



NEW ZEALAND
GOVERNMENT GAZETTE,
(PROVINCE OF NELSON.)

Published by Authority.

All 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.

ALFRED GREENFIELD, Provincial Secretary.

VOL. XVI.

NELSON, MONDAY, MARCH 16, 1868.

No. 10.

PROCLAMATION.

By His Honor OSWALD CURTIS,
Esquire, Superintendent of the Province
of Nelson, in the Islands of New
Zealand, &c., &c., &c.

WHEREAS, by the thirty-ninth section of "The Goldfields Act, 1866," it is provided that it shall be lawful for the Governor from time to time to make regulations prescribing the mode in which applications may be made for LEASES OF LAND for AGRICULTURAL PURPOSES, and such regulations from time to time to amend, alter, and revoke: And whereas by warrant under the hand of his Excellency the Governor, bearing date the 27th day of April, 1867, the powers vested in the Governor by the said 39th Section, were delegated to me as Superintendent of the Province of Nelson, to have, hold, and exercise, within the said Province, so long as I shall continue and remain Superintendent thereof: Now, therefore, I, Oswald Curtis, Superintendent of the said Province of Nelson, in exercise of the powers and authority in me vested as aforesaid, do hereby make the following regulations prescribing the mode in which

applications may be made for LEASES OF LAND FOR AGRICULTURAL PURPOSES within the Goldfields, in the Province of Nelson. And I do hereby revoke all former regulations published under the authority of the said 39th Section of "The Goldfields Act, 1866," in so far as the same apply to applications for AGRICULTURAL LEASES and declare the same to be null and void, and have no force or effect after this date:—

REGULATIONS.

Mode of Application.

1. Every application for an agricultural lease must be made in the form of the first Schedule hereto, or to the like effect, to the Warden of the district wherein the land is situate; and copies of such application must be posted and maintained by the applicant for a period of fourteen (14) days, on boards standing not less than three (3) feet above the surface of the ground, and erected, one at each corner of the land so applied for.

Deposit to be paid by Applicant.

2. Before any such application shall be received by the Warden, the applicant must pay to a Receiver of Gold Revenue, the sum of ten pounds (£10) as a deposit, and every

application must be accompanied by a deposit receipt for the sum so paid in the form in the second Schedule hereto.

Charge on Deposit.

3. Each deposit as aforesaid shall be chargeable with survey fees, to be assessed as hereinafter set forth, and with a fee of one pound (£1) for the preparation of the lease, and with the first half-year's rent to be charged in all cases, and also with any costs or expenses that may be incurred by any person who shall make a valid objection to the granting of the lease, the amount of which costs and expenses shall be adjudged by the Warden, the balance, if any of such deposit will be returned after the application has been finally dealt with.

Objectors to make Deposit.

4. Any person objecting to the issue of an agricultural lease shall within fourteen (14) days from the date of the application give notice thereof, setting forth the grounds of his objection in writing to the Warden, and shall therewith deposit the sum of two pounds (£2) with a Receiver of Gold Revenue as security for the prosecution of his objection, or in satisfaction of any costs and expenses to which the applicant may be put by reason of such objections, if disallowed; and if such objection should not be prosecuted, or should fail, so much of the deposit shall be handed over to the applicant as may be necessary to repay the expenses of such applicant, and the balance (if any) shall be refunded to the person so objecting.

Boundaries must be marked.

5. The boundaries of the land applied for must be marked on the ground by — trenches, and substantial posts standing not less than three feet above the surface at each corner thereof.

Areas must be rectangular.

6. Every area of land so applied for must be rectangular in form, unless a creek or river or other natural obstacle renders a deviation from the rectangular form necessary, and shall be laid out in accordance with the rules contained in Section XIV of "The Nelson Waste Lands Act, 1863."

Survey.

7. Immediately after the hearing of an application, the Warden (if there be no objection against the granting thereof) shall direct a surveyor to proceed to the land for the purpose of surveying and reporting on the same; and upon receipt of such surveyor's report, the Warden shall without delay forward the application for the Superintendent's approval.

Valid objections.

8. If any valid or seemingly valid objection is lodged against the granting of an application, or if there should be any cause known to the Warden why such application should not be granted, the Warden shall forthwith forward the application, together with his own report thereon, to the Superintendent.

Protection during application.

9. Land for which application shall have been made in the manner aforesaid, shall be protected from the date of such application until such decision shall have been made known to the Warden.

Possession where no objection..

10. If, upon the hearing of any application, it shall appear that no objection thereto has been lodged with the Warden, and there shall be no cause known to the Warden why such application should not be granted, the Warden shall upon application therefore issue a certificate of the same to the applicant, and such applicant may thereupon take possession of the land so applied for, and such land shall thereafter be surveyed as nearly as possible in the form in which it has been taken up, and in conformity with the sixth regulation as hereinbefore prescribed, but to the extent of fifty (50) acres only.

Exemptions.

11. Agricultural leases will not, except in special cases, be granted for land within the boundaries of proclaimed townships or public reserves, nor for any area including a permanent watercourse, 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.

Non-execution of lease.

12. If any applicant fails or neglects to execute his lease within one (1) month after service of notice from the Warden that such lease is ready for execution, such lease will (unless special cause for delay is shown) be cancelled, and a fee of one pound (£1), in addition to the charges hereinbefore mentioned, shall thereupon be deducted from the deposit.

Cancellation of leases.

13. Leases will be forfeited and may be cancelled if the land is sublet or transferred without the sanction and authority of the Superintendent; or, if planting, cultivation, or other permanent improvement is not commenced within three months after the issue of a certificate or lease; or if one-fourth in acreage of the land is not planted, cultivated,

or otherwise improved within twelve months from the date of any such certificate or lease; or if at any time during the currency of the lease the land shall be neglected for a period of six months.

Transfer.

14. Agricultural leases will not be transferable without the special sanction and authority of the Superintendent and for every such transfer a fee or fine of one pound (£1) will be charged; and no such transfer will be sanctioned in any case unless and until the conditions with respect to improvement shall have been duly complied with by the original applicant, and all rents due shall have been fully paid.

Rent.

15. The rent charged shall be at the rate of two-shillings and sixpence (2s. 6d.) per acre, payable half yearly in advance from the date of the certificate or lease, as the case may be, and every fractional part of an acre will be considered as an acre and charged accordingly.

Survey Fees.

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

For an ordinary survey, when the area does not exceed ten (10) acres, three pounds (£3).

For any larger area, three pounds (£3) and an extra two shillings (2s.) for every acre in excess of ten acres.

Land may be taken for roads.

17. The Superintendent reserves the right to survey through any land held under an agricultural lease, such roads as may be deemed essential for public convenience, and to throw them open to public traffic, subject to the allowance of valuation for improvements, and for any standing and growing crops which may be in or upon such line of road only at the period when possession thereof is taken by the Superintendent.

Conditions of entry to search for gold, &c.

18. The Superintendent reserves the right of free entry to any land so leased as aforesaid for the purpose of searching for gold, or for any other metal or mineral, and of determin-

ing 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, subject to such regulations as the Superintendent may hereafter think fit to make, upon any application for such permission being made to him.

SCHEDULES.

FIRST SCHEDULE.

Notice.

No.

(Place and Date.)

To Warden

I hereby apply for a lease of land for agricultural purposes situate at [here state the locality] and comprising acres or thereabouts: and I deposit herewith the Gold Receivers receipt for the sum of ten pounds (£10), and agree to pay any further costs and expenses which may be incurred in accordance with the Agricultural Leases Regulations made under "The Goldfields Act, 1866."

Signature (name in full and address).

SECOND SCHEDULE.

Agricultural Lease Deposit Receipt

District of

Date,

No. of application

Received from _____ the deposit of ten pounds (£10) pursuant to the "Agricultural Leases Regulation" made under "The Goldfields Act, 1866."

Receiver of Gold Revenue.

Given under my hand, and issued under the Public Seal of the Province of Nelson, this Sixteenth day of March, in the year of our Lord One thousand eight hundred and sixty-eight.

OSWALD CURTIS,

Superintendent.

Attested—

ALFRED GREENFIELD,

Provincial Secretary.