



NEW ZEALAND  
GOVERNMENT GAZETTE  
(PROVINCE OF NELSON).

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 Honor's command,*

S. L. MULLER, *Provincial Secretary.*

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NELSON, WEDNESDAY, APRIL 4, 1855.

No. 5.

Provincial Secretary's Office, Nelson,  
April 4, 1855.

IN accordance with the provisions of the Waste Lands Act, 1854, the following Regulations, proposed by a Select Committee of the Provincial Council, for the Disposal of the Waste Lands of the Crown, are published for general information.

By his Honor's command,

S. L. MULLER,  
Provincial Secretary.

PROPOSED LAND REGULATIONS  
FOR THE PROVINCE OF NELSON.

GENERAL REGULATIONS.

1. For the purpose of managing the sale, letting, disposal, and occupation of the waste lands of the crown within the Province of Nelson, there shall be established a Waste Land Board.
2. Such board shall consist of three persons, viz., of the Commissioner of Crown Lands, under the Crown Lands Ordinance, Session X., No. 1, of the Superintendent of the Province, who shall be ex-officio a member of the board, and of a third person, to be elected by and from the members of the Provincial Council.
3. The duties of the Waste Land Board shall be, among other things, to divide the Province into counties, hundreds, and parishes,

to make reserves for the sites of towns and villages, and for lines of internal communication, whether by roads, canals, railways, or otherwise; also for such places as appear fit to be reserved for quays and landing places, or for the general convenience of trade and navigation; or as places of military and naval defence; or as the sites of churches, court houses, markets, hospitals, prisons, or other public edifices; or as cemeteries, or as places fit to be reserved for the embellishment or health of towns, or for the recreation of the inhabitants thereof, or otherwise for any purpose of public utility, convenience, or enjoyment.

4. It shall also be the duty of the Waste Land Board to set apart and reserve one thirty-sixth part of land, of average value, in every district, as an endowment for the purposes of education.

5. It shall be the duty of the Waste Land Board to proclaim lands intended to be offered for sale, to give notice of the time when such sales will take place (in accordance with regulations hereinafter prescribed), to determine within certain limits the upset price at which such lands will be offered, and generally to act as the administrative body of the waste lands of the crown within the Province: provided, however, that all the less important and routine business of the office may be discharged by the Commissioner of Crown

Lands under the Crown Lands Ordinance acting alone, without the necessity of reference to his colleagues.

6. It shall also be the duty of the Waste Land Board to keep, for the inspection of the public, convenient maps and plans, on which shall be clearly exhibited the lands sold, the lands about to be offered for sale, and the lands which, having been so offered but not sold, are open for selection at a fixed price; and for the more ready determination of the blocks of land in question, these maps shall exhibit as many as possible of the natural features of the country, as ridges of hills, rivers, and so forth.

7. For the purpose of sale, the lands of the Province shall be arranged by the Waste Land Board under five heads—

- A. Town land, being sites reserved for towns and villages.
- B. Suburban land, being land in the immediate vicinity of such reserved sites.
- C. Rural land, being land offering, neither from the unevenness of its surface, nor the inferiority of its character, any especial objection to profitable tillage.
- D. Pasture land, being such as, from its hilly and broken character or otherwise, appears unsuitable for agricultural purposes.
- E. Land believed to contain minerals of value.

#### LAND SALES.

8. All the lands of the Province, except as hereinafter provided, shall be sold by public auction.

9. The upset price of town land shall be such as the Waste Land Board shall, from time to time, determine.

10. The upset price of suburban land shall be fixed in similar manner.

11. The upset price of rural land shall be from ten shillings to one pound per acre.

12. The upset price of pasture land shall be from five shillings to ten shillings per acre.

13. The upset price of mineral land shall be determined by the Waste Land Board.

14. In determining within which class any particular lands are to be included:—With regard to town and suburban lands, the limits of these will be marked upon the plans, subject, however, to enlargement from time to time, at the discretion of the Commissioners. With regard to rural and pasture lands, the Commissioners will be guided, not so much by position, as by their fitness or unfitness for the purposes of tillage.

15. No land will be sold by auction until notice of the time and place, and of the upset price, shall have been given in the *Gazette* of

the Province and in some newspaper of extensive circulation, for a period of not more than three months, nor less than one.

16. Sales of land, of which, in accordance with the foregoing clause, due notice has been given, will take place at intervals of three months.

17. At such land sales, the Commissioners will offer for sale land which has been applied for, as hereinafter provided for, as well as such allotments of land as they may judge expedient to offer to the public.

18. No allotment of rural land will be offered for sale less than twenty or more than three hundred and twenty acres in size, nor of pasture land less than eighty or more than six hundred and forty acres.

19. No land shall be sold unless the same shall have been previously surveyed, and distinguished by an appropriate mark on the plan of the district within which it may be situate.

20. Persons wishing to purchase portions of the waste lands of the crown, not advertized by the Board as about to be sold, must lodge applications at the Land Office, describing the portion of land which they wish to purchase, and depositing at the same time a sum of money at the rate of one shilling per acre upon the computed acreage of the land so applied for. In case of the land indicated being already surveyed and marked out upon any plan in the office, it will be advertized without delay for the next auction sale which will allow the requisite public notice to be given. In case of the land not being upon any plan, it will be surveyed at the option of the Waste Land Board, either at the expense of Government or by the applicant by means of some approved surveyor; in which latter case, such applicant shall be entitled to receive an allowance of five acres for every hundred acres so surveyed, as compensation for the cost thereof.

21. Every allotment of land thus applied for, must, so far as circumstances and the natural features of the country will admit, be of a rectangular figure, and when fronting on a river, road, lake, or coast, no one side of the block shall be more than twice the length of any other side: provided always that, under special circumstances, the 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. These portions of land will, at the option of the applicant, either be put up to auction, or taken by him at a fixed price to be assessed by the Waste Land Board, and having relation to the average value of land of the same character.

22. Immediate payment in cash of one-tenth of the purchase money shall be the condition

of every sale, and the remaining nine-tenths 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 deposited will be forfeited, and the whole transaction null and void.

23. In case of the person who applied to have any block of land put up to auction not proving the purchaser, any expense incurred by him in having the land surveyed will be allowed for, and the money returned to him by the Waste Land Board. But the allowance so to be made shall in no case exceed five per cent. on the price at which the land sold. And the Waste Land Board shall, at their discretion, refund or withhold the deposit of one shilling per acre made in the first instance.

24. It shall be competent to any person, within three months next after any auction, to become, without any further auction, the purchaser of any lands put up for sale and not sold, by paying for the same the original upset price.

25. The Waste Land Board shall not offer for sale 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 a price per acre assessed within the limits of the upset price of the class of land to which the land in question may be judged to belong.

26. The license-holder, in such case, will be allowed the privilege of purchasing upon the terms mentioned in the preceding clause, a block of land not exceeding eighty acres, containing his homestead and improvements. But the Waste Land Board may require the license-holder to exercise his right of purchase at any time after one month's notice.

27. In case the license-holder, declining to exercise his right of purchase, it shall be lawful for the Waste Land Board to offer the land on which his homestead stands for sale, but in that case, the value of the improvements effected by the license-holder shall be assessed in some equitable manner, and the land shall be offered for sale at a price made up of the upset price of the land, and the value of the improvements. Should the holder of the license not become the purchaser, the value of his improvements will be paid to him immediately after the sale. But should there be no bidding for such homestead, the holder of the license will be required to purchase the land at the upset price (minus the value of his improvements) immediately after the sale; should he not do so, the Waste Land Board will, at any time, sell the homestead at any price which it may judge expedient.

28. 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 for any time not exceeding three months, to afford such license-holder a reasonable time for the removal of his property.

#### GOVERNMENT SCRIP.

29. The Regulations relating to Government Scrip, contained in the Proclamation of the 4th of March, 1853, are hereby confirmed.

#### LAND TO MILITARY SETTLERS.

30. The regulations relating to military settlers in the above-mentioned proclamation, are also confirmed.

31. The provisions of the Ordinances, Session X., No. 1, and of Session XI., No. 10, are hereby confirmed: provided always that the acts of the Commissioner of Crown Lands appointed under the Ordinance, Session X., No. 1, shall be subject to revision by the Waste Land Board.

#### LEASING OF MINERAL LANDS.

32. Any person applying for a lease of land for the purpose of working minerals, shall be entitled to the same upon the following terms and conditions.

33. The amount of land to be leased shall be determined by the Land Board, in no case to exceed two square miles.

34. The term to be granted shall be any number of years, at the option of the lessee, not exceeding twenty-one.

35. There shall be reserved a royalty or rent, of one-fifteenth of the minerals to be raised.

36. The lease shall contain clauses in the usual form:—1st, for securing the payment of the royalty or rent. 2nd, for enabling some person on the part of the Government to enter and examine the mine. 3rd, for securing the regular, proper, and efficient winning and working of the minerals. 4th, for making void the lease on breach of the stipulations on the part of the lessee therein contained. 5th, for delivering up the property at the termination of the lease in good tenantable repair. 6th, for enabling the lessee to abandon the working of the minerals, whenever he shall find the same unprofitable, and to surrender the lease.

37. In the event of simultaneous applications for a lease of mineral land, the same will be put up to auction, and the upset price for a lease of twenty-one years shall be a rent or royalty of one-fifteenth of the minerals to be raised.

38. The Waste Land Board will reserve to lessees of mineral lands a right-of-way through the adjoining waste lands of the crown, in the direction of the most convenient place of shipment, or otherwise, as may be necessary for conveying away the produce. But such right-of-way will not be exclusively granted to any one lessee.

Provincial Secretary's Office, Nelson,  
April 4, 1855.

HIS Honor the Superintendent directs it to be notified, that the undermentioned portion of the Waste Lands of the Crown

within the Province of Nelson, as hereinafter described, has been *reserved*, for the purposes of a Public Cemetery:—

A block of land situated in the Hundred of Wai-iti, bounded on the north by land granted to Thomas Price, on the east by a public road, and on the south and west by waste lands of the Crown, containing about 6 acres.

By his Honor's command,  
S. L. MULLER,  
Provincial Secretary.