no selection must be made so as to monopolise the wood or water or any landing place in any particular locality; and further no selection shall be permitted to be made in such a manner as to injuriously interfere with the disposition of the remainder of any land in the vicinity of any such selections. Provided always that it shall not be competent for any person to hold by virtue of two or more distinct selections any land dealt with under these Regulations.

Applicant to survey.

14. Every applicant shall have the land selected by him surveyed at his own expense by a duly authorised Surveyor, and shall deliver or cause to be delivered at the Warden's office, within one month from the date whereon his application was acceded to, a correct plan of the same certified by such Surveyor.

How lease to be executed.

15. As soon as conveniently may be after the deposit of the survey plan as aforesaid a lease in due form executed on behalf of Her Majesty by the Superintendent, shall be issued to the applicant upon his executing a counterpart thereof and paying for such lease the sum of thirty shillings.

Lease to be forfeited if not executed within one month.

16. If any applicant shall fail to sign and execute the counterpart of his lease for the space of one calendar month after notice shall have been given that the same is ready for signature he shall forfeit his right to such lease. Any such notice may be delivered personally or sent by post addressed to the place of abode of the applicant.

Rent to be paid in advance.

17. The rent to be reserved upon every lease shall be at the rate of two shillings and sixpence per acre per annum, and all rents or moneys payable under or in respect of any lease shall be due and paid annually in advance to the Receiver of Gold Revenue on the first day of January in each year of the term of lease. Provided always that one full year's rent shall be paid at the time of issue on all leases issued prior to the thirtieth day of June in any year and one half

year's rent shall be paid on leases issued subsequent to the thirtieth day of June in any year.

Lease to be void if rent in arrear.

18. If at any time during the currency of any lease the annual rent payable in respect thereof shall be in arrear for six months, or that the conditions hereinafter imposed are not fulfilled, such lease shall be declared void and all rights thereunder forfeited.

Conditions of Lease.

19. Every lease granted under these Regulations shall be subject to the conditions following:

- (1) Cultivation of not less than one-tenth the whole area within twelve (12) months from the commencement of the term of the lease or one-half of the whole area substantially fenced within the same time.
- (2) Cultivation and other improvements to be commenced within three months from the date of the lease.

Lease may be transferred.

20. The beneficial interest in any lease may with the sanction and authority of the Superintendent be at any time after the issue of the same transferred by the holder thereof. Provided always that no such transfer shall be valid unless all the conditions upon which the lease was granted shall have been complied with and that upon any such transfer a fee of one pound (£1) shall in every case be paid.

Survey Fees.

21. The fees charged for survey shall be as follows:—

For an ordinary survey where the area does not exceed 10 acres three pounds (£3), for any larger area three pounds (£3), and an extra two shillings (2s.) for every acre in excess of 10 acres.

Roads.

22. Where land shall be leased in any part of the Goldfield in which roads shall not have been determined on and laid out such land shall be subject to the right on the part of the Superintendent to lay out such roads over the said land when required, and no compensation shall be allowed in respect of any such land so taken except where the same is occupied by buildings or ornamental grounds.

Application to enter to search for gold.

23. Any holder of a Miner's Right desiring to enter for the purpose of searching for gold upon any land held under Agricultural lease shall apply to the Warden in such form as he may prescribe and shall serve upon the occupant or lessee of the land a duplicate copy of such application. On the receipt of such application the Warden shall appoint a day and place for hearing the same, and on the day appointed shall proceed to hear the application, and any objection thereto that may be made by the lessee or occupier, and shall report to the Superintendent who may thereupon grant or refuse such application.

Deposit.

24. In any case in which permission shall be granted to any holder of a Miner's Right to enter upon any such land for the purpose of searching for gold he shall deposit with the Receiver of Revenue such sum of money as the Warden may consider sufficient as security for the due performance of any conditions of such permission, and it shall be lawful for the Warden, in case of failure, to comply with such conditions, or any of them, to order payment of

the whole or any part of such money to the lessee or occupier of the land, or to make such other order in relation to the same as to him shall seem fit, and the decision of the Warden shall be final and conclusive as regards all parties concerned.

Conditions of entry to search for gold.

25. The Superintendent reserves the right of free entry to any land so leased as aforesaid for the purpose of searching and mining for gold, or for any other metal, or mineral and of determining any lease when such gold metals or minerals shall have been discovered therein, and also of granting permission to prospect without compensation upon any unimproved land.

Exemptions.

26. Agricultural leases will not, except in special cases, be granted for lands comprised within the boundaries of proclaimed townships or public reserves, nor for any area including a permanent water course or which may present auriferous indications, and in all cases a public roadway one chain in width will be reserved along the margins of navigable streams and rivers.

Rivers, etc., may not be diverted.

27. The granting of any lease shall not authorise the diversion of any river, stream, or water course required for public purposes, or for the use of miners generally, or authorise the use of any water therefrom, or from any natural spring except for domestic purposes, but all such water on any demised land shall be subject to the Goldfields Regulations for the time being in force for regulating the granting of water rights.

Superintendent may reserve land in certain cases.

28. The Superintendent may at any time, by proclamation in the *Government Gazette* of the Province, proclaim any land included in any agricultural lease to be a reserve for the site of a Township or for any other purpose of public utility, and the estate of the Lessee in the land so reserved shall at the expiration of the period of six months from the date of such proclamation cease and determine on payment to the Lessee of the amount of loss or injury he may have sustained by the exercise of such right, such amount to be ascertained by two impartial persons, one to be appointed by the Superintendent, and the other by the Lessee, or by any umpire to be appointed by two appraisers.

Superintendent may exclude land from lease.

29. Provided always that it shall be lawful for the Superintendent at any time before the execution of any lease to exclude from the land proposed to be comprised therein any land which may appear to him to be suitable and necessary for any purpose of public utility.

Lapsed Leases.

30. Should any lease granted as aforesaid lapse, or be forfeited, the Warden may, with the approval and in the name of the Superintendent, re-enter on the land so demised, and the same re-possess and enjoy as effectually as if no such lease had existed.

Provision for acquisition of land.

31. In the event of the acquisition by Government of the freehold of the lands comprised in the Ohinemuri Goldfield all applications which may be made by Lessees for the purchase of the lands demised to them under these Regulations shall be forwarded to the Warden, who shall report thereon, and shall as soon as conveniently may be thereafter submit the same together with such report for the consideration of the Government.

SCHEDULE A.

APPLICATION FOR AGRICULTURAL LEASE.

Received in Warden's Office day of

187 , at the hour of

To the Warden at Ohinemuri.

In pursuance of the Regulations made under "The Goldfields Act, 1866," for granting Leases for Agriculture purposes, within the Ohinemuri Goldfield, I hereby make application for a Lease, the position of which is shown on sketch plan annexed, to be granted to me, whereof the particulars are as follows; and deposit herewith the Receipt of the Receiver of Gold Revenue for the sum of Ten Pounds, and agree to pay any further costs and expenses which may be incurred in respect of this application in accordance with the said Regulations.

District.

Boundaries.

Deposit.

I hereby appoint as the place where all Notices required to be given respecting the above application may be served, and where, if so served, I will consider them served on myself personally.

Date.

Signature in full

Address

N O T I C E.

IN THE SUPREME COURT OF NEW ZEALAND.

NORTHERN DISTRICT.

Between ROBERT WILLIAM HAMMOND, Plaintiff; and JOHN HAMILTON, Defendant.

WHEREAS, by virtue of a Writ of Fieri Facias issued in this action, and directed to me, ordering me that of the real and personal property of the above-named JOHN HAMILTON, I should cause to be made the sum of £207 9s. 6d., together with interest on the said sum at the rate of £8 per centum per annum from the 3rd day of March, 1875, together with £1 13s. 6d. for the said Writ, besides Sheriff's poundage, Officers' fees, &c.: Now I do hereby give notice that I shall cause to be Sold by Public Auction, by Richard Arthur, at his Auction Mart, Queen-street, Auckland, on the 9th day of September, 1875, at the hour of 12 o'clock noon, unless the sum of £21 9s. 6d., being the balance due under the said Writ of Fieri Facias, and interest thereon, be sooner paid, besides Sheriff's poundage, Officers' fees, &c.: All the Estate, Right, Title, and interest of the said JOHN HAMILTON, of, in, and to all that piece or parcel of land, in the Province of Auckland, containing 50 acres, more or less, being Allotments Nos. 49A and 55, in the Parish of Hautapu, Banks County, District of Waikato, Province of Auckland; and all that piece or parcel of land containing 50 acres, more or less, being allotment No. 128, in the Parish and County aforesaid; and also all that piece or parcel of land containing 50 acres, more or less, and being Allotment No. 129, of the Parish and County aforesaid.

And I further give notice that the Estate or Interest of the said JOHN HAMILTON in respect of the above-mentioned lands, consists of his equity of redemption or other equitable estate in the said lands, and that all the said lands, and all the estates and interests of the said JOHN HAMILTON therein and thereto, have been taken by me in execution at the suit of the said ROBERT WILLIAM HAMMOND, the Execution Creditor.

Dated 29th May, 1875.

H. C. BALNEAVIS,

Sheriff.

Samuel Jackson and James Russell, of Fort-street, in the City of Auckland, Solicitors for the said Robert William Hammond.