



NEW ZEALAND GOVERNMENT GAZETTE.

[PROVINCE OF OTAGO.]

PUBLISHED BY AUTHORITY.

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W. CARGILL, Superintendent.

Vol. II.]

TUESDAY, MARCH 13, 1855.

MESSAGE No. 9.

Superintendent's Office,
Dunedin, 6th March 1855.

To the Provincial Council
of the Province of Otago.

GENTLEMEN,—By the despatch bearing upon the Land-question laid before you on the 12th December, it proved that the price, whatever it might be, could not be applied to local purposes, but must be held—one-fourth for the New Zealand Company, and the remaining three-fourths at the disposal of the General Government, making it thereby the interest of the Province to have the price fixed at the lowest possible figure. But it also proved that the price adopted by other Provinces (for reasons binding upon all) had been struck at 10s an acre; and hence the opinion of the Otago Executive that the price of land in this Province must of necessity be the same, and the same of necessity guarded against by regulations of that effect.

All such Regulations were then suggested, in order that the subject might be considered by the public; and I have now to lay before you the proposed proposals, on the understanding that the Members of your House, whose views may not concur with those of the Executive, are at the same time to introduce other proposals, in order to their being printed and circulated together, and the public mind clearly taken thereon with the least possible delay.

The Regulations proposed by the Executive are in conformity, so far as may be, with those published for Auckland—the only material difference being, that those for Auckland have the aspect of class legislation, one-third of the land being given unconditionally to one class; and one-third, subject to conditions, to another class (being working people and small farmers.) For Otago, it is proposed that all land-purchasers, from the least to the greatest, shall be on the same footing, and subject to the same regulations.

W. CARGILL,
Superintendent.

GENERAL LAND REGULATIONS PROPOSED FOR THE PROVINCE OF OTAGO, NEW ZEALAND.

I.

GENERAL REGULATIONS.

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and occupation of the Waste Land of the Crown (except such Regulations as are hereinafter confirmed) are hereby repealed.

2. All such Waste Land 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 Land of the Crown shall, from time to time, be divided by the Waste Land Board, hereinafter constituted, into three 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 the Waste Land of the Crown within any proclaimed Township or Hundred, and not comprised in one or other of the above two classes.

4. Such division into classes shall, before the same come into force, be approved 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. No land to be sold or alienated unless proclaimed as above, saving to leasees of depasturage Runs, and that only to the extent of a standing or station for each Run, as provided by Ordinances Session X. No. 1, and Session XI. No. 10. But parties who may desire to purchase and colonise on any land not so proclaimed may apply to the Waste Land Board, which, on being satisfied, will report and recommend the site; and the same, if approved by the Superintendent and Executive Council, shall be proclaimed in the "Provincial Government Gazette." All such reports to the Waste Land Board to be communicated to the Provincial Council, if sitting; or otherwise within ten days after its next meeting.

II.

TOWN, SUBURBAN, AND RURAL LAND.

6. All Town 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. But all Rural and Suburban Land to be sold at the uniform price of 10s. per acre, subject to the conditions hereinafter stated.

All Bush Land within Hundreds to be reserved and sold to the owners of open land in allotments of not more than 5 acres each, at the rate of 10s. per acre, and the sales thereof to be regulated as far as possible, for the supply of bush in proportion to the quantity of open land in each case.

7. As soon as conveniently may be after any new Township or Hundred proclaimed as aforesaid, it will 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.

8. The purchaser of Rural or Suburban Land shall, on payment of 10s. an acre, receive from the Waste Land Board a Certificate, enabling him to take possession, but under obligation, as a condition of title, to lay out upon said land, in money or labour, for all or any works, buildings, fencing, &c., included, that are necessary to its occupation and improvement, at the rate of 10s. an acre for Rural, and 15s. an acre for Suburban Land for four successive years.

9. So soon, and at any time within the said period of four years, as the holder of such Certificate shall report to the Waste Land Board, that his outlay on improvements has been equal to £2 an acre for Rural, or £3 an acre for Suburban Land, and the Waste Land Board shall have verified the same to its satisfaction, by the inspection and report of one of its Members, or of such other person within the district where the land is situate as shall be appointed thereto by the Waste Land Board, the possessor of the land shall forthwith have the right to exchange his Certificate for a Crown Title in the usual manner.

10. It shall be lawful for the holder of such Certificate, with consent of the Waste Land Board, to dispose of the same, on shewing that his outlay on improvements has been not less than 20s. an acre for Rural, or 30s. an acre for Suburban Land, and on payment to the Waste Land Board of a fee of 5s. for registration of the transaction, and the heirs or assigns of any such Certificate holder will also have to prove, and register, with the Waste Land Board, and pay a like fee of 5s. All such new parties, whether by purchase or succession, to be subject to the conditions and obligations set forth in the Certificate, in order to the obtainment of Titles.

11. All applications for the purchase of Rural or Suburban Land to be made to the Waste Land Board in writing, and the answer called for on the following or such other day as the Waste Land Board may have appointed, when the applicants will be prepared to pay the 10s. an acre, and receive their certificates; and in the event of two or more parties having lodged their applications for the same land on the same day, such lands to be put up to auction at 10s. an acre, but no other than the said applicants shall be allowed to bid.

12. Surveys to be made by Government, and purchasers to have their lands staked off and delivered free of survey charges, at such times, and under such arrangements, as shall be made by the Waste Land Board. But the said Board shall have power in certain cases to sanction and approve of surveys being obtained at the expense of the purchaser, and to allow for the same by a remission of payment, limiting such remission to the actual and reasonable cost, and in no case to exceed one-half of the purchase money.

MINERAL LAND LEASES.

13. Any person applying for a lease of land, containing or supposed to contain minerals, whether within or outside of any Township or Hundred, 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 5 acres, or more than 80.
2. That the term to be granted shall be any number of years at the option of the lessee, not exceeding 21.
3. That there shall be reserved a royalty or rent of one-fifteenth of the minerals to be raised, except on coal, in respect of which the royalty or rent shall be nominal, and the object aimed at, to have coal brought to market in abundance and at the lowest price.

4. That the lease shall contain clauses in the usual form introduced into the mining leases:—1. For securing 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 winning and working of the minerals; 4. For making void the lease on 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.

14. All applications for leases shall be sent in by the applicant, and dealt with by the Waste Land Board as hereinafter provided (No. 36); and in the event of an auction taking place, the upset price for any period not exceeding twenty-one years' lease shall be a royalty or rent (coal excepted) of one-fiftieth of the minerals to be raised.

15. The land comprised in any mineral lease shall, at the request of the lessee, at any time be put up to auction at an upset price to be fixed by the Waste Land Board, with concurrence of the Superintendent and his Executive Council, and subject to the rules thereto already granted.

16. Every applicant for a mineral lease shall furnish to the Waste Land Board, within a time to be fixed by the said Board after the application shall have been agreed to, a plan and description of the land to be leased, which plan and description shall be made and prepared by a licensed surveyor to be approved of by the said Board.

AUCTIONS.

17. Notice of the time and place at which any auction (except auctions in order to decide between two or more 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" and local newspaper not more than three months before such auction shall take place.

18. 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 business hours.

19. The land or lease shall be offered at auction by a Member of the Waste Land Board. No auction fees to be exacted.

20. 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.

21. 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 land was made, to purchase such land for the amount that was then bid for them, after deducting the amount of any deposit that shall have been paid thereon.

22. 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 land 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.

23. Notwithstanding anything herein contained, it shall be competent for the Waste Land Board, instead of permitting any land to be purchased as authorised by the above clauses 21 and 22—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.

OCCUPATION OF CROWN LAND.

24. The right of pasturage on the Waste Land of the Crown within any Hundred is enjoyed exclusively by occupants of land held under grant from the Crown (equitable or freehold), or persons of the native or half-caste race, occupying land within the Hundreds by permission of the Government.

25. The right of occupation of Waste Land of the Crown outside Hundreds, under pasture and timber license, is provided for by the rules and regulations made under the Crown Lands Ordinance No. 1 of Session X., and the Crown Lands Amendment Ordinance No. 10 of Session XI.

26. The provisions of said Ordinances, and such of the said rules and regulations made in pursuance thereof as are annexed to these regulations, are for the present hereby confirmed; provided always that the acts of the Commissioners of Crown Lands appointed under the said Ordinance No. 1 of Session X. shall be subject to revision by the Waste Land Board (except such duties as are prescribed by clause 26 of the said Ordinance) in the same manner as the acts of the Chief Commissioner of the Waste Land Board are subject to the revision of the said Board.

27. No person shall be allowed to purchase any portion of the land occupied by a pasture or timber license holder, whereon 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 10s. an acre, or until such lands shall have been proclaimed, as provided in No. 5.

28. 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 10 acres, or more than 80 acres, and subject to the regulations that may be established, as provided by No. 4, and he 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.

29. 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 licensee holder a reasonable time for the removal of his property.

APPROPRIATION OF LAND FUND.

30. Subject 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 Land of the Crown, will be appropriated to surveys in the first place, to immigration, 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.

FEE ON CROWN GRANTS.

31. Fees on Crown Grants, payable before the delivery of every Crown Grant, not to exceed 20s in each case.

WASTE LAND BOARD.

32. 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 removable by the Superintendent, with the advice and consent of his Executive Council. The Chief Commissioner shall also hold the office of Commissioner of Crown Land under the said Crown Lands Ordinance No. 1, Session X.

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

34. 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.

35. All business connected with the sale, letting, disposal, and occupation of the Waste Land of the Crown (except as hereinafter provided) shall be transacted by the Waste Land Board.

36. 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 letting, disposal, or occupation of any Waste Land of the Crown shall be posted as soon as opened in some conspicuous part of such room for not less than three days before such application shall be decided on.

37. Before the application shall be decided on, any person may give notice in writing to the Waste Land 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 said Board, after a full hearing of all parties. The £5 so deposited, or any part thereof, may be appropriated in payment of costs of any party, or returned to the person depositing the same, at the discretion of the said Board.

38. All applications, in reference to which no such notice shall have been given, shall be dispo-

ed 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 said Board.

39. 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 Land 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 said Board.

40. All meetings of the Waste Land 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.

41. The decision of the Waste Land Board, on all such matters as aforesaid, to be heard and determined by them, shall be final and conclusive: Provided always that the said 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.

42. The Waste Land 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 opinion of the members of the said 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 2s 6d for each inspection.

43. There shall also be kept in the office of the said 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 of which shall be open to inspection by any person, at all reasonable times, on payment of a fee of 2s 6d for each inspection. The said Board shall have power to make bye-laws, and which bye-laws, on being assented to by the Superintendent and his Executive Council, shall have full force.

DEFINITION OF WASTE LAND OF THE CROWN.

44. The term "Waste Land of the Crown" shall be deemed to include all such land as declared by the 72nd section of the Constitution Act to be Waste Land of the Crown within the meaning thereof.

45. The term "Waste Land of the Crown" and "Waste Land" throughout these Regulations (excepting in the 1st and 2nd 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; and it shall be the duty of the General Government from time to time to give such notification in respect of all such land, the Native Title to which shall have been extinguished, and the boundaries thereof satisfactorily defined.

W. CARGILL.

PROPOSED GENERAL LAND REGULATIONS FOR THE PROVINCE OF OTAGO, NEW ZEALAND:

I.

GENERAL REGULATIONS.

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

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

3. For the purposes of settlement, the Waste Lands of the Crown within the Province of Otago shall, from time to time, be divided by the Waste Land Board, hereinafter constituted, into six 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—comprising all lands surveyed by the New Zealand Company, and described as Rural Land on the selection maps of the Otago Block, and all such other lands as shall from time to time be declared as such, in manner hereinafter provided.
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.
6. Timbered Lands.

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 hereinafter constituted as aforesaid, 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.

II.

TOWN LAND.

6. All Town Land shall be sold by auction, according to the Regulations hereinafter prescribed for auctions. The upset price of such lands shall be £5 for every quarter of an acre of Town Land.

III.

SUBURBAN AND RURAL LAND.

7. Any person desirous of purchasing any Suburban or Rural Land shall send in a written appli-

cation to the Waste Land Board, under a sealed cover, with the words "application for Suburban or Rural Land," as the case may be, legibly written thereon, and such application shall state the number of acres, and shall describe the number of the section or part of section, and the number of the block in which the land is situated, if the same shall have been surveyed, which such person is desirous of purchasing, so that the same may be identified and marked on a plan of the district, to be provided by the said Board.

8. Every applicant shall, at 10 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 after the rate of 20s. an acre for Suburban, and 15s. an acre for Rural Land.

9. All such applications shall be opened at 10 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 Lands Board, at the upset price of 20s. an acre if the piece of land applied for be Suburban Land, and 15s. an acre if it be Rural Land, at 10 o'clock on the morning of the fourth day (and if such day be Sunday or Christmas day, or the 1st day of January, then on the following day) after the application for the same shall have been opened as aforesaid, and posted as hereinafter provided by section 73; at such auction the persons who applied for the land on the same day as aforesaid shall alone be permitted to bid.

10. Every such selection shall comprise not less than 5 acres and not more than 10 acres of Suburban Land, not less than 25 acres nor more than 50 acres of Rural Land, and shall, so far as the features of the country and the survey of the section applied for will permit, be of a rectangular form, and when fronting a river, lake, road, 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 deviate from such rule, and may also permit proprietors to complete their properties, by the purchase of adjoining lands of irregular shape, and of small extent, so that the same shall not unduly interfere with the advantageous dividing of the adjoining sections into convenient allotments.

11. The Waste Land Board, at the time of any application being granted, or as soon as conveniently may be thereafter, shall, in all cases where a re-survey shall be by them deemed necessary, inform the applicant that he must have the land so selected re-surveyed at his own expense by a surveyor to be approved of by the Board.

12. Every such re-survey must be completed and delivered at the Waste Land Office within six months after the Waste Land Board shall have informed such applicant that the Land is to be so re-surveyed; and in default thereof it shall be lawful for the said Waste Land Board to have the land re-surveyed at the applicant's expense (which shall be repaid by him to the Board before a Crown grant of the land purchased by him shall be issued.

13. Where Suburban or Rural Land shall be purchased in a district in which the lines of road

at present laid out on the plans are not practicable or available, and in which new 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 5 acres, and not more than 25 acres, shall receive an allowance of	} 5 acres per cent.
Purchasers of upwards of 25 acres	
	} 4 acres per cent.

14. It shall at any time be lawful for the Waste Land Board to offer for sale by auction, or to dispose of by lease or otherwise, as hereinafter provided, any Suburban or Rural Land which shall be deemed to possess especial value as containing minerals or timber.

IV.

SPECIAL OCCUPATION LAND.

15. 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 equal at least to one-fourth 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.

16. Such land, so to be set apart, shall be, so far as practicable, 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.

17. Such land shall be set apart in Blocks of such size, and in such localities, as the nature of the land in any district will permit.

18. After any such block shall have been set apart as aforesaid, and the outside boundaries thereof surveyed, it shall be lawful for the Superintendent, with the advice and consent 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, in allotments of such size and description as the Waste Land Board, subject to the approval of the Superintendent and his Executive Council, shall direct.

19. All such special occupation land shall be sold at the fixed price of 10s. per 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 hereinafter contained.

20. Any person desirous of making a selection of special occupation land, shall, on application to the Waste Land Board in Dunedin, or to their agent elsewhere out of New Zealand respectively, be entitled, upon payment of a sum of 1s. an 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 500 acres of land, (unless the same be claimed in respect of intermediate or steerage passengers as hereinafter provided) nor less than 40 acres.

21. 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, duly attested, and in default of such 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.

22. Every such land order shall authorize the person entitled to the same, or his agent constituted in writing, as aforesaid, 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 under section 18 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 in one allotment, or in contiguous allotments.

23. Every right of selection must be exercised within three calendar months from the date of the land order, where the same shall have been issued by the Waste Land Board in Dunedin; 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 12 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.

24. 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 10 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.

25. 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 4 years, in a form to be prescribed by the Waste Land Board, at a yearly rent after the rate of 1s. per acre, payable yearly, and the payment hereinbefore required by way of deposit shall be deemed to be in payment of the first year's rent.

26. After 4 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, at the rate of 10s. per acre: Provided always, that if the purchase-money and all rent due be not paid up 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.

27. No lessee will be permitted to assign, under lease, 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 as aforesaid, and in default of such appointment in his representative, either of whom shall be subject to the like terms and conditions as the lessee was subject to.

28. 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 in the Provincial Government Gazette, to declare that the right and interest of such lessee in such land shall cease and be forfeited.

29. If any lessee, or any other person shall continue in possession of land which shall have become forfeited under clauses 26 or 28 (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 prescribed by the Crown Lands Ordinance, Session X. No. 1.

30. If any question shall at any time arise as to whether a forfeiture has been incurred, under clauses 26 or 28, 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.

31. 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 on any part thereof, after the rate (for all such Special Occupation Land held by him), of 10s. per acre for every year during such occupation.

V.

GENERAL COUNTRY LAND.

32. 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 general country 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.

33. Every applicant shall, at 10 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 after the rate of 10s. per acre.

34. All such applications shall be opened at 10 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 10s. per acre, at 10 o'clock in the morning of the fourth day (and if such day be Sunday, Christmas day, or the 1st day of January, then on the following day) after the application for the same shall have been opened as aforesaid, and posted as hereinafter provided by section 73; at such auction the persons who applied for the land shall alone be permitted to bid.

35. Every such selection shall comprise not less than 40 acres nor more than 640 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.

36. 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 10 acres for every 100 acres so surveyed, as compensation for the cost thereof.

37. Every survey to be performed by the applicant at his own expense must be completed and delivered at the Waste Land Office within six months after the day on which his application was granted; and in default thereof it shall be lawful for the 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.

38. Where general country land shall be purchased in a district, in which the lines of roads shall not have been determined on and laid out, a right of laying out a line of road over the said land shall be reserved in the grant for the same, and an allowance made to the purchaser on account of such reservation, after the rate of 5 acres per cent.

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

VI.

TIMBERED LANDS.

40. It shall be lawful for the Waste Land Board, with the consent of the Superintendent and his Executive Council, to refuse to grant the application of any person for any land upon which timber shall be standing, if it shall appear to the said

Board that the sale of such land would be injurious to the public interests. It shall also be lawful for the said Waste Land Board, with the like consent, to receive and grant applications from any person for the purchase of Timbered Land situate within any of the before-mentioned districts, in such quantities, not less than one acre in each allotment, as the said Board shall see fit; and at the same price per acre as is hereinbefore fixed for the sale of other land within the district in which such timbered land shall be situate.

VII.

NEW ZEALAND LAND CLAIMANTS.

41. Holders of Land Orders issued by the New Zealand Company, in virtue of which no selection has been made, shall be entitled at any time previously to the 1st day of January 1858, to select according to their respective orders of choice the quantity of land specified in any such land order, within any district in which, by virtue of such land order, the holder thereof would now be entitled to select land.

42. Such of the said land orders, in virtue of which no selection shall have been made previous to the 1st January 1858, shall on and after that day become and be void, and all claims to select land thereunder shall be extinguished.

VIII.

IMMIGRATION FROM THE UNITED KINGDOM, &c.

43. As it is expedient that persons immigrating from the United Kingdom or elsewhere, to settle in the Province of Otago, should be entitled to acquire property in land free of cost, in proportion to their actual outlay on immigration, 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, according to the scale herein contained, exceed the purchase money of the land selected,) as intending to immigrate to the Province of Otago, and bona fide settle there; and the agent of the Waste Land Board shall thereupon grant a nomination certificate, stating the names, ages, and occupation or trade, if any, 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 has produced to the said agent satisfactory proof of good character, and claims to acquire land free of cost in respect of said certificate.

44. Every nomination certificate shall be presented to the Waste Land Board in Dunedin, 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 good character of such persons, and of their bona fide intention to settle in the Province of Otago, 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.

45. 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, one-half 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 and family, not exceeding in the whole the price of 500 acres of special occupation land.

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	£8
For every child between 7 and 14 years of age	12	5
For every child above 1 year, and not exceeding 7 years of age	8	3

46. Every such money certificate shall at any time be received instead of money for the amount therein named, in payment or part payment, as the case may be, of the purchase-money of land purchased under the land order in respect of which the said money certificate shall have been granted.

47. 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 of such money certificate, as the case may be: Provided nevertheless, that no grant shall be made till after a bona fide occupation as herein provided.

IX.

IMMIGRATION FROM INDIA.

48. 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 Otago, 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, namely:—

49. Every such person shall, within six days after his arrival, personally attend at the office of the Waste Land Board in Dunedin, and state his claim to acquire land under these Regulations.

50. 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, or who has a bona fide intention, of becoming a settler in the Province of Otago, 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 500 acres of special occupation land.

51. Such money certificate shall be received for the amount therein named, 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.

X.

NAVAL AND MILITARY SETTLERS.

52. 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 may be at any time within the Province of Otago, and retire or obtain his discharge from the service to which he belongs, 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, namely:—

Commissioned officers	80 acres
Non-commissioned officers, private soldiers, marines, and seamen }	40 acres

53. Such money certificate shall be received for the amount therein named, 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.

XI.

MINERAL LAND LEASES.

54. 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 20 acres, or more than 80.
2. That the term to be granted shall be any number of years at the option of the lessee, not exceeding 21.
3. That there shall be reserved a royalty or rent of one-fifteenth of the minerals to be raised.
4. That the lease shall contain clauses in the usual form introduced into mining leases:—1. For securing 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 winning and working of the minerals; 4. For making void the lease on 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.

55. 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 years' lease shall be a rent or royalty of one-fifteenth of the minerals to be raised.

56. The land comprised in any mining lease shall, at the request of the lessee, at any time

after an occupation of three years, be put up to auction at an upset price of £1 per acre, subject to the lease thereof already granted.

57. 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 surveyor to be approved of by the Board.

XII.

AUCTIONS.

58. Notice of the time and place at which any auction (except auctions in order to decide between two or more 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.

59. 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.

60. The land shall be offered at auction by some person appointed by the Waste Land Board for the purpose.

61. 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.

XIII.

OCCUPATION OF CROWN LANDS.

62. Under the Crown Lands' Ordinance, Session X., No. 1, 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, pensioners enrolled for service in New Zealand, or persons of the native or half-caste race, occupying land within the hundred with permission of the Government. Under these regulations such right of pasturage shall extend to every person who shall have proved to the satisfaction of the Waste Land Board his right to obtain a grant from the Crown in respect of any land occupied by him within the hundred in which he claims the right of pasturage.

63. The right of occupation of Waste Land 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 X., and the Crown Lands Amendment Ordinance No. 10 of Session XI.

64. The provisions of said Ordinances, (so far as the same are not affected by these regulations), and such of the said rules and regulations made in pursuance of the said Ordinances as are annexed to these regulations, are for the present hereby confirmed; provided always that it shall be lawful

for the Commissioner of Crown Lands to require every person applying for a license to depasture stock on any run outside the boundaries of proclaimed hundreds, to deposit with the Commissioner the sum of £20, which, so soon as the run applied for shall be stocked to his satisfaction, shall be returned to the applicant, but in the event of the applicant neglecting so to stock the said run within the space of six calendar months from the date of his application, the sum so deposited shall be forfeited to the Government; provided also that the acts of the Commissioner of Crown Lands, appointed under the said Ordinance No. 1 of Session X., 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, hereinafter constituted, are subject to the revision of the said Board.

65. No person shall be allowed to purchase any portion of the land occupied by a pasture license holder, until the offer of purchasing such land shall have been made to such license holder at the price of 10s. an acre.

66. The license holder in such case will be allowed to exercise the right of purchasing, at such fixed price, the land or any part thereof applied for by any other person not being less than 10 or more than 640 acres, 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.

67. 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.

XIV.

APPROPRIATION OF LAND FUND.

68. Subject 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 Land of the Crown, will be appropriated to immigration, 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.

XV.

FEEs ON CROWN GRANTS.

69. By the local Ordinance, No. 11 Session VII, the sum of 20s. 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.

XVI.

WASTE LAND BOARD.

70. 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 ap-

pointed and be removable by the Superintendent, with the advice and consent of his Executive Council. The Chief Commissioner shall also hold the office of Commissioner of Crown Land under the said Crown Lands Ordinance No. 1, Session X.

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

72. 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.

73. 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.

74. All business connected with the sale, letting, disposal, and occupation of the Waste Land of the Crown (except as hereinafter provided by section 73) shall be transacted by the Waste Land Board.

75. 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 hereinbefore provided in sections 9 and 34, in some conspicuous part of such room for three days before such application shall be decided on.

76. 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 no such application shall in that case be decided on, except at a meeting of the Board, after a full hearing of both parties.

77. 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 Lands 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.

78. 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.

79. 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.

80. The decision 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.

81. 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 opinion 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 2s. 6d. for each inspection.

82. 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 of which shall be open to inspection by any person, at all reasonable times, on payment of a fee of 2s. 6d. for each inspection.

XVII.

DEFINITION OF WASTE LANDS OF THE CROWN.

83. The terms "Waste Lands of the Crown" and "Waste Lands," in the 1st and 2nd sections of these regulations shall be deemed to include all such land as are declared by the 72nd section of the Constitution Act to be Waste Lands of the Crown within the meaning thereof.

84. The terms "Waste Lands of the Crown" and "Waste Lands" throughout these Regulations (excepting in the 1st and 2nd sections thereof) shall be taken to comprise only land whereof the Native Title shall have been extinguished.

XVIII.

COMMENCEMENT OF REGULATIONS.

85. These regulations shall come into force on the first day of June, 1855.

The rules and regulations referred to in section No. 62 of the above regulations as thereto annexed and thereby confirmed, are the "rules and regulations for the issue of pasture and timber licenses for the occupation of waste lands of the Crown outside Hundreds," except sections Nos. 11 and 12 thereof as the same were published in the New Zealand Government Gazette, and are now in force.

In pursuance of the 3rd section of an Act of the General Assembly of New Zealand, intituled the "Waste Lands Act, 1854," the above land regulations are published in the Government Gazette of the Province of Otago, and their adoption by the Provincial Council of the said Province will be proposed by me the undersigned, one of the members thereof, in conformity with the provisions of the said Acts.

JOHN HYDE HARRIS, M.P.C.

Dunedin, 3rd March, 1855.

HIS HONOR THE SUPERINTENDENT directs the publication of the following letter for general information:—

Dunedin, 2nd March 1855.

To His Honor the Superintendent and Council of the Province of Otago.

HONOURABLE SIR AND GENTLEMEN—

I beg to acknowledge the receipt of your letter with its enclosure, value £100, relating to

hand, through my agents, Messrs. Macandrew and Co., and at the same time to tender my best thanks for your kindness and liberality. You may rest assured that I will use every exertion in my power in exploring your Province for the benefit of Her Majesty's Government, and the general welfare of the settlers. Indeed I have every reason to believe that my investigations will open a wide field for the extension of sheep and cattle runs in your Province, and with this object I will take care to furnish you with a full description of the whole country, its rivers, lakes, and mountains. It will also be my particular study to discover a good and easy route directly across your Province to the Western Coast. When my examination of Stewart's Island is completed, I purpose sending extracts from my journal up to that time to His Honor the Superintendent, and such extracts as refer to MINERAL discoveries I have to request you will consider strictly confidential, as I wish them not in any way to be made public.

I expect to be absent about 6 months, and hope to return to Dunedin the latter end of July or August; but in the event of delays either from unfavourable weather or other causes, I shall look out for winter quarters in the south, and will send a special messenger to His Honor the Superintendent, acquainting him with my locality, and, if needs be, requesting assistance.

On leaving Stewart's Island my route will be from Jacob's River to Chalky Bay; thence to Paterson's Island, where, close on Pendulum Bay, I may remain a short time, and plant some potatoes, which I take with me for that purpose; thence direct along the coast to Milford Haven or Mistaken Bay, where I will have a second depôt for provisions, and plant potatoes also; thence up to Looking-Glass or Narrow Bay, going inland along the mountain range, and down again on the west side. Thus by crossing the mountain range from west to east and east to west, in a range of 120 miles wide, I shall be able to take correct observations of the land, as well as of the courses of rivers and lakes. Thence I shall come over by Mount Rickards to Mount Peel, and down to Port Otago, or from Waitangi River by boat. By such a route I hope to obtain a perfect knowledge of the "terra incognita," whereon no European has ever set foot before; and, in the course of my travels, my geological researches in such a wonderfully curious country will be particularly interesting, for instance as to the discovery of active or extinct craters, which I confidently expect will confirm my opinions already publicly expressed, that the volcanic action must take its course along the mountain ranges on the western coast, proving thereby that New Zealand was once in connection with South America. Flora and Fauna will also furnish an additional proof of that connection having existed. With regard to collections, my present plan is to leave them at two separate places, as I may find most convenient, until they can be brought up by boat to Dunedin. This I will provide for myself, and will presently arrange with His Honor the Superintendent in private as to the localities chosen for their temporary reception. You shall receive collections for your own museum, one specimen of every species of which I possess a duplicate; and here let me earnestly beg your careful attention to these collections. They will be very valuable, and grieved indeed should I be to find hereafter that my specimens were collected with much trouble only to share

the fate of those of my poor countryman, Dr. Leichardt, which were left untouched in their boxes seven years, then decayed and useless!

I beg to observe that no specimen of any description should be allowed to go out of the museum, nor must any person be allowed the liberty to examine with the view to publication. It is reserved to myself alone to publish any description of the specimens, and that under direct patronage of Her Majesty the Queen. All geological and botanical charts I beg to confide to His Honor the Superintendent privately.

In conclusion, should any misfortune befall us, and His Honor or the Provincial Council shall not hear or receive information of our loss, I confide in the kindness of the colonists, who I believe take an interest in the result, that they will institute a search for my papers,

collections, journals, maps, and instruments; and for this purpose I will leave marks in the course of my route, namely, in the bush, the letter S cut in the wood, and on the plains small mounds. On the western coast small tin boxes will be left here and there, containing written information. I may also add that every box in my possession during my excursion is marked with my name, Dr. S. Tin boxes painted brown, and marked "Province of Otago." My tent is painted a red colour.

Again thanking you for your kindness, and with every hope of success in exploring this Province to your complete satisfaction, I have the honor to be,

Honourable Sir and Gentlemen,
Your humble and obedient Servant,
G. F. R. SHMIDT, H.M., S.M.