

APPENDIX C.

SECTIONS OF ACTS REFERRED TO IN THE FOREGOING REGULATIONS AND INSTRUCTIONS, AND COPIES OF REGULATIONS UNDER VARIOUS ACTS ADMINISTERED BY THE LANDS AND SURVEY DEPARTMENT.

"THE LAND ACT, 1892."

Streets and reserves in towns.

17. In all towns which may be laid off in or upon any Crown lands, or upon private lands outside a borough, the main streets shall be of a breadth not less than ninety-nine feet, and the cross or side streets shall be of a breadth not less than sixty-six feet, excepting only in the case of any existing town within or outside a borough having streets of a less breadth than sixty-six feet, with buildings bordering both sides thereof, in which case the Governor may authorise the extension of the aforesaid streets at the existing breadth thereof: Provided also that in cases where towns have been laid out and have been in existence for a period of seven years since the same was laid out, and where the local authority had approved and formed any road or street of a less width than sixty-six feet, then in such case the Governor may in his discretion approve of such streets or roads.

And in all towns laid off in or upon Crown lands—

- (1.) Open spaces shall be set apart and reserved for recreation-grounds, the number of such reserves being regulated by the superficial area of the town, being not less than one-tenth of such area, the separate size of such reserves in no case being less than twelve and a half square chains.

The "superficial area" means the area divided into town sections and the necessary streets to give access thereto.

- (2.) In addition to any reserves for public purposes made by the Governor, there shall be reserved from sale, as a nucleus of municipal property, to be subsequently vested in the local authority of such town as endowment, or for the use thereof, one acre to every ten acres of Crown town lands already sold and still available for sale in such towns.
- (3.) In addition to reserves already provided for, there shall be laid out—

(a.) Sufficient land, either outside or inside such towns, to be selected on such side of the said towns as shall be opposite to the quarter from which the prevailing summer wind blows, for depositing refuse;

(b.) Sufficient land, either outside or inside such towns, for sites for gravel-pits and stone-quarries, and for depositing gravel, stone, and other materials required for making and repairing roads within such towns: Provided always that gravel, stone, and other road-materials can be obtained in the locality;

(c.) Sufficient land, outside such towns, but not exceeding two per centum of the whole area thereof, for public cemeteries.

18. In every case where any allotments, or sections, or blocks of land are to be sold or advertised for sale as a town, the proposed name of such town, whether public or private, together with a plan of such town, showing the streets and the width thereof respectively, and the reserves made in such town, shall be prepared by an authorised surveyor, and be approved of by the Governor prior to sale.

Reserves in places becoming boroughs or town districts to vest in the latter.

20. Wherever any town or other place in the colony has subsequently become a town district or a borough, all reserves for public purposes made within such town or place, or granted to or vested in the Council or Board charged with the administration of its affairs, shall be deemed to have been made for such purposes within the town district or borough for the time being existing in the stead of such first-mentioned town or place, or to have been granted to or vested in the Town Board or Borough Council of such town district or borough respectively as from the date when such first-mentioned town or other place, or the Council or Board thereof, ceased to exist.

Wherever any town district or borough shall become merged in a county, all reserves for public purposes made within such town district or borough, or granted to or vested in the Town Board or Borough Council thereof, shall be deemed to have been made for such purposes within the county wherein such town district or borough is merged, or to have been granted to or vested in the County Council thereof as from the date when such town district or borough, or the Town Board or Borough Council thereof, ceased to exist.

Survey or form of allotments.

109. All sections shall, as far as the features of the country will admit, be of a rectangular form, with due regard, however, to fencing-lines, and, when fronting a road, river, lake, or the sea-coast, be of a depth not less than twice the length of the frontage; but, where land is open for selection before survey, no application shall be received for any rural land, unless bounded by other frontage lines

or by private lands, of a less depth than forty chains from a frontage line, except with the approval of the Commissioner.

Rural lands to be classified and sold or otherwise disposed of in any manner under Act.

112. All rural lands may be classified by the Board into first- and second-class lands, and may be disposed of in any manner authorised by this Act, at the prices following, that is to say,—

- (1.) First-class lands, at a price not less than twenty shillings per acre; and
- (2.) Second-class lands, at a price not less than five shillings per acre.

Governor may make reserves. Temporarily in first instance.

235. The Governor may from time to time, either by a general or particular description, and whether the same has been surveyed or not, reserve from sale temporarily, notwithstanding that the same may be then held under pastoral license, any Crown lands which in his opinion are required for any of the following purposes, namely:—

- (1.) For docks, quays, improvement of harbours, landing-places, quarantine grounds or quarantine stations, tramways, railways, railway-stations, roads, fences of all sorts, bridges, ferries, canals, fishing-paths, or other internal communications whether by land or by water, reservoirs, aqueducts, watercourses, water-races, drains, improvement and protection of rivers, irrigation and works connected therewith, embankments, quarries, gravel-pits, shingle-beds; or
- (2.) For sites of markets, abattoirs, public pounds, baths, wash-houses, museums, libraries, mechanics' institutes, or other institutions of a like character, country or municipal buildings, public halls, Courthouses, police-gaols, prisons, or other public buildings; or
- (3.) For sites and grounds for schools, colleges, reformatories, hospitals, asylums, and charitable institutions, or for the purposes of any agricultural or pastoral associations; or
- (4.) For the growth and preservation of timber or for the preservation of the native fauna; or
- (5.) For gardens, parks, domains, or commons, or for the health, recreation, convenience, or amusement of the people, or for burial-grounds or cemeteries; or
- (6.) For the use, support, or education of aboriginal natives of the colony; or
- (7.) For any purpose of public defence, safety, utility, advantage, or enjoyment; or
- (8.) As endowments for public education; and also
- (9.) Any land containing thermal, mineral, or other springs which he may think should be so reserved for the public

health, or any land wherein or whereon natural curiosities or scenery may exist of a character to be of national interest.

"THE LAND ACT AMENDMENT ACT, 1895."

Amendments of principal Act.

10. The principal Act is hereby further amended as follows:—
 - (1.) As to section eighteen thereof: By the addition of the following proviso: "Provided that no right-of-way in any subdivision of land for a town shall be of less width than sixty-six feet."
 - (2.) As to section one hundred and twenty-six thereof: By adding to the end of the section the words, "and after there has been deducted therefrom all sums credited to the selector under the provisions of section sixty-five of this Act."
 - (3.) As to section one hundred and sixty thereof: By the repeal of the words "if such land be portion of any lands notified under this Part of this Act."

"THE NATIVE LAND COURT ACT, 1894."

Mode of securing payment of survey-fees.

65. The Court may charge by way of mortgage, on such terms as may seem just, any land or parcel of land to secure the payment of an amount to be certified by the Surveyor-General or Commissioner of Crown Lands for the district in which the land so surveyed is located as being the reasonable cost or portion of the cost of any survey thereof, whether heretofore made or in course of progress at the time of the passing of this Act, to such person as the Court may consider entitled to such payment, or may (subject to the approval of the Minister), in lien of such mortgage, vest a defined portion of or interest in any such land in any such person in fee-simple in satisfaction and discharge of such cost of survey: Provided that no sale under any such mortgage shall be made until the expiration of six months after written notice, signed by or on behalf of the person claiming to exercise the power of sale, and specifying the land intended to be sold and the sum intended to be realised, shall have been lodged in the office of the Minister at Wellington.

The Minister may, out of any moneys available for the purchase of Native lands, pay the amount claimed under any such mortgage, or such other amounts which the Surveyor-General shall certify as being a fair value for the same, and take an assignment thereof in the name of the Surveyor-General.

Every such mortgage shall have the effect of a mortgage under the Land Transfer Act, and every alienation of land under any such mortgage shall be subject to the general statutory provisions for the

time being affecting the acquisition of land from Natives, excepting as to the mode of execution of any deed effecting such alienation. A sale under any mortgage as aforesaid shall be a complete satisfaction of all claims in respect of the survey in payment whereof such charge was created.

Conditions under which Native owners may alienate lands.

131. The Native owner or owners of any land may alienate the same in the manner and subject to the conditions following, that is to say:—
 - (1.) The owner of any land, or a majority of the owners thereof, or a majority of the members of any Committee representing the incorporated owners thereof, and duly appointed under Part II. of Division II. of this Act, may apply to the Land Board for the Land District within which such land is situated to dispose of the same under the laws for the time being regulating the disposal of Crown lands.
 - (2.) Every such application shall forthwith, on the receipt thereof, be referred by the Land Board to the Governor, who, if he shall be satisfied that the owners have sufficient other land left for their maintenance, may, by Order in Council, subject to such conditions (if any) as he may think fit to impose, consent to the disposal of any such land as aforesaid.
 - (3.) On any such Order in Council being published in the *New Zealand Gazette*, the Land Board may proceed to dispose of such land, or any part or parts thereof, in accordance with the laws in force for the time being regulating the disposal of Crown lands, and in the same manner as if such lands were lands of the Crown, but subject to such conditions (if any) as the Governor in Council may have imposed as aforesaid.
 - (4.) The certificate, Crown grant, or other instrument of title under which land the subject-matter of any such application as aforesaid is held by the Native owners shall be lodged with the District Land Registrar of the district before the Land Board shall proceed to dispose of such land, and on the gazetting of such Order in Council as aforesaid the legal estate in the land described in such Order in Council shall vest in the Crown.
 - (5.) The Governor may, for the purposes aforesaid, direct the Court to make any such inquiry and report as may be necessary. If the Governor shall refuse his consent, the certificate, Crown grant, or other instrument of title shall be returned to the persons entitled.

Power to expend moneys for purchase of Native lands.

132. The Colonial Treasurer may from time to time expend such sum or sums of money, out of any moneys for the time being avail-

able for the purchase of Native lands, as he may consider necessary for the purpose of surveying any lands to be disposed of under the last-preceding section, or for the purpose of laying off, constructing, or maintaining any road or means of access through or to the same, or for executing any works for the purpose of rendering such lands available for settlement, or of advertising or conducting any sale or other disposition thereof, or for any other purpose incidental to the disposal of the said lands.

Moneys received by Land Board, how to be applied.

133. All moneys received by a Land Board in respect of the disposal of any land under this Part of this Act shall be applied as follows:—

(a.) In the repayment of any moneys expended under the last preceding section.

Such repayment may be made out of the first moneys so received, or by instalments payable within seven years out of moneys due or to accrue in respect of any disposal as aforesaid.

(b.) Subject to such repayment, the moneys so received by any Land Board as aforesaid shall be paid to the Public Trustee, who shall hold the same in trust for the owners of the said land, to be paid to them in proportion to their relative shares and interests therein, without any deduction or charge whatsoever.

Sales by auction.

134. All land disposed of by sale under this Part of the Act by the Land Board shall be disposed of by auction.

"THE NATIVE LAND LAWS AMENDMENT ACT, 1896."

Minister may pay survey charges. On payment, all rights of recovery to vest in the Crown.

37. The Minister may, out of any moneys available for purchase of Native Lands, elect to pay any moneys due or hereafter to become due to any person for the survey of land or Native land, whether secured by charging-order or otherwise; and, upon payment or tender thereof by any person authorised by the Minister in that behalf to the person entitled to receive the same, the said debt and all securities for the same, and all rights and remedies for the recovery thereof, shall pass to and become vested in Her Majesty as if the same had been duly assigned to her by the person entitled thereto.

The Registrar of Deeds or District Land Registrar for the district within which such land is situate shall, on receipt of a notice signed by the Minister to the effect that any mortgage charge, lien, or other security has been acquired by the Crown under the provisions of this section, register Her Majesty as the proprietor thereof, and no further or other evidence than such notice shall be required for the purpose of such registration.

REGULATIONS FOR A SYSTEM OF BALLOT UNDER "THE LAND ACT, 1892."

GLASGOW, Governor.

In pursuance and exercise of the powers and authorities conferred by "The Land Act, 1892," His Excellency the Governor of the Colony of New Zealand doth hereby revoke the regulations for a system of ballot under the said Act, published in the *New Zealand Gazette* of the tenth November, one thousand eight hundred and ninety-three, and doth hereby make the following regulations for a system of ballot with respect to lands purchased, leased, or otherwise disposed of under the provisions of the said Act, that is to say:—

1. On the day appointed for receiving applications for land each application as it is received shall be numbered in consecutive order, and in addition with a rotation number having reference only to the application made for the particular section applied for.

2. A list shall be prepared for each section in the following form, on which will be entered the rotation number for the land applied for, and the consecutive number of the application:—

SURVEY DISTRICT.			
Section	Block	ac.	r.
Rotation Number.	Application Number.	Name of Applicant.	Remarks.

3. The Commissioner shall provide sufficient balls, all of one size and colour, equal to the total number of applications for the section applied for, and on each of such balls he shall cause to be legibly printed or written one of the rotation numbers aforesaid, but so that no two balls shall bear the same rotation number. The figures on the balls shall have a line drawn horizontally under them to show which is the right side up.

4. At the time fixed for the ballot the Commissioner of Crown Lands, or officer appointed by him, shall read over each name on the list aforesaid with its rotation number, and, as each name and number is read over, the ball bearing the corresponding rotation number shall be deposited in the ballot-box.

5. The ballot-box shall then be securely closed and thoroughly shaken up and turned, and the drawing shall then take place in the presence of the Commissioner of Crown Lands, or the officer appointed by him to superintend such drawing, and the person whose rotation number appears on the ball first drawn from the ballot-box shall be declared by the Commissioner or other officer to be the successful applicant.

6. Immediately upon the successful applicant being declared he shall pay to the Receiver of Land Revenue the deposit, purchase-money, rent, or other moneys required by law in respect of the land applied for; and should such applicant or his representative not make the said payments as required by law, then a fresh ballot in the manner before provided shall be taken between the other applicants without delay. Or, should there be only one remaining applicant, he shall be declared successful, subject to the said payments being made as aforesaid.

As witness the hand of His Excellency the Governor, this thirteenth day of January, one thousand eight hundred and ninety-six.

JOHN MCKENZIE,
Minister of Lands.

STANDARD REGULATIONS FOR SPECIAL-SETTLEMENT ASSOCIATIONS.

1. In the construction of these regulations, unless the context shall otherwise require, the following expressions shall have the meanings hereby assigned to them:—

"Association" means the Special Settlement Association, being a body of persons, not less than twelve in number, voluntarily associated together at _____, in the Land District of _____, for the purpose of taking up the land as a special settlement of farm homesteads:

"Land" means the land described in the Schedule set apart for a special settlement, to be dealt with under these regulations:

"Settler" means any member of the association or other person, not being a married woman, leasing lands under these regulations:

"Receiver of Land Revenue" means Receiver of Land Revenue at _____, or other officer for the time being acting as such:

"Minister" means the Minister of Lands for the time being, or any member of the Executive acting for him:

"Commissioner" means the Commissioner of Crown Lands for the Land District of _____:

"Secretary" means the secretary of the association for the time being, and shall include any person acting in that capacity, and, if there shall be no secretary, then the chairman of the association:

"Substantial improvements of a permanent character" mean and include reclamation from swamps, clearing of bush, gorse, broom, sweetbriar, or scrub, cultivation, planting with trees or live hedges, the laying-out and cultivation of gardens, fencing, draining, making roads, sinking wells or

water-tanks, constructing water-races, in any way improving the character or fertility of the soil, or the erection of any building:

"Cultivation" means—

(1.) Fencing the land with timber or other durable materials, not being a brush fence; or

(2.) Breaking up and laying down the same in English or other cultivated grass; or

(3.) Breaking up and planting or sowing root or other crops therein:

"Lease" means a lease in perpetuity in terms of Part III. of "The Land Act, 1892."

2. The block of land to be dealt with under these regulations has been surveyed into sections of not more than 320 acres each, and the number of persons to be located thereon shall not be less than twelve.

3. The allotment of sections to members of the association shall be made at such time and in such manner as the association may, with the consent of the Commissioner, determine.

4. The land shall be disposed of by lease at an annual rental of 4 per cent. on the capital value fixed by the Minister.

5. One-third of the rents paid from time to time shall, for the first fifteen years, be paid to the local body of the district charged with the construction and maintenance of roads in the district, for the expenditure on roads in or leading to the block. Such expenditure to be first sanctioned by the Land Board for the Land District of _____.

6. All rents and moneys required to be paid for the land under these terms and conditions shall be paid to the Receiver of Land Revenue, and receipts given by him shall be sufficient discharge for the payment of the moneys therein respectively acknowledged to have been received.

7. The settlers shall be members of the association, and no settler shall be under seventeen years of age.

8. The secretary shall inform the Commissioner of the names of the settlers; pay a deposit of 1s. 3d. per acre, being half survey-fee, the balance to be paid within six months before ballot takes place; and also furnish the Commissioner from time to time with minutes of proceedings of the association if so required.

9. The original or amended list of members, signed by the secretary of the association, and sent to the Commissioner, shall be *prima facie* evidence that the persons claiming to select land are members of the association.

10. Each settler shall put on the land comprised in his lease substantial improvements as follows:—

(a.) Within one year from the date of his lease, to a value equal to ten per centum of the price of the land;

(b.) Within two years from the date of his lease, to a value equal to another ten per centum of the price of the land.

(c.) And thereafter, but within six years from the date of his lease, to another ten per centum of the price of the land. And in addition thereto shall, within six years from the date of his lease, put substantial improvements of a permanent character to an amount equal to the net price of every acre of such land.

11. Residence and occupation of the land shall be in accordance with Part III. of "The Land Act, 1892."

12. No person who is the owner in fee or leasehold of any land in New Zealand which, together with the land included in his application or transfer under these regulations, would exceed 320 acres, and no person who has made an arrangement or an agreement to permit any one, save his son or daughter, to acquire by purchase or otherwise the allotment in respect of which his application is made, shall be entitled to become a settler under these regulations.

13. Any settler who fails to comply with these regulations in any respect shall, upon sufficient proof thereof to the satisfaction of the Land Board of the district, forfeit his interest in the land selected, and the land shall thereafter be dealt with as ordinary Crown land; and these conditions shall be sufficient authority for such forfeiture.

14. The association may make such rules and regulations from time to time as it may deem necessary, subject to the approval of the Commissioner.

15. In case any doubt shall arise as to the sufficiency of the compliance with these regulations with reference to the selection, occupation, or improvement of any land, or otherwise arising thereunder respectively, the same shall be settled by the Land Board.

16. Excepting as expressly modified by these regulations, the provisions of "The Land Act, 1892," and its amendments shall be deemed to have full force and effect over and upon the land herein referred to, and shall, *mutatis mutandis*, be read as if these regulations formed part of the Act.

STANDARD REGULATIONS FOR VILLAGE-HOMESTEAD SPECIAL SETTLEMENTS.

1. The lands enumerated above are first-class lands, and are village-homestead allotments, open for selection on lease in perpetuity under the provisions of "The Land Act, 1892" (hereinafter referred to as "the said Act").

2. The day on which the land shall be open for selection shall be the day of 189 .

3. The rental stated shall be the price at which the land shall be open for selection.

4. Application for leases shall be made in manner as provided in Part I. of the said Act; and all such applications shall be made to the Commissioner of Crown Lands; and leases will be issued in accordance with the provisions of Part I. aforesaid.

5. Each applicant shall state his or her residence, occupation,

and condition in life (namely, whether married or single), and will be required to make the declaration prescribed in Schedule C of the said Act.

6. Each applicant shall pay the first half-year's rent, together with the lease- and registration-fee, immediately the application has been approved or declared successful at the ballot.

7. All rents must be paid half-yearly, in advance, on the 1st days of January and July in each year, as provided in section 157 of the said Act; and the first half-year's rent is payable as before provided.

8. Improvements and residence on the land comprised in each lease shall be as provided in Part III. of the said Act. The provisions of section 144, and all other provisions of the said Act with respect to substantial improvements, shall apply accordingly to lessees under these regulations. The provisions of section 141, and all other provisions of the said Act in respect of compulsory residence, shall apply accordingly to lessees under these regulations.

9. No lessee shall subdivide, sublet, or transfer the land held by him under these regulations, except under and subject to the provisions of Part I. of the said Act.

10. No lessee shall hold more than one allotment, and such allotment shall be held for his or her sole use and benefit, and not for the use or benefit of any other person whomsoever. No married woman shall be eligible as a selector; but this provision shall not apply to any married woman who may become a transferee under a will or by virtue of an intestacy.

11. All the provisions of the said Act, so far as applicable, shall extend and apply to the lands affected by these regulations, and to the applications and leases to be made and issued thereunder, and generally to the interests created, and the persons whose rights, liabilities, or interests are thereby affected; and the mention of any particular provision of the said Act shall not be deemed to exclude any other provision of the said Act applicable to the particular case.

REGULATIONS UNDER "THE LANDS IMPROVEMENT AND NATIVE LANDS ACQUISITION ACT, 1894."

(Gazette No. 91 of 13th December, 1894, and No. 71 of 17th September, 1896.)

1. THE Commissioner of Crown Lands or the Chief Surveyor of the district will in each case select the men who are to form the association; and he may refuse to accept as a member thereof any unsuitable person, or any person who, in his opinion, has already got sufficient land to keep him, or is otherwise in a position to apply for Crown land in the usual manner; the main object of these regulations being to assist deserving men who are out of employment, or who are otherwise unable to obtain land and thus become self-supporting.

2. For the purpose of constituting the association, the persons so selected shall sign the memorandum set forth in the First Schedule hereto; and such memorandum, when approved in writing by the Commissioner, shall be retained by him.

3. The land for each association will be divided into sections of from 10 acres to 200 acres each, as the Commissioner may determine; and one section, but no more, shall be allotted to each member of the association.

4. The sections may be allotted to members by ballot, under the supervision of an officer of the department or the Commissioner, or by agreement amongst the members without ballot, but in either case with the approval of the Commissioner; or the Commissioner himself may allot the sections without any ballot, and no member shall have any ground of objection by reason of any such allotment.

5. Pending the grant of a lease or license under Part III. of "The Land Act, 1892," to the holder of a section, no transfer of such section will be permitted without the sanction of the Board in terms of section 83 of the Land Act; and before sanctioning the same the Board must be satisfied that there is a good and substantial reason for the transfer, and that no profit is made out of the transaction by the transferor.

6. In the event of any person to whom a section has been allotted throwing up such section, or neglecting or refusing to reside thereon and to improve the same, or to pay rent therefor, or to comply with these regulations to the satisfaction of the Commissioner, such persons shall be deemed to have forfeited his interest, and thereupon the section may be allotted afresh as if it had not been previously allotted, and he shall cease to be a member of the association.

7. The sections may be allotted before any bush is felled, or, at the option of the Commissioner, guided by the wishes of the members, on the completion of the burn, or of the grass-sowing, or otherwise as may be deemed expedient; but members actually employed on any particular portion of the land to be allotted, or on the road-works in connection therewith, shall have priority of claim for consideration in the allotment of such portions, subject to Regulation 1.

8. The Commissioner, guided by the wishes of the members, may from time to time either (a) employ them or any of them in parties to fell bush in blocks, irrespective of sections, or (b) allow individual members to fell the bush on their respective sections or such portions thereof as he may determine.

9. In cases where the bush is to be felled on separate sections by the holders of those sections, the felling must, so far as the ground permits, be done on contiguous sections, so that the clearing on one section may join the clearing on the next section, and thus secure a good burn.

10. In case of any land being dealt with as provided for in clause 8, (a), of these regulations, each party shall consist of not less than five nor more than ten members, and a co-operative contract shall be let in the manner usual for such contracts, but so that each

member shall not fell more than 50 acres in any one season. If it is decided that each member shall fell the bush on his own section, separate contracts shall be let, so that each member shall fell a reasonable quantity of bush on his own section, but not less than 5 acres nor more than 50 acres in any one season.

11. The contracts shall in either case be laid out by the Chief Surveyor, before the work commences, by marking the trees and running through traverse-lines.

12. The rates for felling, according to usual specifications, shall be fixed by the Chief Surveyor, according to the nature of the bush, the locality, and ruling prices in the districts, so that wages shall average 6s. a day for reasonable service, provided that the cost per acre shall in no case exceed £1 15s.

13. Payments will be made monthly on the value of the work done as estimated by the Chief Surveyor, less 10 per cent., which shall be deducted and retained until completion of the work to the satisfaction of the Chief Surveyor.

14. Service roads will be laid out by the direction of the Chief Surveyor, and, as far as possible, trees must be felled so as not to cover or cross the roads. Bush on roads is not to be felled until a contract is let for such formation as may be decided upon.

15. The area felled shall be burned in the early part of the year following the felling thereof, and shall be sown with grass-seed at the proper time thereafter. Each member is to burn his own bush without further payment, excepting in case of co-operative contracts in clause 8, (a); the Government will advance grass-seed if required; members are to find their own tools, tents, and provisions, or, if provided by Government, the cost shall be repaid out of the moneys payable for work done. The Government does not bind itself to provide continuous work for any person, nor will more than 100 acres of clearing be paid for in any case.

16. Where the member is a married man with a family, an advance of £30, and where the member is a single man, an advance of £10, may, on the recommendation of the Commissioner, be made towards the cost of erecting a dwelling-house on a section, fencing, and making a garden; such advance not to exceed three-fourths of the value of the proposed building, fencing, and garden, and to bear interest at the rate of 5 per cent. per annum. Such amounts may be afterwards deducted from the earnings of the member in such proportions, or added to the capital value, as the Commissioner may determine; but the buildings will remain the property of the Crown until wholly paid for, and if not wholly paid for when the lease or license is issued, then the value remaining unpaid shall be added to the capital value of the land, and 4 per cent. or 5 per cent. per annum thereon be added to the rent, according to the tenure, as the case may be. Buildings of the value of £40 or over shall be insured against loss or damage by fire in the name of the Queen to the full amount of the advance in some fire insurance office carrying on business in New Zealand to be approved of by the

Commissioner. This regulation shall not be acted upon without the special authority of the Minister of Lands, but, subject thereto, shall be applicable to lands already taken up under the regulations made under the said Act.

17. Every person taking up land under these regulations shall subscribe his name to an agreement in the form of the Second Schedule hereto, and no person shall be allowed to occupy any land under these regulations unless and until he has so signed.

18. Every person to whom land is allotted in terms of these regulations shall forthwith, or within three months after the first burn, reside with his family and continue to reside on such land for the term of ten years, unless exempted from such residence by the Land Board.

19. If any person taking up land under these regulations commits breach of such regulations, or is dismissed for misconduct from the works, or commits any gross act of misconduct that in the opinion of the Land Board may make it undesirable that he shall any longer remain on the land, or if he commits a breach of the Land Act in respect to the same, or at any time ceases to reside with his family upon such land, his interest therein shall, by any such fact, be absolutely cancelled and forfeited without any right to compensation or otherwise, and he may be ejected accordingly, and shall cease to be a member of the association.

20. Rent at the rate of 4 per cent. per annum for every lease in perpetuity, and at the rate of 5 per cent. per annum for every license to occupy with right of purchase, will commence from the 1st day of January or 1st day of July first immediately following one year from the date upon which the grass is ready for stock, and such rent shall be based on the capital value of the land, with the addition of the cost to the Government of roading, clearing, providing and sowing of grass-seed, &c., and any other expenses in the opinion of the Commissioner fairly chargeable to the land at date of commencement of the lease or license. The cost of any additional clearing, or advances made subsequent to the before-named date at which the rent commences, shall be added to the capital value of the land, and interest thereon shall become a part of the rent, and be payable on each recurrent 1st day of January or 1st day of July; but no lease or license shall be issued to any person until he shall have paid the first half-year's rent, and until the whole of the improvements contemplated have been completed.

21. Except as herein expressly modified, all the provisions of Part III. of "The Land Act, 1892," shall apply to the land granted hereunder, and these regulations and the provisions of that Act shall apply in every case notwithstanding that a lease or license under that Act may not have been issued for such land; and in any case where, in pursuance of these regulations or of that Act, the interest of any person has been forfeited or cancelled, no objection shall be taken thereto on the ground that the lease or license has

not been issued; and the Land Board may for every purpose whatever act as if such lease or license had been issued.

22. No such lease or license as aforesaid shall be granted without a certificate in writing by the Commissioner that the applicant has settled on and improved his section, paid his rent, and otherwise complied with these regulations.

First Schedule.—Memorandum of Formation of Association.

We, the undersigned, hereby agree to compose an association pursuant to section 4 of "The Lands Improvement and Native Lands Acquisition Act, 1894," under the style of "The [Insert name] Land Improvement Association."

Dated this day of , 189
(Signature of members.)

Approved.

Commissioner.

Second Schedule.—Form of Agreement.

This agreement, made the day of , 189 , between the Minister of Lands (hereinafter termed "the Minister"), of the one part, and of the other part:

Whereas by section 4 of "The Lands Improvement and Native Lands Acquisition Act, 1894" (hereinafter termed "the said Act"), it is provided that "any number of persons composing an association formed in accordance with regulations made under this Act may, by agreement with the Minister, settle upon any Crown lands for the purpose of clearing or otherwise improving the same, upon such terms as to advances or otherwise as may be agreed on": And whereas the said is a member of an Association under the said Act called the Land Improvement Association, and is desirous of taking up the Crown lands hereinafter described upon the terms and conditions set forth in the regulations, a copy of which is attached hereto, marked "A": Now, therefore, this agreement witnesseth that in pursuance of section 4 of the said Act, and in consideration of the premises, the Minister doth hereby on his part permit the said to settle on the following parcel of Crown lands—namely, Section , Block , District containing acres roods perches, more or less; and the said doth hereby on his part agree to settle on and clear, improve, and occupy the same subject to the provisions contained in the said Act and the said regulations.

And it is hereby further agreed—

(1.) That if, in terms of the said regulations, or of "The Land Act, 1892," the interest of the said in the said parcel of Crown lands is forfeited by the Commissioner of Crown Lands or the Land Board, neither the said nor the said association shall have any claim whatsoever at law or in equity against the Government of the colony, the Minister of Lands, or any other person or authority in respect of the interests so forfeited.

(2.) That this agreement shall be at an end as soon as a lease or a license of the said section under Part III. of "The Land Act, 1892," has been duly granted to the said _____ or his approved transferee, the Minister of Lands,

As witness the hand of the Hon. _____, this _____ day of _____, 189 _____.

Witness—

(Occupation and address.)

As witness the hand of the said _____, a member of the association.

Witness—

(Occupation and address.)

Name:

REGULATIONS UNDER "THE MINING DISTRICTS LAND OCCUPATION ACT, 1894."

GLASGOW, GOVERNOR.

Whereas by "The Mining Districts Land Occupation Act, 1884" (hereinafter termed "the said Act"), it is enacted that the Governor may from time to time make, alter, or revoke regulations for any of the purposes enumerated in section 2 of the said Act: And whereas it is expedient to make regulations for the several purposes hereinafter set forth:

Now, therefore, I, David, Earl of Glasgow, the Governor of the Colony of New Zealand, in pursuance and exercise of the powers and authorities vested in me by the said Act, do hereby make the following regulations for the issue of leases for the occupation for agricultural or horticultural purposes of Crown lands and reserves within mining districts other than Native reserves not set apart for mining, or land reserved for Native purposes, or an education or university endowment, or any reserve vested in trustees or any local body:—

1. The lease to be granted under these regulations shall be termed an "occupation lease." Every person desirous of obtaining an occupation lease for agricultural or horticultural purposes of any reserve or portion of any reserve set apart for mining purposes, or any other Crown land within any mining district not exceeding 100 acres, shall make application to the Commissioner of Crown Lands or the District Land Officer of the land district in which the land applied for is situated, in the form of the First Schedule to these regulations, or to the like effect.

2. Every application for other than a whole section or whole sections of surveyed land shall state the estimated area, and shall be accompanied by a tracing or sketch from a survey map sufficient to identify the particular area applied for.

3. Every application for unsurveyed land shall contain a written description of the land, with estimated area, and the boundaries shall, so far as practicable, be straight lines, roads, existing survey-lines, or natural boundaries.

4. Should the land applied for be unsurveyed, the applicant shall, within thirty days of the approval of his application, deposit the estimated cost of surveying the area applied for, otherwise the application shall be deemed cancelled and withdrawn. The money so deposited shall be treated as rent paid in advance, and no further payment shall be required on account of rent until the beginning of the half-year subsequent to the period for which such deposit has paid the full rent in advance.

5. All land applied for other than whole sections shall be marked out by erecting and maintaining at each angle a post not less than 3in. in diameter and standing not less than 3ft. above the surface of the ground, and by L trenches not less than 6in. deep, 10in. wide, and 5ft. long.

6. Every applicant for surveyed land shall pay an amount equal to a half-year's rent within thirty days of his application being granted. He shall also pay for the lease a fee of £1 1s. for the preparation and registration thereof, otherwise the application shall be deemed to be withdrawn and void.

7. A copy of every application shall be posted at each corner of the land applied for, and maintained by the applicant for at least fourteen days before the application can be considered by the Land Board.

8. Every application shall be advertised by and at the expense of the applicant twice in such one newspaper, or once each in such two newspapers, as the Commissioner of Crown Lands or District Land Officer may direct, and copies of such newspaper or newspapers shall be produced by the applicant at the hearing.

9. If there be no valid objection, and the Commissioner of Crown Lands or District Land Officer be not aware of any sufficient reason why a lease should not issue, the Land Board may grant to the applicant an occupation lease of the land applied for, or such portion thereof as they may deem expedient, and such lease shall be in the form of the Second Schedule to these regulations, or to the like effect.

10. In granting any such lease the Commissioner of Crown Lands may impose such special conditions as he may deem advisable.

11. In the event of any person objecting to the granting of an occupation lease, he shall set forth the grounds of objection in writing to the Commissioner of Crown Lands or District Land Officer, and also serve a copy thereof on the Warden and upon the applicant, three days at the least before the expiration of the notice; and the person objecting may, at the Land Board, urge the objection personally or by agent. The Land Board may refuse any application if the whole or part of the land is auriferous, or for any other reason in its discretion, whether objections are lodged or not.

12. The lessee shall pay to the Receiver of Land Revenue during the currency of the lease the half-yearly rental in advance, on the 1st days of January and July in each year. Rent shall be fixed by

SECOND SCHEDULE.

FORM OF OCCUPATION LEASE.

Crown Lands Form No.
Application No.Register-book, Vol. , fol.
New Zealand.
Land District.

Occupation Lease under "The Mining Districts Land Occupation Act, 1894."

THIS DEED, made the day of , 189 , between Her Majesty the Queen (who with her heirs and successors is hereinafter termed "the lessor"), of the one part, and of , in the Land District of , in the Colony of New Zealand, (hereinafter, with executors, administrators, and permitted assigns, referred to as and included in the term "the lessee"), of the other part, witnesseth that, in consideration of the rent herein-after reserved, and of the covenants, conditions, and agreements herein contained and implied, and on the part of the lessee to be paid, observed, and performed, the lessor doth hereby demise and lease unto the lessee all that piece or parcel of land, containing by admeasurement acres roods and perches, a little more or less, situated in the Land District of , and being Section numbered , Block , Survey District of , as the same is more particularly delineated and described in the plan drawn hereon, and therein coloured red in outline; together with the rights, easements, and appurtenances to the same belonging: To hold the said several premises intended to be hereby demised unto the lessee for the term of twenty-one years, commencing from the 1st day of next; yielding and paying therefor unto the Receiver of Land Revenue for the said District of the annual rent of (£ : :), payable half-yearly in advance on the 1st day of January and 1st day of July in each and every year during the said term, free from all deductions whatsoever.

And it is hereby declared and agreed that these presents are intended to take effect as an occupation lease under "The Mining Districts Land Occupation Act, 1894," and the regulations now in force thereunder; and the provisions of that statute and of "The Land Act, 1892," so far as the same apply to the term, estate, or interest hereby granted or created, and to the relations between the lessor and lessee from time to time, shall be binding in all respects upon the parties hereto in the same manner as if such provisions had been fully set out herein: And it is hereby further declared that if any dispute or disagreement shall arise between the parties hereto touching the construction of these presents, or in anywise relating hereto, such dispute or disagreement shall be referred to arbitration in the manner set forth in section 79 of "The Land Act, 1892"; and neither of the said parties shall take or cause to be taken any steps or proceedings to set aside or call in question any award or decision which may have been given upon any such reference as final.

In witness whereof the Commissioner of Crown Lands for the Land District of , on behalf of the lessor, hath hereunto set his hand, and these presents have been also executed by the said lessee.
Signed by the said Commissioner, on behalf of the said lessor, in the presence of
Signed by the above-named as lessee, in the presence of

As witness the hand of His Excellency the Governor, this nineteenth day of December, one thousand eight hundred and ninety-four.

JOHN MCKENZIE,
Minister of Lands.

Sections of "The Mining Districts Land Occupation Act, 1894," and "The Land Act, 1892," referred to in the foregoing Regulations. "The Mining Districts Land Occupation Act, 1894."

9. The Warden may, upon receipt of any application for permission to mine or use for mining purposes any land or any portion of any land for which a lease has been issued under the authority of this Act, and after hearing the parties, decide that the whole or any portion of such land is required for mining purposes or purposes incidental or conducive thereto; and the Commissioner, with the consent of the Land Board, may, by notice served upon the lessee or posted on the ground, resume possession of the said land, and upon such resumption the lessee shall be entitled to compensation for any substantial improvements made upon or incidental to the area so resumed, provided that such compensation shall in no case be payable to an extent exceeding the value of the improvements as assessed under "The Land and Income Assessment Act, 1891"; and in cases where there is no such assessment the compensation shall be arrived at in the same manner as valuations for improvements under "The Land Act, 1892."

If any portion of a lease be cancelled for any mining or other purpose, the lessee shall have a right to apply for so much of the adjoining Crown land as will equal in area such portion so cancelled.

10. Should the land for which a lease has been issued not be required for mining purposes, or, if a reserve, for the purpose for which it was originally reserved, on the lessee applying for the same at least twelve months before the expiration of his lease a new lease for a further term of twenty-one years, to date from the expiration of his lease, shall be offered to the lessee at a rental to be assessed by arbitrators in manner provided by "The Land Act, 1892"; and in like manner, at every recurring period of twenty-one years, a new lease shall be offered to the lessee.

11. If the lessee shall elect not to accept a renewal as above mentioned, or shall refuse or neglect to execute a lease within thirty days after the same is tendered to him for the purpose, then a lease of the said lands shall, not later than one month before the end of the term for which the existing lease was granted, be offered for sale by public auction, subject to the provisions of section one hundred and eighty-three of "The Land Act, 1892."

"The Land Act, 1892."

81. Upon the due compliance by all parties with the provisions contained in this Act relating to the leasing or occupation of any class of lands, the Board shall issue leases and licenses, and renewals or transfers thereof, subject to the provisions of this section and of the ten next following sections, which shall apply to all leases and licenses and renewals or transfers of leases and licenses under this Act:—

- (1.) Whenever the Board is authorised to grant a license or lease the same may be in such form as shall be prescribed by regulations, and shall be dated as from the day of granting thereof, and shall be signed by the Commissioner, and shall be as valid and effectual if so signed as if executed by or on behalf of Her Majesty the Queen.

The rent of surveyed land shall commence on the first day of January or July following the approval of the lease thereof, and the rent of unsurveyed land shall commence on the first day of January or July following thirty days' notice from the Commissioner of the completion of the survey.

Any form of lease, license, or statutory declaration required under this Act may be varied to suit the circumstances of any particular case which may arise.

- (2.) There shall be paid for every lease, license, or other instrument, or for any transfer thereof respectively, a fee of twenty-one shillings for the lease and registration thereof; and the Board may require a deposit to be made of the amount of such fee at the time application is made for any of such instruments as aforesaid, or at any time thereafter; and the Board may at any time refuse to proceed in any transaction if such deposit, when required, is not made.
- (3.) Any renewal or transfer of a lease or license may be effected by writing on the lease or license a memorandum of the terms, conditions, and covenants to which such new lease or license is subject, and signing the said memorandum in the manner herein required in the case of an original lease or license.
- (4.) Every lease and license heretofore made or hereafter to be made under the provisions of any Land Act at any time heretofore in force, and signed by any Commissioner of Crown Lands in his own name, or signed by him on behalf of any Land Board, shall be deemed to have been made and executed by or on behalf of Her Majesty the Queen, and shall not be deemed to have been or to be invalid, nor be questioned in any manner by reason only that the same respectively was not signed by any aforesaid Commissioners in the name and on behalf of Her Majesty the Queen.
82. If any person who has been declared a lessee or licensee shall fail to execute his lease or license within thirty days after being required by written notice so to do, then the amount of his deposit and the sum paid for the lease or license and registration thereof shall, after a resolution of the Board to that effect has been passed, be absolutely forfeited to Her Majesty, and the right of such person to obtain such lease or license shall absolutely cease and determine.
83. Every lease and license shall be prepared by the Commis-

sioner, and shall contain such provisions as the Board may think fit, consistent with the provisions of this Act, as the Board may prescribe, and shall be subject to the stipulations following:—

- (1.) Every lessee or licensee, at any time after he has been twelve months in possession or occupation, and with the sanction of the Board, but not otherwise, may transfer the possession or occupation of the land leased to or occupied by him, or any part thereof, by sale, underlease, mortgage, or other disposition.
- (2.) When a statutory declaration is required from any lessee or licensee, no transferee, and no purchaser of any lease or license under any power of sale vested in any mortgagee or assignee or trustee in bankruptcy, shall be admitted into possession or occupation of the land comprised in such lease or license until he has deposited with the Commissioner a statutory declaration in the same form or to the same effect.
- (3.) The following conditions shall be implied in every mortgage, and shall not be varied to shorten the times or to increase the charges therein mentioned:—
- (a.) No power of sale shall arise or accrue until after the expiration of one month following default.
- (b.) Every sale upon default shall be by public auction.
- (c.) Every sale shall be advertised in at least one newspaper usually circulating in the district where the land is situate.
- (d.) No sale shall take place earlier than fourteen days after the first publication of the advertisement notifying the sale.
- (e.) The mortgagor or his agent may, at any time before the actual sale, upon payment to the mortgagee or his agent of the principal and any other moneys advanced, or which have been paid to protect the security, and of interest on such principal and other moneys calculated up to the date of such intended sale, together with a sum sufficient to cover the actual disbursements for advertising, and a commission not exceeding one and a quarter per cent. on the sum secured as representing all other charges and expenses, be entitled to a release of the security. Any sale proceeded with after tender of such amounts shall, but only as between the mortgagor and mortgagee, be null and void if the mortgagor shall continue ready to pay the amount so tendered.
- (4.) Every lawful transferee or sub-lessee of any lease or license, or purchaser as aforesaid of any lease or license, shall have all the rights and privileges and be subject to the same obligations as the original lessee or licensee, who shall not be liable for any rent, or for any breach of any covenant or agreement in the lease or license, after the

date of approval of such transfer by the Board: Provided that the transferor shall be liable for the instalment of rent which shall become due next after such transfer.

- (5.) No transfer of any lease or license shall be valid unless all the conditions upon which the lease or license was granted have been complied with as to payment of rent or otherwise up to the date of such transfer.
- (6.) Before any proposed transfer is sanctioned by the Board, they may require the transferor to make a statutory declaration to the effect that all the conditions of his lease or license have been fulfilled up to the date of the proposal to transfer, and in such declaration may require the transferor to declare to such other particulars respecting the land as they shall think fit.
- (7.) Before consenting to any application for the purchase of land under section sixteen of "The Land Act Amendment Act, 1887," the Board, in the absence of other proof to its satisfaction, may in like manner require a statutory declaration to the same effect as the foregoing.
- (8.) If any lessee or licensee shall fail to fulfil any of the conditions of his lease or license within sixty days after the day on which the same ought to be fulfilled, his lease or license shall be liable to be forfeited by a resolution of the Board after notice to the lessee or licensee, and he shall be deemed, upon such forfeiture, to be in illegal occupation of the land comprised in the lease or license, and the Commissioner may proceed for recovery of possession thereof.

The foregoing conditions as regards leases or licenses shall operate and shall be deemed to bind the Board and the lessee or licensee as fully and effectually as if they were set forth in every lease or license.

- (9.) No mortgagee under any part of this Act shall be required to make a statutory declaration unless and until he shall become a purchaser under the provisions of the mortgage, but he shall make such a declaration before the Board sanctions the transfer to him.

84. Notwithstanding anything contained in the last-preceding section, every lessee or licensee under any Land Act formerly in force either within the whole colony or any former province thereof shall have and may exercise any right of transfer granted by his lease or license, or by the Act under which such lease or license was granted.

85. The interest of a licensee or of a lessee in land held on any tenure under this Act, except as hereinafter mentioned, shall not during the currency of the first twelve months of such lease or license be assignable at law or in equity, or be capable of being charged, encumbered, extended, or taken in execution in any

manner; but after that time such interest may be transferred under and subject to section eighty-three.

Nothing in this section shall be deemed to apply to land within any village settlement under Part IV. of this Act, or to land held for pastoral purposes under Part VI. of this Act.

86. Every lease or transfer of lease of lands made under the perpetual-lease system, or the lease-in-perpetuity system, or occupation license with the right of purchase system, under any provision of this Act or any other Act, shall be made in manner provided in section eighty-one; and the Commissioner, on behalf of Her Majesty the Queen, and the lessee shall each execute the lease in triplicate.

Every such lease, after execution thereof, shall be registered by the Commissioner under "The Land Transfer Act, 1885," or any Act now or hereafter passed in lieu thereof, or in like manner, as nearly as may be, *mutatis mutandis*, as a Crown grant is registered, and the lease which is retained in the office of the District Land Register shall form a folium of the register-book in such office, and on it all dealings therewith shall be registered; but no fee shall be payable by way of contribution to the assurance fund on the registration of any such lease.

All dealings with or transmissions of land comprised in such lease shall be made in accordance with the provisions of the last-mentioned Acts, and be in all respects subject thereto.

All dealings with or under leases in contravention of the provisions of section eighty-three of this Act as to transfers of leases shall be absolutely void, and the District Land Register shall not register any dealings with or under a lease until he is satisfied that the said provisions have been complied with.

87. When any lands sold or leased under this Act have a frontage upon any stream of water the purchaser or lessee shall have no claim or right of action against the Crown or any other person whomsoever for damage caused by the fouling, pollution, or diversion of the waters of such stream in the prosecution of gold-mining by any tenants or licensees of the Crown, or the Board, or of any local authority: Provided that, in case of such fouling, pollution, or diversion there shall be available, or rendered available, by such person or local authority, a supply of clean water sufficient for domestic purposes or other industrial necessity of the freehold or leasehold.

88. The lessee or licensee shall be liable for all rates, taxes, or assessments of every nature or kind whatsoever imposed upon the occupier of the lands included in his lease or license during the term for which he is lessee or licensee, or until a transfer has been approved by the Board.

89. All leases and licenses under this Act, and also all declarations made under this Act, shall be exempt from duty under any Act now or hereafter to be passed relating to stamp duties.

90. The Board, upon being satisfied that any lease or license has

been lost or accidentally destroyed, may grant a new lease or license in lieu thereof, upon such terms and conditions and upon payment of such fee in each case as it shall think fit. When any indorsement is required to be made on any lease or license, and the same is lost or destroyed as aforesaid, the Board may grant a new lease or license in lieu thereof, and make the required indorsements thereon, or, if it shall so think fit, may incorporate the substance of the indorsements with the terms of the original license or lease and insert them together in the new license or lease.

REGULATIONS UNDER "THE NATIVE TOWNSHIPS ACT, 1895."

(See Gazette No. 10, page 275, of 13th February, 1896.)

WHEREAS by "The Native Townships Act, 1895" (hereinafter called "the said Act"), it is enacted that the Governor in Council may from time to time make such regulations as he thinks fit as to the mode in which shall be done anything by the said Act expressed to be prescribed, and generally for the purpose of giving full effect to the provisions thereof; and also that such regulations shall be laid before both Houses of Parliament forthwith, if sitting, and, if not sitting, within twenty-one days after the beginning of the session; and also that such regulations shall, if either House pass a resolution disapproving of them, cease to have any validity or force:

Now, therefore, in exercise of the powers in this behalf conferred upon me by the said Act, I, David, Earl of Glasgow, the Governor of the Colony of New Zealand, with the advice and consent of the Executive Council, do hereby make the regulations following for the purposes aforesaid:—

1. Any Native owner who objects to the sufficiency, size, or situation of the reserves or the Native allotments as shown on the plan of any township must submit his objections in writing to the Chief Judge of the Native Land Court within the period of two months during which the plan is being exhibited for inspection. Any such notice may be delivered personally to a Judge or Registrar of the Court, or be sent direct by registered letter to the Chief Judge. Such notice shall be in the following form or to the following effect:—

"NATIVE TOWNSHIPS ACT, 1895."—OBJECTION UNDER SECTION 9.

To the Chief Judge, Native Land Court.
I [or We], being the owner [or owners] according to Native Land Court title [or Native custom] of the land in the Native Township of _____, object to the reserves [or Native allotments] as shown on the plan numbered _____, exhibited at _____ month of _____, for the following reasons:—

Witness:

A.B.,
[Date.]

2. In any case where by operation of the said Act any person is deprived of the benefit of any encumbrance, the compensation to which he is entitled under section 13 of the said Act may be fixed by agreement between the parties interested and the Minister of Lands, or, in case of disagreement, on the application of the Minister or any person interested, by the Native Land Court in the same manner, as nearly as may be, as is provided by section 90 of "The Public Works Act, 1894," with regard to claims for compensation in respect of leasehold interests in land owned by Natives which has been taken for public purposes under the provisions of the said Public Works Act.

3. Allotments to be leased in any Native township shall be advertised for lease in the same manner, as nearly as possible, as Crown lands, subject to the following conditions:—

- (1.) The respective lots shall be offered by auction or tender (as the Commissioner thinks fit).
- (2.) The bidder or tenderer, as the case may be, of the highest rent shall be declared to be the lessee, and, if any dispute arises as to the last or highest bidding at any auction for any lot, the lot in dispute shall be put up again at the last-preceding bidding.
- (3.) In the case of auction, the highest bidder for each lot shall, upon the fall of the hammer, pay to the auctioneer the first half-year's rent in advance by way of deposit, which shall represent the half-year's rent as from the 1st January or 1st July then next ensuing, and shall cover the period between date of sale and such 1st January or 1st July.
- (4.) The second half-year's rent shall become payable on the 1st January or 1st July following, as the case may be, and thenceforth shall be paid half-yearly in advance.
- (5.) In the case of tender, each tender shall be accompanied by the aforesaid deposit in cash or by marked cheque, otherwise the tender shall be void.
- (6.) As soon as may be after the highest bidder or tenderer, as the case may be, is ascertained, a lease will be prepared, for which there will be a charge of 20s., to be paid by the lessee. Such lease shall be for the term of twenty-one years, commencing from the 1st day of January or July, as the case may be, then first next ensuing, and the lessee shall execute the same in triplicate at the office of the Commissioner whenever requested so to do.
- (7.) In cases where any of the allotments are subject to the payment of the value of the improvements, as provided by subsection (2) of section 14 of the said Act, or by the provisions of an expiring lease under the said Act, the respective amounts thereof shall be specified in the conditions, and such value shall be paid at the same time and in the same manner as the deposit heretofore mentioned.

- (8.) Should the highest bidder or tenderer, as the case may be, neglect or fail to comply with any of the conditions, his deposit money shall thereupon be forfeited to the Commissioner, who shall be at full liberty either to enforce the letting or to relet the premises at such time and place and in such manner as he thinks fit.

4. Every lease shall be in the following form, with such modification as the circumstances may require:—

THIS deed, made the _____ day of _____, one thousand eight hundred and ninety_____, under the provisions of "The Native Townships Act, 1895," between Her Majesty Queen Victoria (who, with her heirs and successors, is hereinafter referred to and included in the expression "the lessor"), of the one part, and _____, of _____, in the Land District of _____, in the Colony of New Zealand (who, with his _____ executors, administrators, and permitted assigns, is hereinafter referred to and included in the expression "the lessee"), of the other part, witnesseth that, in consideration of the rent hereinafter reserved, and of the covenants, conditions, and agreements herein contained and implied, and on the part of the lessee to be paid, observed, and performed, the lessor hereby demises and leases unto the lessee all that piece of land, containing by admeasurement _____ acres _____ roods _____ perches, a little more or less, situate in the Native Township of _____, and being Allotment numbered _____, Block _____, on the plan of that township, as the same is more particularly delineated and described in the plan drawn hereon, and therein coloured red in outline; together with all ways, rights, easements, and appurtenances to the same belonging: To hold the demised premises unto the lessee for the term of twenty-one years, commencing on the first day of _____, one thousand _____; yielding and paying therefor the annual rent of _____, payable half-yearly in advance on the first day of January and the first day of July in each year during the said term, free from all deductions whatsoever, the first half-yearly payment of such rent having been already made, and the next payment to become due and be made on the first day of _____ thereafter.

And the lessee hereby covenants with the lessor as follows, namely:—

1. The lessee shall not nor will at any time during the said term assign, underlet, or part with the possession of the demised premises, or any part thereof, without the previous consent in writing of the Commissioner of Crown Lands for the time being of the Land District of _____, hereinafter called "the Commissioner."
2. The lessee will from time to time during the said term pay unto the lessor the said rent on the days and in manner aforesaid, and also will from time to time pay and discharge all rates, taxes, charges, and assessments whatsoever now or hereafter to become payable upon or in respect of the demised premises, or any part thereof.

3. The lessee will, during the said term, well and sufficiently repair, maintain, and keep the demised premises and all buildings, fences, and erections from time to time built or erected thereon in good and substantial repair and condition (reasonable wear-and-tear and damage by fire, storm, earthquake, or tempest only excepted). In the erection of any buildings from time to time the lessee will abide by and conform to the alignment of streets and roads, and also to all the by-laws and regulations from time to time in force, or made or passed by the local authority for the time being intrusted under "The Native Townships Act, 1895," with the administration of the local affairs of the said township, by whatever name or designation such local authority may for the time being be called, but hereinafter referred to as "the local authority."

4. The lessee will from time to time construct, maintain, and keep all such privies, ashpits, and other works of a similar character as may be ordered or directed by the local authority; and, in cutting and laying of drains and channels for the conveyance of water or waste material or refuse of any kind, and in maintaining or providing for the sanitary state and condition of the demised premises, will at all times act in accordance with the direction of the local authority or the requirements of any laws, by-laws, rules, or regulations for the time being in force providing for the sanitary state and condition of the said township.

5. The lessee will not at any time during the said term, without the previous consent in writing of the local authority, carry on or permit to be carried on upon the said land or any part thereof the trade or business of a soap-boiler, tallow-chandler, tanner, slaughterman, meat-curer or -preserver, or any noisy, noxious, or offensive trade or manufacture of any kind whatever.

6. The lessee will permit the lessor, or any person on her behalf duly authorised as hereinafter provided, from time to time to enter upon the demised premises at all reasonable times to view the state and condition thereof, and upon notice of any defect or want of repair being given to the lessee, or left for him on the premises, the lessee will, within one month thereafter, make good any such defect or want of repair:

Provided always that whenever the rent hereby reserved or any part thereof is in arrear for twenty-one days the same may be levied by distress without any previous demand of payment or notice of any kind: Provided further that, if the lessee makes default for thirty days in the full and punctual payment of any of the said rent, or if he makes default in the faithful performance or observance of any other covenant or condition on his part herein contained or implied, or if the Commissioner is satisfied that the land comprised in this lease is being held unused and to the hindrance of the trade and progress of the said township, then and in any such case, and without any notice or demand whatsoever, it shall be lawful for the lessor to re-enter upon the demised premises and thereby determine

this lease, and that without releasing the lessee from any liability in respect of any rent due or of any preceding breach of covenant.

And it is hereby declared and agreed as follows, that is to say:—

1. The rent hereby reserved may be paid to the Receiver of Land Revenue for the time being of the Land District of _____, on behalf of the lessor, and the receipt of such Receiver shall be a good discharge to the lessee.

2. Any power which may be exercisable under these presents by or on behalf of the lessor may from time to time be exercised by the Commissioner, or by any person whom he from time to time appoints for that purpose.

3. Service on the lessee of any notice under this lease may be effected either personally or by posting the same in a registered letter addressed to him, either at his last-known place of business or abode in the colony or at the demised land.

4. The lessee, faithfully observing and performing all the covenants, conditions, and agreements on his part herein contained or implied, shall, on the expiration by effluxion of time of the term hereby granted, have a right to a renewal of the lease, or to valuation for all substantial improvements of a permanent character made or owned by him and then existing on the demised land: Provided that such right shall exist only to the extent and subject to the conditions following, that is to say:—

(1.) Not sooner than nine nor later than six months before the expiration of the said term by effluxion of time two separate valuations shall be made in manner prescribed (*mutatis mutandis*) by sections 79 and 80 of "The Land Act, 1892," of

(a.) All such improvements as aforesaid; and of

(b.) The annual ground-rent of the land (exclusive of such improvements as aforesaid) for a fresh term of twenty-one years.

(2.) After the making and publishing of the aforesaid valuations, which shall be effected by serving a copy thereof on the lessee and another copy on the Commissioner, but not later than one month before the date of such expiration as aforesaid, the lessee shall, by notice in writing served on the Commissioner, elect whether he will accept a new lease of the demised land (including the aforesaid improvements) for a fresh term of twenty-one years, computed from the date of such expiration as aforesaid, at the annual ground-rent ascertained by valuation as aforesaid, and subject in all other respects to the same covenants and conditions as those of this present lease.

(3.) If for any reason the lessee does not duly elect in manner aforesaid to accept such new lease, or if, having duly elected, he for any reason does not execute such new lease when requested by the Commissioner so to do, his

right to a new lease shall be and be deemed to be abandoned, and the land shall be disposed of by lease at such time, in such manner, and subject to such conditions not inconsistent with the said Act and the regulations for the time being in force thereunder as the Commissioner thinks fit: Provided that it shall be one of the conditions of the new lease that the new lessee pays to the Commissioner the amount at which the improvements (if then existing) have been valued as aforesaid, or such less amount as the Commissioner thinks just, having regard to the extent to which such improvements have deteriorated since the date of the original valuation; and all moneys actually received by the Commissioner in respect of such valuation shall be paid over to the lessee under this present lease as soon as the Commissioner is satisfied that the new lessee has been admitted into full and quiet possession of the premises: Provided, further, that in no case shall the lessee under this present lease have any claim against the Crown or the Commissioner in respect of any such improvements, or of the value thereof, save to the extent of the moneys which are actually received as aforesaid from the new lessee, and available for payment, and which the lessee under this present lease becomes actually entitled to.

In witness whereof these presents have been executed by or on behalf of the parties hereto, the day and year first above written.

Signed, on behalf of her Majesty the Queen,
by A.B., the Commissioner, pursuant to
the power in this behalf conferred upon
him by "The Native Townships Act,
1895," in the presence of—

Signed by the said _____, in the presence
of—

REGULATIONS UNDER "THE NEW ZEALAND STATE FORESTS ACT, 1885."

(See Gazette No. 11, page 252, of 6th March, 1890.)

In exercise and pursuance of the powers and authorities conferred by "The New Zealand State Forests Act, 1885," His Excellency William Hillier, Earl of Onslow, the Governor of the Colony of New Zealand, by and with the advice and consent of the Executive Council of the said colony, doth hereby revoke the regulations contained in the First and Second Schedules to the Order in Council issued on the first day of September, one thousand eight hundred and eighty-six, and the amendments thereto made by an Order in Council issued on the second day of September, one thousand eight hundred and eighty-nine, and in lieu thereof doth make the regula-

tions contained in the First and Second Schedules hereto; and, with the like advice and consent, doth further declare that these regulations shall come into force and take effect on and after the eighth day of March, one thousand eight hundred and ninety, and shall apply to State forests generally.

FIRST SCHEDULE. GENERAL REGULATIONS.

1. WHERE it is necessary to grant to any licensee or other person authorised to cut and remove timber, bark, or wood for fuel from any State forest any right or rights of way through any part of the same, the Commissioner of Crown Lands, with the approval of the Commissioner of State Forests, may grant such right or rights and may impose such conditions in each case as may be deemed necessary. But no such right shall exist for any period beyond the term specified in the original license or authority.
2. All timber and other produce within any State forest may be disposed of, either by auction, appraisement, or license to fell, upon such terms as the Commissioner of State Forests shall prescribe, and all moneys which shall be payable for such timber or other produce shall be paid in such manner as he shall direct.
3. When required by the Commissioner of Crown Lands, any person holding a license to fell timber shall use a brand, and shall register the same in the office of the said Commissioner, and no two persons shall use the same brand.
4. Any person marking any timber with any brand not belonging to him, or branding any timber belonging to any other person with any brand other than the brand of the owner thereof, shall be guilty of an offence, and shall be liable to a penalty not exceeding £50 for every such offence; but the payment of such penalty shall not debar the person aggrieved from recovering the amount of any damage he may have sustained by the action of the delinquent.
5. Any person lighting any fire within a State forest, and intentionally or negligently allowing the same to spread, shall be guilty of an offence, and shall be liable to a penalty not exceeding £50; but the payment of such penalty shall not prevent the recovery from the wrongdoer of the value of any damage which may be done by such fire.
6. Any person who shall permit any fire lighted by him outside the boundaries of any State forest to spread into or cause injuries to such State forest shall be guilty of an offence, and shall be liable to a penalty not exceeding £20; but the payment of such penalty shall not prevent the recovery from the wrongdoer of the value of any damage which may be done by such fire.
7. Any person who shall unlawfully injure or destroy any timber or other tree or shrub within the limits of any State forest shall be guilty of an offence, and shall be liable to a penalty not exceeding £5 for every timber-tree so injured or destroyed, and a penalty not

exceeding £1 for every other tree or shrub so injured or destroyed. But in no case shall the aggregate penalty be more than £50.

8. Any unlicensed person who may be found digging for kauri-gum, or other products, within the boundaries of any State forest shall be liable to a penalty not exceeding £20.

9. Any person who shall suffer any cattle or animal of any kind to wander in any reserve, or to browse upon or otherwise destroy any timber or other trees or shrubs, shall be guilty of an offence, and shall be liable to a penalty not exceeding £5, and the payment of such penalty shall not prevent the recovery from the wrongdoer of the amount of any damage which may be done by any such cattle or animal; but nothing in this or any other regulations contained shall apply to cattle being driven on any public road through any State forest, or temporarily wandering without neglect of the person in charge of the same.

10. Any Ranger or other person may drive any cattle or other animal as aforesaid to the nearest public pound, and the same shall not be released therefrom except upon payment to the Commissioner of Crown Lands of the usual driving-fees and poundage charges.

11. No person shall trespass in any State forest, and any person trespassing in a State forest shall be guilty of an offence, and on conviction thereof shall be liable to a penalty not exceeding £50.

12. Any person who shall hinder or obstruct any officer concerned in the management of any State forest in the execution of his duty, or in doing any act authorised by the New Zealand State Forests Act or in these regulations, shall be guilty of an offence, and be liable to a penalty not exceeding £20.

13. Applications for licenses to cut timber in any State forest shall be made at the office of the Commissioner of Crown Lands of the district in which the forest is situated.

14. Each application shall be made in the form prescribed for that purpose, and shall be accompanied by a sketch showing the position and extent of the area selected; and the applicant shall deposit the amount of survey-fees, which shall be forfeited if the application be abandoned or not proceeded with for the space of one month.

15. As far as possible the area applied for shall be in a rectangular form, the proportion of length to breadth not exceeding three to one, except where previous surveys or other circumstances render this impracticable.

16. As soon as practicable after payment of survey-fees the Commissioner of Crown Lands shall cause the necessary survey and valuation to be made, the survey to be made in accordance with such regulations as the Surveyor-General may prescribe.

17. Upon the application being granted by the Commissioner of Crown Lands the applicant shall pay the value of the timber included in the area to the Receiver of Land Revenue, after which he may obtain his license any time on demand.

18. Whenever the department in any case shall deem it advisable

to use an official brand, this shall consist of the letters S.F. branded on a space exposed by the removal of a chip near the base of the tree.

19. All trees when branded shall be felled above the official brand.

20. In the event of any dispute respecting the correctness of the valuation, the decision of the Commissioner of Crown Lands, or of some officer specially appointed by him, shall be final.

21. Any licensee cutting timber outside his boundary-line shall pay the value of the timber, and shall be liable to a penalty not exceeding £5 for each tree, at the discretion of the Justice or Justices before whom the case may be brought; but the payment of such penalty shall not prevent the recovery of the amount of any damage which may be done by such licensee.

22. Every licensee shall point out the extent of his cutting when required so to do by any officer appointed under the authority of the State Forests Act or these regulations.

23. The Commissioner of Crown Lands shall have power to reserve trees required for special purposes on any area for which a license may be granted; such trees to be branded with the letters F.S.R.

24. All trees shall be felled and removed from the forest in such a way as to cause the least possible amount of injury to the young growth. Should needless damage be caused, it shall be estimated by the Commissioner of Crown Lands, or by some officer to be appointed by him, and the amount of such damage shall be paid by the licensee, together with any special costs that may be incurred. In default of payment of such moneys within fourteen days after demand, the same may be recovered from the licensee as liquidated damages at suit of the Commissioner of State Forests, or any officer appointed by him in that behalf, and the license held by the licensee may, at the discretion of the said Commissioner of State Forests, be absolutely forfeited. All trees shall be felled inwards.

SAWMILL LICENSES.

25. The area of a sawmill license shall not exceed 200 acres, but the holder may apply to have three additional areas adjoining the first reserved for his exclusive use for a period not exceeding one year for each 100 acres from the date of appropriation; provided that he shall not be allowed to fell timber on any portion until he has complied with the terms of payment. When the purchased area comprises inferior or partly-cut bush, and the reserve applied for contains superior or virgin bush, the Commissioner of Crown Lands shall have power to withhold the reserve in the whole or in part as he shall think fit. The title of the reserve shall be absolutely dependent upon the licensee's title to the sawmill area with which it is connected, and shall accordingly lapse whenever the sawmill area has been forfeited for breach of conditions.

26. Royalty on timber shall be paid at the rates specified in the

classified scale in the Second Schedule hereto, as follows, viz.: On blocks not exceeding 100 acres, in cash; in blocks over that area, one-half cash and the other half within six months. Kauri timber may, however, be sold by auction or by appraisement, on the terms provided by regulation made on the 12th October, 1889, under the provisions of the fourth section of "The Land Act, 1885."

27. A sawmill license may be transferred on payment of a fee of £1 1s. to the Receiver of Land Revenue, but the Commissioner of Crown Lands shall have power to refuse to transfer any license if the licensee or transferee has committed a breach of these regulations, or if, in the opinion of the Commissioner of Crown Lands, the transfer would be prejudicial to the public interest.

28. The holder of every sawmill license must, within twelve months of the date of his license, provide and fit up, either upon his sawmill area or on some other site approved of or granted by the Commissioner of Crown Lands, a substantial and fully-equipped sawmill plant, including all the necessary buildings thereto appertaining, which sawmill plant must be kept in continuous working operation, unless valid and satisfactory reasons can be given to the Commissioner of Crown Lands for any temporary stoppage. Should at any time the mill be closed for a longer time than the Commissioner of Crown Lands thinks necessary or reasonable, it will be competent for him to give the licensee one month's notice in writing, and, should the licensee fail or neglect to resume and continue the *bond fide* working of the mill, the Commissioner of Crown Lands shall declare the license forfeited, and may immediately reoffer for license the sawmill area and the attached reserve as if the rights of the previous licensee had never existed. The licensee may within three months from the date of forfeiture, however, remove any building or machinery he may have erected. Whenever a sawmill licensee applies for another sawmill area alongside the area previously held by him, such last-mentioned area will be deemed to be worked out, and the land and remaining timber, if any, will immediately and absolutely revert to the Government.

REGULATIONS FOR THE ISSUE OF LICENSES TO HAND-SAWYERS AND SPLITTERS.

29. Areas of from one to twenty acres may be granted to hand-sawyers on the same terms and under the same conditions as for sawmill licenses under 100 acres, but no such license shall be made for a longer period than two years. Hand-sawyers and splitters shall have the right to construct saw-pits and huts on sites approved by the Commissioner of Crown Lands.

WOOD-CUTTERS' LICENSES.

30. Licenses to cut firewood or to split posts, rails, and fencing-stakes on timber reserves when cleared of milling timber shall be granted after valuation and payment according to the classified scale.

SPECIAL LICENSES.

31. Special licenses may be granted to settlers and others to cut firewood, fencing, shingles, and palings, after valuation and payment according to the classified scale aforesaid.

32. Special licenses for single trees or clumps of trees may be granted at the discretion of the Commissioner of Crown Lands, on payment of double rates, according to the scale in the Second Schedule hereto.

33. Special licenses may be granted, on payment of the ordinary fees prescribed in the Second Schedule, to cut wood to burn for charcoal, or the extraction of potash, tar, pitch, or other secondary products; but the licensee shall observe such precautions as may be deemed necessary to prevent injury from fire.

34. Special licenses may be granted to extract kauri-gum under terms and conditions to be defined by the Commissioner of Crown Lands, but only in such forests as may be approved by him.

35. Special licenses to peel bark may be granted at the discretion of the Commissioner of Crown Lands, but only under such terms and conditions as he may deem proper.

36. Special licenses to quarry gravel, shingle, or road-metal in any State forest reserve may be granted by the Commissioner of Crown Lands in special cases, but only under such terms and conditions as he may deem necessary.

37. Unless otherwise specified, a penalty of not exceeding £50 shall be inflicted for every breach of these regulations.

38. Timber of any kind growing on special-license areas must be paid for according to the Second Schedule hereto.

SECOND SCHEDULE.

CLASSIFIED SCALE OF TIMBERS.

ROYALTY shall be paid by the purchasers of timber in State forests according to the following classification:—

Class I.—	At per 100 sup. ft.
Totara and matai exceeding 40ft. in length and 2ft. in diameter at the base, not less than ...	s. d. 1 0
Class II.—	
Totara and matai from 25ft. to 40ft. in length and from 1ft. to 2ft. in diameter at the base, puriri, maire-raunui, and pohutakawa, not less than ...	1 0
Class III.—	
Kauri, not less than ...	1 0
Subject, however, to the right to sell by auction or by appraisalment as provided in Regulation No. 27.	0 6
Class IV.—	
Totara and matai less than 25ft. in length and 12in. in diameter, miro, rata, tangeao, tooth- and entire-leaved beeches, manuka (tea-tree), manoao, tane-kaka, kawaka, kaikawaka, not less than ...	0 6

Class V.—
Rewarewa, mapau, toro, hinau, taraire, not less than ... s. d.
0 3

Class VI.—
Mountain- and silver-beech, not less than ... 0 3

Class VII.—
Rimu (red-pine), kahikatea (white-pine), kamai, tawa, not less than ... 0 3

Class VIII.—
Puriri, totara, kanri, and matai posts to be charged under Classes I. to IV. Per 100.
Other posts and rails ... 4 0
Fencing stakes ... 2 0

Firewood, not less than ... Per cord.
1 0
No standing totara or black-pine, and no timber required or suitable for milling purposes, to be permitted to be cut under this class.

The foregoing rates to be charged in all State forests throughout the colony, except on the west coast of the Middle Island in the Land District of Westland, and that portion of the Land District of Nelson west of the main range, where the following rates shall be charged, namely:—

Class I.—	At per 100 sup. ft.
Totara, matai, black-birch (<i>Fagus fusca</i>), and kawaka exceeding 40ft. &c. ...	s. d. 2 0
Class II.—	
Totara, matai, black-birch (<i>Fagus fusca</i>), and kawaka from 25ft. to 40ft., &c., and maire-raunui ...	1 6
Class III.—	
Nil.	
Class IV.—	
Totara, matai, black-birch (<i>Fagus fusca</i>), kawaka, and silver-pine, less than 25ft. in length, &c. ...	1 0
Class V.—	
Rata, rewarewa, mapau, toro, hinau, and taraire ...	0 9
Class VI.—	
Mountain, silver, and other beeches, tangeao, manuka, monoao, tanekaha, and kaikawaka ...	0 6
Class VII.—	
Rimu, kahikatea, kamai, tawa, miro, and all other timbers not enumerated in Classes I. to VI. ...	0 3
Class VIII.—	
Totara, matai, silver-pine, kawaka, and black-birch (<i>Fagus fusca</i>) posts to be charged one-half of the prices under Classes II. to IV. Per 100. Other posts and rails ... 4 0 Fencing-stakes ... 2 0 Firewood ... 1 0	Per cord. 1 0

All the foregoing regulations shall come into force and take effect on and after the eighth day of March, one thousand eight hundred and ninety, and shall apply to State forests generally.

ADDITIONAL REGULATIONS.

WHEREAS by section fifteen of "The New Zealand State Forests Act, 1885," power is given to the Governor in Council from time to time to make, alter, or repeal regulations under the said Act:

And whereas by an Order in Council issued on the third day of March, one thousand eight hundred and ninety, regulations under the said Act were made: And whereas it is deemed expedient to add to the said regulations:

Now, therefore, His Excellency the Governor of the Colony of New Zealand, in pursuance and exercise of the power and authority vested in him by the said Act, and by and with the advice and consent of the Executive Council of the said colony, doth hereby make the additional regulations set forth in the Schedule hereto as being applicable to sawmill licenses; and doth further declare that the said additional regulations shall come into force and take effect from and after the day of the date hereof.

SCHEDULE.

25A. THE license, for the purpose of fulfilling conditions, is to date from the time the applicant is notified of completion of survey and amount of royalty payable.

26A. The Commissioner is to decide whether or not promissory notes will be accepted as part payment of royalty.

26B. The applicant is to state before survey is made what timber he proposes to use, and he will be charged with all such timber; but should he afterwards wish to use other timber not included in the valuation a further survey will be made at his expense.

26C. No black-, red-, or white-pine, totara, miro, or other milling timber of less than 12in. at the butt will be included in the valuation, and the cutting of any timber under the size specified will be deemed to be unlawfully cut. Provided, however, that, if the applicant wishes to use smaller timber for laying tramways or other such purposes connected with this industry, he shall apply for the same under special license, under which he will pay double royalty.

STANDARD REGULATIONS FOR LEASING LAND IN STATE FORESTS.

(See *Gazette* No. 78, page 1463, of 19th October, 1893.)

1. A LICENSE to occupy any portion of the land mentioned in the First Schedule hereto may be granted to any person who is a

labourer employed in connection with the State forest of which the said land forms a part, and not otherwise.

2. All applications for land under these regulations shall be made after due notice has been at the Crown Lands Office at previously given by advertisement in at least one newspaper circulating in the district that such land is open for application, and in such manner as the Commissioner of State Forests (hereinafter referred to as "the Commissioner") may from time to time determine.

3. When more applications than one are made on the same day for the same land, the right to occupy shall be determined by lot amongst the applicants in such manner as the Commissioner may from time to time determine.

4. On the granting of the application, a license to occupy the land shall be issued to the applicant, which shall be in the form or to the effect in the Second Schedule hereto, and every such license shall be granted for a term not exceeding twenty-one years, to be reckoned from the next first day of January or July following the date thereof, and shall in addition include the period between the date of license and such day.

5. The rental shall be based on the capital value of the land as determined from time to time by the Commissioner, which shall in no case be less than £1 per acre.

6. No license shall be issued until after the payment of the first half-year's rent.

7. The annual rent payable after the license shall be calculated at the rate of £5 per cent. on the capital value of the land, determined as aforesaid, and shall be payable half-yearly in advance on the 1st days of January and July in each year to such officer or person as may from time to time be appointed by the Commissioner to receive the same.

8. All rents received under these regulations shall be paid into the "State Forests Account," in accordance with the provisions of "The New Zealand State Forests Act, 1885."

9. No allotment shall exceed in area 20 acres; and no person shall have any right to a renewal of his license or to purchase the fee-simple of the land held under the license.

10. No licensee shall hold more than one allotment, which shall be held for his sole use and benefit, and not for the use or benefit of any other person whomsoever.

11. No transfer of the interest of any licensee shall be allowed until the consent of the Commissioner has been first obtained; nor shall any such licensee subdivide or sublet any land held under these regulations; and in no case shall any such transfer or subdivision be allowed unless all rent due has been previously paid, and all conditions expressed or implied in the license or these regulations have been observed.

12. Each licensee shall each year fell, clear, and grass, or otherwise cultivate or make substantial improvements on, 2 acres, until the whole area is cultivated and substantially improved.

13. Substantial improvements shall mean—

- (a.) Fencing the land with timber or other durable materials, not being a brush fence; or
- (b.) Breaking up and laying down the same in cultivated grass; or
- (c.) Breaking up and planting or sowing root or other crops therein; and, in case of bush-lands, the felling and clearing of timber and sowing of grass.

14. If at any time during the currency of any such license the rent payable in respect of the land included in such license shall be in arrear for any period exceeding one month after the date on which it ought to be paid, or if the licensee or transferee shall commit or suffer a breach of any of these regulations, or of the terms and conditions contained or implied in the license, then and in any such case the Commissioner of Crown Lands for the time being at

shall have and may exercise all such power and authority to recover any such rent, or to enforce the performance of the terms and conditions imposed by or under these regulations, as he has and could exercise in respect of Crown lands under "The Land Act, 1892," in any like case.

15. Without prejudice to the power for recovering rent in arrear, or for enforcing the performance of the terms and conditions contained or implied in any license held under these regulations, any licensee or transferee who shall fail to comply with these regulations in any respect shall, upon sufficient proof thereof to the satisfaction of the Commissioner, be liable to forfeit his interest in the land included in the license, including all improvements (if any) thereon; and in case the Commissioner shall decide to forfeit the interest of the licensee or transferee in such land and the improvements thereon (if any), the same may thereupon be taken possession of as unoccupied Crown lands by the Commissioner of Crown Lands aforesaid, under all or any such powers or authorities as aforesaid, and all the provisions of "The Land Act, 1892," so far as necessary for that purpose, shall extend and apply accordingly.

16. The Commissioner of State Forests shall be the sole judge whether any default or breach of a license or of these regulations has been committed.

17. For the purpose of giving effect to these regulations the Commissioner may appoint or authorise any officer of the Land and Survey Department at to receive applications for licenses, conduct any drawing of lots for land applied for, sanction any transfer, collect or receive rents due under or in respect of any license granted or to be granted, or do any other act or thing on his behalf which the Commissioner may direct or require to be done under these regulations and not inconsistent with the express terms thereof.

18. In case any doubt shall arise as to the construction of these regulations, or otherwise arising thereunder, the same shall be settled by the Commissioner, whose decision shall be final and conclusive.

FIRST SCHEDULE.

(Description.)

SECOND SCHEDULE.

FORM OF LICENSE.

WHEREAS, of , being a labourer employed in the State forest at , has made application for a license to occupy the land hereinafter described, that is to say: All [describe the land] as the same is delineated in the plan drawn in the margin hereof, and thereon coloured red:

Now, therefore, I, the Commissioner of State Forests, in pursuance and exercise of the power vested in me by "The New Zealand State Forests Act, 1885," do hereby license the said to occupy the said land for the term of years from the first day of next, subject nevertheless to the payment of £ per annum, by way of rent, payable half-yearly in advance on the first days of January and July in each year, the first half-yearly payment of rent having been made, and the next payment to become due on the day of , all such rents to be paid to the proper officer, at the Crown Lands Office at Invercargill; and subject also to the terms and conditions particularly set forth in certain regulations issued under the said Act, and made on the day of , 1893, and a copy whereof is set forth on the back of this license.

Dated this day of , 18 Commissioner of State Forests.

STANDARD TIMBER-CUTTING REGULATIONS, CANTERBURY.

(See Gazette No. 50, page 1033, of 18th September, 1890.)

THE Canterbury Land Board, at their sitting on the 7th August, 1890, passed a resolution declaring the amended regulations under "The New Zealand State Forests Act, 1885," published in the *New Zealand Gazette* of the 6th March, 1890, to be also applicable to all Crown forests in the Canterbury Land District, the words "Crown forests" being read in all cases in place of "State forests"; but provided that, in outlying Crown forests where, in the opinion of the Commissioner of Crown Lands, the said regulations are not applicable, or the rates provided thereby cannot conveniently be collected, the following additional regulations, made under section 222 of "The Land Act, 1885," shall apply, in lieu of Nos. 16, 26, and 29 of the State Forest Regulations:—

REGULATIONS OF LICENSES TO HAND-SAWYERS AND SPLITTERS.

1. Applications for timber licenses shall be made at the Land Office, Christchurch.

2. Each application shall state the particular purpose for which the license is required, and the forest in which the timber is to be cut; and, on its being granted by the Land Board, the applicant shall immediately pay the prescribed fees to the Receiver of Land Revenue, and obtain a license.

3. The area granted to hand-sawyers shall be confined to the bush named in the application, the locality and extent being fixed

by the Board, and shall extend only to lands of the Crown therein mentioned. Any licensed person cutting timber beyond the limit of his area will be considered as unlicensed, and prosecuted accordingly.

4. A fee of not less than £4 will be charged for a license for twelve months for each hand-sawyer, whether felling, cutting, sawing, or drawing timber for sale, and no license shall be granted for a shorter term than six months. The annual licenses to date from and after the 1st January, and the half-yearly ones from and after the 1st July in each year, each terminating on the 31st December same year. In no case shall the charge be less than for half a year.

5. No pine or totara sapling under 12in. in diameter to be cut, and no manuka poles suitable for fencing purposes to be cut for firewood, under penalty of £10.

6. The Commissioner of Crown Lands may cause to be seized all timber cut on Crown lands, wherever found, which he may have cause to believe has been cut by an unlicensed person; but, in case a right to such timber shall be asserted within fourteen days after the notice hereinafter mentioned, and shall be established to the satisfaction of the Land Board, it shall be restored to the claimant.

7. All timber when seized shall be marked with the broad-arrow, and, after due notice of the seizure thereof in writing, to be posted up in the Land Office, or at the police-station in the district where such seizure was made, shall, in case no claimant shall appear and establish his claim within fourteen days therefrom, be sold in such manner and subject to such conditions as the Land Board may direct.

8. All timber cut under a yearly or half-yearly license must be removed within six weeks after the expiration of the license, and that cut under firewood, fencing, or special licenses within three months after date of licenses, unless an extension of time be granted by the Board, otherwise it may be declared forfeited, seized, and sold on behalf of the Crown.

9. The proceeds of the sale of timber so seized are to be accounted for and paid over to the Receiver of Land Revenue.

10. If any person duly licensed shall have established a saw-pit for the purpose of sawing timber, no other person shall cut timber within one hundred yards of such pit without consent of the person first occupying such saw-pit: Provided that, if the person establishing such pit shall not use the same, and shall not cut timber within such distance as aforesaid from the pit for twenty-eight consecutive days, it shall be lawful for any other holder of a license to enter thereupon and to cut timber as though such pit had not been established; or if such person should only cut timber to such extent within the twenty-eight days as would appear to the Board to be done merely for the purpose of excluding others, and not utilising the forest, the Board may in such case cancel the license.

11. If any license-holder shall, for the purpose of removing

timber, have made a tramway or road upon land being waste lands of the Crown, and not being a highway, it shall not be lawful for any other person to use the same without permission of the person making the same first obtained: Provided that, if such road shall not be used at any time for ninety consecutive days for removing timber, it shall be lawful for the Land Board to determine that the constructor of the tramway has forfeited his right to the same: Provided also that, as regards tramways, the Board reserves to itself the power of deciding on the merits of each case as it arises.

12. Licenses cannot be transferred without the consent of the Board first obtained, transfer-fee being 10s.

SAWMILL LICENSES.

13. Royalty shall be paid on the scale given in the Second Schedule of the State Forest Regulations, and shall be remitted to the Receiver of Land Revenue every three months: Provided that if any rent due remain unpaid for more than six days the license shall be deemed to be cancelled, and the bush open for application, without any notice being given to the licensee.

14. Every such license terminable within any year shall be drawn so as to terminate on the 31st day of December in each year, and may be renewed from year to year, but subject to such alterations in the regulations as may be found necessary for the better management and utilisation of the forests: Provided that before the issue of any renewed license the licensee shall produce a certificate from the Inspector or Ranger of Forests, or other person duly appointed by the Land Board on that behalf,—

- (1.) That the bush has been cut fairly, and that all available for sawmill purposes has been used:
- (2.) That the sawmill has been kept continuously in operation, when not stopped by causes considered unavoidable by the Board:
- (3.) That no trees or saplings under one foot in diameter have been cut for sale, or destroyed by the act of or by the neglect of the licensee or his servants, and that none of the provisions of the amended regulations under "The New Zealand State Forests Act, 1885," or the by-laws of the Land Board have been violated.
- (4.) And if it shall appear that these regulations have not been complied with, or that any wrongful acts have been done by the licensee, then the Land Board shall appoint a valuator to ascertain and assess the amount of damage which the forest, whether under license or not, may have sustained by such wrongful acts; and no new license shall be granted until the amount of damage so assessed shall have been paid, in addition to the sum due by way of rent and expenses of valuation.
- (5.) If at any time during the currency of the yearly license the Inspector or Ranger of Forests shall report that the timber

on the licensed ground is being unfairly cut, the license may be suspended pending investigation, and cancelled if it is found that the by-laws or regulations have been infringed.

15. The licensee shall keep a production book, showing the total number of superficial feet, without any classification, passing through the sawmill each day, or hewn timber, and exhibit the same on demand of any person authorised by the Land Board, and shall furnish a correct copy of it to the Inspector or Ranger of Forests on or before the seventh day of each succeeding month, in the form prescribed in the Schedule; the penalty for omitting to make a return, or making a false return, being forfeiture of the license, and a penalty not exceeding £50, to be recoverable under clause 26 of "The Land Act, 1885."

SCHEDULE.

DAILY PRODUCTION BOOK of Sawmill, situated at _____, giving the Daily Return of Timber sawn or hewn under License during the Month of _____, 18____, in Terms of Section 14 of the Canterbury Timber Regulations.

Month of 18__	Daily Production of Sawn Timber.	Daily Production of Hewn Timber.	Remarks.
	Super. feet.	Super. feet.	
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
Totals			

I, _____, do solemnly and sincerely declare that the above is a correct copy of the production book for the month of _____, 18____, and is a true and complete return of all timber sawn or hewn under license during the month; and make this solemn declaration conscientiously believing it to be true, and by virtue of an Act of the General Assembly of New Zealand intitled "The Justices of the Peace Act, 1882."

Made and subscribed at _____, in the Colony of New Zealand, this _____ day of _____, 18____, in the year of our Lord one thousand eight hundred and _____.

REGULATIONS UNDER "THE GOVERNMENT LOANS TO LOCAL BODIES ACT AMENDMENT ACT, 1891."

(See Gazette No. 15, page 339, of 18th February, 1892.)

In pursuance and exercise of all powers and authorities vested in him by the fourth section of "The Government Loans to Local Bodies Act Amendment Act, 1891," His Excellency the Governor of the Colony of New Zealand, by and with the advice and consent of the Executive Council of the said colony, doth hereby make the following regulations under and for the purposes of the said Act, that is to say:—

1. These regulations shall come into force on the date when the same shall be published in the *New Zealand Gazette*.
2. In these regulations, unless inconsistent with the context,—
 - "The Minister" means the Minister of Lands;
 - "The said Act" means "The Government Loans to Local Bodies Act Amendment Act, 1891";
 - "Proclamation" means a Proclamation setting apart a block of land for settlement under section 2 of the said Act;
 - "The block" means a block of land set apart for settlement by Proclamation;
 - "Receiver" means the Receiver of Land Revenue for the district in which the block is situated.
3. For the purposes of these regulations, the Surveyor-General shall prepare a schedule showing the value of each and every section of land in the block, and shall on the basis of such valuation divide and apportion among all the sections in the block the amount issued and applied by the Colonial Treasurer under the said Act for roads or bridges in or leading to the block; and the amount so apportioned shall be a charge on the proceeds arising from the sale or lease of each section in the block in the proportion hereinafter appearing, and the amount so apportioned shall be conclusive. The Surveyor-General shall forward to the Treasury and Audit Office a copy of the schedule above referred to.
4. The proportion mentioned in the last foregoing section hereof, as applied to the various tenures of land, shall be as follows:—
 - (a.) In respect of lands sold for cash, the proportion shall be such a portion of the purchase-money as will refund in one sum the whole amount apportioned as aforesaid against the land so sold,

together with 5 per cent. per annum added thereto, calculated from the date of the issue to the repayment thereof.

(h.) In respect of land sold on deferred payments,—

- (1.) When the term is five years, there shall be set apart from each half-yearly payment made by the purchaser a sum equal to $11\frac{1}{2}$ per cent. of the amount of expenditure apportioned against such land as aforesaid :
- (2.) When the term is ten years, there shall be set apart from each half-yearly payment made by the purchaser a sum equal to $6\frac{1}{2}$ per cent. of the amount of expenditure apportioned as aforesaid :
- (3.) When the term is fourteen years, there shall be set apart from each half-yearly payment made by the purchaser a sum equal to 5 per cent. of the amount of expenditure apportioned as aforesaid.

In case of the extension of tenure from ten to fourteen years, the proportions to be repaid shall be treated in the same manner as are instalments payable on account of the freehold by section 20 of "The Land Act Amendment Act, 1887."

(c.) In respect of lands let on perpetual lease, there shall be set apart, for a period of twenty-six years from each half-yearly payment made by the lessee, a sum equal to $3\frac{1}{2}$ per cent. of the amount of expenditure apportioned against such land as aforesaid.

(d.) In respect of land let as a small grazing-run, there shall be set apart, for a period of twenty-one years from each half-yearly payment made by the lessee, a sum equal to 4 per cent. of the amount of expenditure apportioned against such land as aforesaid.

5. Arrears of interest shall be added to the principal sum advanced upon each section.

6. The Receiver shall keep proper accounts in respect of each section of land to which these regulations apply, and shall, on receipt of any moneys for or on account of such section of land, enter the proportionate part of such moneys as defined by section 4 of these regulations to the credit of the "Government Loans to Local Bodies Account" in the respective cash-book accounting for the particular class of land sold or otherwise dispose of.

7. In the event of the tenure of any section of land to which these regulations apply being exchanged by the holder for another tenure, as provided by "The Land Act, 1885," and its amendments, the amount of the proportion under section 4 of these regulations due at the time shall be capitalised, and the Receiver shall set apart such proportion of the capital value of the land in lieu of the previous apportionment as the Surveyor-General, with the approval of the Minister, may direct as sufficient to refund the expenditure as required by these regulations.

ADDITIONAL REGULATIONS.

(See Gazette No. 8, page 151, of 2nd February, 1893.)

In pursuance and exercise of all powers and authorities vested in him by the fourth section of "The Government Loans to Local Bodies Act Amendment Act, 1891" (hereinafter termed "the said Act"), His Excellency the Governor of the Colony of New Zealand, by and with the advice and consent of the Executive Council of the said colony, doth hereby make the following additional regulations under and for the purposes of the said Act, that is to say:—

In respect of lands let on lease in perpetuity, and in respect of lands let for occupation with right of purchase, respectively, there shall be set apart from each half-yearly payment made by the lessee, for a period of twenty-six years, a sum equal to $3\frac{1}{2}$ per cent. of the amount of expenditure respectively apportioned against such lands in the manner set forth in the regulations of the fifteenth day of February, one thousand eight hundred and ninety-two, hereinafter mentioned.

In case of purchase within the period of twenty-five years, the then value of the balance of the half-yearly payment, reckoned at 5 per cent. interest, shall be set apart; and, in case of extension as a lease in perpetuity, the half-yearly payment shall continue as under that system.

And it is hereby declared that the foregoing regulations shall be read and construed as part of the regulations made under the said Act on the fifteenth day of February, one thousand eight hundred and ninety-two, and published in the *New Zealand Gazette* of the eighteenth day of February, one thousand eight hundred and ninety-two.

REGULATIONS FOR SURVEYS UNDER THE MINES ACT.

GLASGOW, Governor.

WHEREAS by the three hundred and forty-first section of "The Mining Act, 1891," it is among other things enacted that it shall be lawful for the Governor, subject to the provisions of the said Act, from time to time to make, alter, amend, and revoke regulations for prescribing the mode in which all surveys for the purposes of the said Act should be conducted, and the fees to be paid for such surveys, and the amount of deposit of survey-fees to be made from time to time:

And whereas, in pursuance and exercise of the powers contained in the said Act, regulations were made on the twenty-third day of December, one thousand eight hundred and ninety-one, and came into operation on the first day of January, one thousand eight hundred and ninety-two: And whereas it is desirable to make additional regulations in respect to surveys, and to revoke Schedule Number Forty-one to the said regulations, as hereinafter set forth:

Now, therefore, I, David, Earl of Glasgow, the Governor of the Colony of New Zealand, in pursuance and exercise of the powers

and authorities conferred on me by the hereinbefore in part recited Act, do hereby revoke Schedule Number Forty-one of the regulations aforesaid, and do hereby make the regulations hereinafter set forth, that is to say:—

1. In the regulations, if not inconsistent with the context,—

“The Mining Act” includes “The Mining Act, 1891,” any amendment thereof, and any regulations made thereunder, respectively, and for the time being in force:

“Mining area” means any land held or occupied or intended to be held or occupied under the Mining Act as aforesaid,

Generally these regulations shall extend and apply to all surveys required or made under and for the purposes of such Mining Act.

BLOCK AND SECTION SURVEYS.

2. Regulations for the time being in force relating to block and section surveys, made under the fourth section of “The Land Act, 1885,” or any like regulations for the time being in force under “The Land Act, 1892,” shall be deemed to be incorporated herewith, and shall be read and construed, *mutatis mutandis*, as though they formed part of these present regulations.

MINING LEASE, LICENSED HOLDING, CLAIMS, SURVEY, ETC.

3. If a mining area applied for affects or includes any mining claim, private holding, building, race, or other area, whether held or occupied under the Mining Act or otherwise, the same must be shown on the plan, and full particulars relating thereto must be given in the surveyor's report to the Warden. It is the surveyor's duty to make careful inquiries respecting all claims to prior occupancy, and, if possible, furnish the names of such occupants or claimants.

4. Every survey of a mining area must be connected with a fixed and clearly-indicated survey-mark already established, such as the corner of a section, the angle of a road, a trigonometrical station, or the corner of a mining claim already surveyed. But whenever, in forest-land, a trigonometrical station is within a quarter of a mile of the mining area under survey, connection with it must be made in preference.

5. If a former survey be taken as a common boundary, it will be the surveyor's duty to ascertain that the lines on the ground conform to the recorded bearings and dimensions of that survey. If correct, it may be adopted as data for the survey in hand; and, if not, the discrepancy disclosed must be reported to the Chief Surveyor when forwarding plan of survey for his approval.

6. In the survey of claims every boundary shall be cut throughout, and every corner shall be marked on the ground by trenches, as described in the regulations of the Survey Department incorporated herewith; but in forest-lands the trenches may be cut for a length of 8 ft. only.

7. All previously-surveyed mining areas or allotments that may adjoin or be within 5 chains of the area under survey must be shown on the plan, together with the tie-lines used to determine their position.

8. In all cases the actual boundary-lines of mining areas must be measured by the surveyor, unless there be insuperable obstacles in the way. In such cases the course adopted in ascertaining the distance across or through the obstacle, and in prolonging the boundary-line, must be clearly shown on the plan.

9. When the boundaries of a mining area are found to interfere with any existing mining lease or license, or other survey, the intersections must be carefully fixed and shown on the plan; and such other distances must be given as will admit of the relative positions of the different surveys being shown accurately on the district mining plans, and also allow of the exact area being calculated, should it be considered necessary to excise any part from the mining area.

10. The traverses in forest-lands, required to ascertain the position of the corner-posts put into the ground by the applicants before the actual boundary-lines can be cut, should be altogether avoided, but, if absolutely necessary, must be as few as possible. Tabulations of these, as well as of the block boundaries, observed and measured, showing closures and connections, are to be furnished to the Chief Surveyor, together with the plan.

RACE, RESERVOIR, AND CATCHWATER AREAS.

11. In surveying water-race areas the surveyor is expected to furnish a plan showing the levels and size of the race, and an estimate of the quantity of water which would be derived from the area to be dealt with, having regard to the rainfall and the nature of the country; contributory streams proposed to be utilised, and the data on which the calculations are based, must also be given.

12. Care should be taken to show on the plan and note in the report those parts of the race which pass through sold lands, cultivations, areas held under the Land or Mining Acts; and the points where the race intersects other races, roads, tracts, tramways, or any other mining area or any public or private land, however held, should be carefully defined.

13. The boundaries and areas to be covered by the water-surface and embankment of a reservoir should be shown on plan, as well as all leased or sold lands, cultivations, or any other mining area or other land, however held, which the reservoir, if filled, would interfere with.

14. The instructions hereinbefore contained relating to mining areas, as regards the cutting of lines, pegging, observing, and tabulating, are to be followed in making surveys of races, reservoirs, and catchwater areas.

15. In the case of surveys of underground workings, which have to be carried out under the supervision of the Survey Department, special instructions will be issued in each case.

GENERAL.

16. All plans of land applied for under the Mines Acts, and regulations made thereunder, are to be drawn to the following scales—

	Chains to an Inch
Claims or blocks containing 5 acres and under ...	2
" from 5 up to 30 acres...	5
" from 30 acres upwards ...	10
Races under two miles in length ...	5
" from two miles to five miles in length ...	10
" over five miles in length ...	20
Reservoirs under 2 acres in extent ...	2
" from 2 acres to 20 acres in extent ...	5
" from 20 acres upwards in extent ...	10

If the scale of 10 chains to an inch for plans of mining leases or licenses exceeding 20 acres in area be found too small to properly indicate any buildings or other improvements that are on the ground, the 5-chain scale must be used, or enlargements made to show them plainly.

17. Topographical features, such as mountains, spurs, gorges, rivers, creeks, lagoons, waterfalls, roads, tracks, or other physical features of or affecting the land surveyed, must be shown in full on all mining survey plans.

18. The surveys of mining claims or blocks must be plotted on sheets prepared by the department, to which the requisite surveyor's certificate is attached. These forms will be sold to any surveyor on application to the Chief Surveyor or to the Mining Registrar of the district. Other mining surveys may be plotted on antiquarian or double-elephant paper of a size of not less than eighteen inches square.

19. The surveyor will be held responsible for the accuracy of the certificate attached to his plan; and if, on receipt of an official plan from a survey, it shall be found deficient in any necessary information, and if the omission be considered to be the result of a want of proper care on the part of the surveyor, he will be called upon to supply the deficiency at his own cost.

20. No surveyor will be allowed to employ more than two field-parties in the field in any surveys made for the Warden's Court unless authorised surveyors are placed in charge of such field-parties.

21. Every person applying for the survey of a mining area shall at time of lodging such application deposit with the Receiver of Gold Revenue, or, if there shall be no such Receiver, with the Warden, such survey-fee as shall be applicable according to the particulars hereinafter set forth, that is to say,—

- (1.) Not exceeding 30 acres, 4s. per acre, but not less than £5.
- (2.) Exceeding 30 acres and up to 50 acres, 3s. 6d. per acre, but not less than £6.

- (3.) Exceeding 50 acres and up to 100 acres, 3s. per acre, but not less than £8 15s.
- (4.) Exceeding 100 acres and up to 200 acres, 2s. 6d. per acre, but not less than £15.
- (5.) Extended claims, £2 10s. each.
- (6.) Travelling expenses from residence of surveyor, 3s. per mile extra by the nearest road, one way.
- (7.) Bush-cutting, 2s. 6d. per chain extra.
- (8.) Underground surveys, encroachments, water-races, or other surveys to which the foregoing rates do not apply, shall be paid for as follows:—
- (9.) Surveyors' fee, £2 per day or part of a day; labour extra; mileage as above.
- (10.) The cost of putting plans on certificate forms—viz., 3s. 6d.—is included in above fees, and when this is done by the Government that amount will be deducted from final payment.
- (11.) Where necessary to reduce size of claims, &c., after survey, the cost on above scale must be deposited before survey is made or certificate issued.

And the fees to be paid for surveys under the Mining Act are hereby prescribed to be those set forth in the foregoing regulation, according as the facts may require, and subject also to such other regulations as are or may be in force under the Mining Act.

22. When plans are received and have been approved, the Chief Surveyor shall, in cases where the survey has been made by an officer of the staff, forward to the Receiver an abstract or voucher, duly certified, in favour of the Public Account. Where the survey has been made by an authorised private surveyor, an abstract or voucher for the sum or sums due, in favour of the person entitled, shall be sent in like manner.

The Receiver of Gold Revenue may, after approval of the voucher by the Chief Surveyor, pay to the person entitled any sum up to 50 per cent. of the amount of deposit, and on final approval of the survey shall pay out of his deposit account the balance or full amount, as the case may be, into the Public Account or to the person entitled to receive, as the case may be; and, should there be a balance, he shall pay it to the depositor or to the Public Account as he may be specially instructed.

As witness the hand of His Excellency the Governor, this twenty-fourth day of September, one thousand eight hundred and ninety-six.

A. J. CADMAN,
Minister of Mines.

REGULATIONS FOR THE EXAMINATION OF SURVEYORS UNDER "THE LAND ACT, 1892."

BOARD OF EXAMINERS.

1. THERE is hereby constituted a Board of Examiners, consisting of the persons for the time being holding the respective offices of—

The Surveyor-General,
The Assistant Surveyor-General,
The Chief Surveyor for the Land District of Wellington,
The Chief Surveyor for the Land District of Hawke's Bay,
The Chief Surveyor for the Land District of Nelson,
The Chief Surveyor for the Land District of Canterbury.

2. The Surveyor-General shall be Chairman of the Board, but in case of his absence from any meeting the members present shall appoint one of their number to act as Chairman.

3. The Board may appoint a Secretary, who shall hold office during the Board's pleasure, and be paid such salary as the Minister of Lands thinks fit. The office of Secretary may be held conjointly with any other post or office in the Civil Service.

4. A meeting of the Board shall be convened by the Secretary whenever the Chairman or any two members so desire.

5. At all meetings of the Board the quorum shall be four. The Chairman shall have a deliberative vote and, in case of equality of voting, a casting-vote.

6. Subject to these regulations, the Board may regulate its own procedure.

TIME AND PLACE OF EXAMINATION.

7. Examinations will be held in the months of March and September of each year, on dates to be fixed by the Board and notified in the *New Zealand Gazette*: Provided that the first examination after the coming into force of these regulations may be held later than March if the Board thinks fit.

8. Examinations will be held at the principal Survey Office of each Land District in which there are candidates for examination. The Chief Surveyor of each Land District, or some officer appointed by the Board, shall conduct the examination and act as Supervisor.

CONDITIONS PRELIMINARY TO EXAMINATION.

9. (1.) No candidate shall be eligible for examination unless he satisfies the Board—

(a.) That he has passed the matriculation examination of some recognised university, or the Junior Civil Service Examination of New Zealand (in which must be included English, geography, arithmetic, geometry, plain trigonometry, and algebra), or such other examination as in the opinion of the Board is equivalent thereto, and also has served an indentureship with an authorised surveyor in New Zealand

for not less than three years, two of which have been in the field; or

(b.) That he has served an indentureship for not less than four years with an authorised surveyor in New Zealand, two years at least of which has been in the field, and also has received such education as will, in the opinion of the Board, qualify him for the proper exercise of his profession; or

(c.) That he has completed not less than a two-years course in engineering and surveying at some recognised university, together with eighteen months' service with an authorised surveyor in New Zealand, of which not less than one year has been in the field.

(2.) Service in the field comprehends minor triangulation, topographical survey, survey and subdivision of land, road-surveying and grading, and the preparation of plans in accordance with the regulations and instructions for the time being in force of the Survey Department of New Zealand (hereinafter called "the Survey Regulations").

10. At least thirty days before the date of examination, every intending candidate shall give notice to the Secretary of the Board, Wellington, of his desire to be examined. Such notice shall be written on forms to be obtained at the office of any Chief Surveyor; and must be accompanied by the evidence, certificate, plans, &c., referred to in the next-following clause of these regulations.

11. (1.) Every candidate shall forward with the notice referred to in the last-preceding clause of these regulations—

(a.) Satisfactory evidence of compliance with the requirements of clause 9 of these regulations, including a certificate from the surveyor with whom he served as to length of service, character, knowledge of surveying, and general ability;

(b.) A plan of at least three triangles;

(c.) Particulars of the measurement of a base-line not less than 80 chains in length;

(d.) A plan of topographical survey;

(e.) A plan of at least 100 acres of land, contained within not less than ten irregular sides;

(f.) A plan of a town section which is built on, to illustrate an application under the Land Transfer Act;

(g.) The original field- and level-books, and all calculations connected with the above surveys.

(2.) All plans must be drawn and plotted from surveys actually made by the candidate himself, and must be in accordance with the Survey Regulations. The plan must be signed and dated, and bear the following certificate: "I hereby certify that this plan was plotted and drawn by myself, from surveys made by myself, and that the accompanying field-books and computations are my own work."

12. If the requirements of the last-preceding clause of these regulations are complied with to the satisfaction of the Board, the

Secretary shall forward to the candidate, at least fourteen days before the date of the examination, a notice in writing authorising him to present himself for examination at a time and place to be specified in the notice. A fee of one guinea shall be payable by the candidate in respect of such notice, and unless the fee is paid to the Secretary at least seven days before the day appointed for the examination the candidate will not be permitted to sit. Upon payment of such fee the Secretary shall forward the candidate's name to the Supervisor.

EXAMINATION.

13. The subjects for examination shall be as follows:—

(1.) Construction, manipulation, adjustment, and use of instruments, including the following:—

- (a.) Theodolite, plane and transit;
- (b.) Levelling instruments;
- (c.) Prismatic compass;
- (d.) Sextant;
- (e.) Measuring-bands, and their use in base-lines and ordinary measurement.

(2.) Principles and practice of land-surveying:—

- (a.) Methods of field practice;
- (b.) The keeping of field-books;
- (c.) Laying out country for settlement;
- (d.) Laying-out of roads, including curves;
- (e.) Pegging and marking.

(3.) Trigonometrical surveys:—

- (a.) Methods of calculating triangles;
- (b.) Polygonal and ray-trace triangulation;
- (c.) Trigonometrical heights;
- (d.) Barometric heights;
- (e.) Marking of trig. stations;
- (f.) Topographical surveys.

(4.) Computations connected with surveying:—

- (a.) Reductions of traverses;
- (b.) Elimination of discrepancies in measurements and angles;
- (c.) Computations of road angles and sides;
- (d.) Computation of areas, regular and irregular.

(5.) Levelling and measurement of earthwork.

(6.) Determination of latitude, true meridian, and convergence of meridians.

(7.) Construction of maps and plans:—

- (a.) Projection of maps;
- (b.) Compilation of maps from detached plans;
- (c.) Plotting from co-ordinates, and by protractor and scale.

(8.) Drawing:—

- (a.) Mechanical work of map and plan drawing;
- (b.) Hill drawing and shading;
- (c.) Writing.

(9.) The Survey Regulations, the sections of Acts referring to surveys, and the form and contents of certificates required on plans by law.

14. The examination in each subject shall be *visd voce* or in writing, as the Board from time to time determines.

15. (1.) Instruments required by the Survey Regulations must be produced to the Supervisor at the time of the examination; and, where practicable, an examination of the candidates' work shall be made in the field.

(2.) At the time of examination each candidate must provide himself with a book of logarithms, scales, parallel ruler, protractor, and all necessary appliances except paper.

16. On conclusion of the examination, all papers connected therewith, and the data on which they are based, shall be forthwith sealed up by the Supervisor and transmitted to the Secretary of the Board of Examiners at Wellington. The Board shall then meet to consider each case. The Supervisor shall forward a separate report in each case on the *visd voce* part of the examination.

17. The Board shall fix a value to each subject of the examination, and determine the percentage of the marks required to obtain a pass in each subject.

18. In the event of a candidate failing to pass at the first examination, the Board may, at its discretion, allow him to come up at the next examination, and may determine the special subjects in which he must pass on the second occasion.

19. Upon passing the examination to the satisfaction of the Board, and upon payment of a fee of £2 2s. (in addition to the fee of £1 1s. payable under clause 12 of these regulations), the candidate shall be entitled to a certificate to be issued by the Board under the hands of the Chairman and one other member thereof in the form following, that is to say:—

(Royal Arms.)

(Under "The Land Act, 1892.")

Department of Lands and Survey,

Wellington, N.Z.,

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Certificate of Competency by full Examination.

No. _____, having passed the full examination required under the Regulations for the Examination of Surveyors made under section 4 of "The Land Act, 1892," is hereby declared to be a duly-authorized surveyor of the Colony of New Zealand, and, as such, to be entitled to practise the profession of a land-surveyor so long as this certificate remains unrevoked.

Date of Examination.	Age at Date of Examination.	Educational and other Qualifications at Date of Examination.	Instruments produced at Examination.

Signed on behalf of the Board of Examiners by
C.D., Chairman
E.F., Member of the Board.

20. No candidate shall be entitled to receive a certificate of competency until he has attained the age of twenty-one years.

CERTIFICATES WITHOUT EXAMINATION.

21. Upon payment of a fee of £1 1s. a certificate of competency without examination may be granted by the Board to any person who makes application therefor in writing, and satisfies the Board that he is of good character and repute, and also,—

- (a.) That he is a duly-authorized surveyor under "The Land Act, 1877"; or
- (b.) That, being the holder of a license or certificate as surveyor granted by any institute or authority outside New Zealand recognised by the Board as sufficient, he has practised as a surveyor or a surveyor's assistant in New Zealand for at least six months, and is familiar with the Survey Regulations; or
- (c.) That he has practised as a surveyor or a surveyor's assistant in New Zealand for not less than eight years, possesses adequate practical professional knowledge and skill, and is familiar with the Survey Regulations:

Provided that no application under this subclause (c) shall be granted after the 1st day of March, 1898.
(2.) In order to satisfy itself that the applicant under subclauses (b) or (c) of this clause is familiar with the Survey Regulations, or, as the case may be, that the applicant under subclause (c) possesses adequate practical professional knowledge and skill, the Board may require him to undergo such examination as it thinks fit.
(3.) Such certificate shall be signed on behalf of the Board by the Chairman and one other member thereof, and shall be in the following form:—

(Royal Arms.)
(Under "The Land Act, 1892.")
Department of Lands and Survey,
Wellington, N.Z.,

Certificate of Competency without Examination.

No. _____
This is to certify that A.B., of _____, having satisfied the Board of Examiners of his competency and qualifications, is hereby declared to be a duly-authorized surveyor (without examination), and, as such, to be entitled to practise the profession of a land-surveyor of the Colony of New Zealand so long as this certificate remains unrevoked.

Particulars.

Age at Date of this Certificate.	Qualifications at Date of this Certificate.

Signed on behalf of the Board of Examiners by
C.D., Chairman
E.F., Member of the Board.

GENERAL.

22. The Board shall keep a register of certificated surveyors, specifying in each instance the date of the examination, or (as the case may be) of the application for certificate without examination, the date of the issue of the certificate, distinguishing certificates by examination from certificates without examination, and, in the latter case, specifying the qualifications possessed by the applicant.

23. (1.) If at any time the Board has reason to believe that any person, whilst the holder of a certificate of competency, has been guilty of unprofessional conduct, or of conduct calculated to bring discredit upon the profession, it may call on such person for an explanation; and, if no satisfactory explanation is given, it may report the matter to the Minister of Lands, who, on the recommendation of the Board, and after holding such inquiry as he thinks fit, may, by notice in the *Gazette*, revoke the certificate.

(2.) The Board shall make entry of every such revocation in the aforesaid register.

24. The names of all surveyors who receive certificates in accordance with these regulations shall be published in the *New Zealand Gazette* from time to time by the Board.

25. All fees received under these regulations shall be paid into the Public Account, and form part of the Consolidated Fund.

26. The Secretary's salary and all other expenses incurred by the Board shall be paid out of moneys appropriated by Parliament for that purpose.

As witness the hand of His Excellency the Governor, this twenty-sixth day of February, one thousand eight hundred and ninety-six.
JOHN MCKENZIE,
Minister of Lands.

EXTRACTS FROM REGULATIONS FOR CONDUCT OF PUBLIC BUSINESS, AND FOR THE CIVIL SERVICE.

Hours of Attendance.

1. THE hours of attendance for officers of the Civil Service will be from 9 o'clock a.m. to 1 o'clock p.m., and from 2 o'clock p.m. to 5 o'clock p.m., except on Saturdays, when the office hours will be from 9 o'clock a.m. to 1 o'clock p.m. Officers are expected to be in attendance in their offices during the whole of the hours specified above.

2. Appointments to offices having attached to them a salary of £200 per annum or upwards are to be made by the Governor, with the advice and consent of the Executive Council.

3. Appointments to offices of a less salary than £200 per annum are, except when otherwise required by law, to be made in the name of the Governor by Ministerial heads of departments.

4. Appointments to offices are to be made subject to the provisions of the Civil Service Act, and are with all convenient speed to be gazetted. The warrants of appointment are to be prepared in the various Ministerial offices and duly recorded.

Overtime.

5. All officers will be required to attend at their offices for such longer period as may from time to time be required for the completion of arrears of work, or in consequence of any departmental or public exigency; and no charge for overtime will be allowed except where expressly authorised by regulations agreed to by the Governor in Council, unless under the express authority of law.

Hours of Business to be devoted strictly to Business.

6. All officers are required to devote themselves, during the hours of business, exclusively to the discharge of their public duties. No officer will be allowed to leave his office during such hours except on official business, or by express permission of the permanent head of the department or branch. Officers having to attend at more than one place of business shall, as far as possible, attend at stated times, and shall post a notice of such times of attendance at the doors of their several offices. Officers are not, during the hours of business, to receive private visitors, or otherwise to allow their attention to be engaged in private affairs.

Fees or Remuneration not to be received.

7. No fee, reward, or remuneration of any kind whatsoever, beyond his salary, shall be received and kept for his own use by any officer for the performance of any service for the Government. All fees received by officers attending in their official character, under

a subpoena or order to give evidence or to produce papers in any Court, shall be paid by such officers into the general revenue, and such officers shall duly enter and account for all fees received by them for the performance of such duty, and shall transmit to the head of their branch an account and vouchers of all the necessary expenses, if any, incurred by them in the performance of such duty.

Officers not to engage in Private Business.

8. No officer shall accept, or shall continue to hold or discharge, any paid office in connection with any banking, insurance, or mining company, or any building society, or any similar body whatsoever, without the express permission, in writing, of the responsible Minister.

Professional Officers not to engage in Private Practice.

9. No professional officer to whom "The Civil Service Act, 1866," applies shall engage or continue in the private practice of his profession without the authority of law, or the express permission, in writing, of the responsible Minister.

Officers not to be Members of Local Bodies.

10. No officer shall accept or continue to hold the office of mayor, president, chairman, or member of the council or board of any province, county, city, town, borough, shire, or road district.

Addresses and Testimonials.

11. No address or testimonial shall be accepted by any officer in respect of his official duties without the sanction, in writing, of the responsible Minister of his department.

Subordination of Officers.

12. Every officer shall obey promptly and with readiness all instructions that may be given to him by the officer under whose immediate control or supervision he is placed. If any officer should think that he has ground of complaint arising out of such instructions, or from any other cause whatsoever, he may at all times report the same, through the permanent head of his branch, to the responsible Minister of the department.

Absence from Office or District.

13. Except in cases of sudden illness or other emergency (which shall be immediately reported to the responsible Minister by or through the permanent head) no officer shall be absent without leave from his office or place or business, or from the district to which he is appointed.

Applications for Leave of Absence.

14. Applications for leave of absence shall in all cases be made in writing, by or through the permanent head, to the Minister of the de-

partment, and shall be accompanied by a statement showing the total length of absence of the officer from duty, from all causes, during the previous part of the same year. The permanent head shall also, in all cases of application for leave of absence by any officer under him, make a special report (1) as to the general conduct of the officer during the previous portion of the year, and (2) as to the regularity or irregularity of attendance by the officer for the same period during the hours of business.

Leave of Absence.

15. Any officer absent from his office or his district without such application having been made and granted shall, except in case of sudden illness or other emergency mentioned in the last-but-one preceding regulation, be deemed to be absent without leave. The duties of any officer absent on leave under the provisions of the 27th section of "The Civil Service Act, 1866," shall be performed by his brother officers, without additional salary or remuneration, in such manner as the Minister may authorise or direct.

Leave of Absence on Ground of Illness or other Pressing Necessity.

16. Application for leave of absence on the ground of illness, under the 27th section of "The Civil Service Act, 1866," must be supported by a medical certificate, stating nature of complaint, to the satisfaction of the responsible Minister that such leave is necessary; and applications for leave of absence on the ground of other pressing necessity, under the section aforesaid, must be supported by reasonable proof of the existence of such necessity.

Officers not to incur Liability on behalf of the Government, or to alter General Conditions, &c., of Contracts.

17. No officer shall be authorised to incur, or shall attempt to incur, any liability, or shall have authority to make, or shall attempt to make, any contract, on behalf of the Crown, or of the Government, or of any department of the public service, without the authority, in writing, of the Minister of his department. The general conditions and forms of specifications of contracts which may from time to time be prescribed to any department shall be strictly adhered to by the professional and other officers of such department, unless in any special circumstances an alteration therein may be made, and be approved, in writing, by the responsible Minister.

Public Property in Care of Officers.

18. All officers will be held responsible for the careful use and preservation of all Government property in their possession, custody, or care. Officers in charge of public buildings will, in the event of repairs being required, make a requisition for the same, and are not to allow the buildings to fall into decay, or to become permanently injured for the want of such repairs.

Applications of Officers, how to be made.

19. The application of any officer for promotion, leave of absence, change of quarters, increase of salary, or upon any other matter affecting his position in the Service, shall be made by the applicant himself by or through the head of his branch or department; and if it be made by or through any other person it will be treated as irregular. Officers exciting parliamentary action with a view to increase of their salaries will be liable to summary dismissal from the Service.

Officers in the Civil Service not to take part in Politics.

20. In order that officers of all ranks may be enabled to render loyal and efficient service to Government it is necessary, and they are hereby expressly required and enjoined, not to take any part in political affairs otherwise than by recording their votes at elections; and every violation of this regulation will be forthwith visited with such penalty as the circumstances of the case shall appear to demand.

Charges against Civil Officers.

21. Any officer against whom an accusation is made under the 26th section of "The Civil Service Act, 1866," may be suspended by the permanent head of the department, or by any Minister, or by the officer in charge of the office in which the accused serves. When any complaint is made against any officer under the 26th section of the Civil Service Act timely notice of such complaint, and a copy of the document reporting it, shall be given him, in order that the complaint and any explanation offered by the accused may be laid simultaneously before the Board of Inquiry.

Boards of Inquiry: Time and Place of Meeting.

22. The members of any Board of Inquiry under the Civil Service Act shall fix the time and place of their sittings; and the Chairman shall inform the accused, in writing, accordingly, and require his attendance at the time and place fixed. If the accused cannot be found, a notice requiring his attendance may be sent by post to his usual or last-known place of abode; and if he do not attend, or send a sufficient excuse for his non-attendance to the satisfaction of the Board, the inquiry shall proceed in his absence.

The Board to have Materials for prosecuting the Inquiry.

23. Any statement of the accused, and all other papers relating to the subject of the inquiry, shall be sent to the Chairman of the Board, who shall, by summons under his hand, require the attendance of any person whose evidence shall, in the judgment of the Board, be material to the subject-matter of the inquiry; and the Board may, if they think fit, administer an oath to any witness.

Accused Officer may be examined.

24. The accused officer may in all cases be examined by the Board, and his attention shall be called to any points on which his explanation or evidence may be deemed by the Board to be incomplete or obscure, or inconsistent with any other part of his evidence, or with the statement made by him as aforesaid. The accused officer shall be allowed to cross-examine every witness giving evidence against him before the Board.

Evidence of other Misconduct to be reported.

25. If, in the course of the inquiry, it should appear to the Board that there is evidence to support an accusation or accusations of breach of duty or misconduct other than the accusation or accusations of which the accused shall have denied the truth, the Board shall report the same to the Governor in Council.

Notes to be kept.

26. The Chairman or other member of the Board shall take full notes of the evidence given before them, and of the information elicited by the Board during their inquiry, and the written statements or documents used in the course of the inquiry shall be attached to the proceedings.

Reports and Notes to be forwarded through the Responsible Minister.

27. When the inquiry is concluded the Board shall forward their report to the Governor in Council, through the Minister of the department at whose instance they were appointed, stating their opinion of the case, and adding any remarks they may think fit to make as to any matters connected with the inquiry. The notes of evidence and proceedings shall be forwarded with the report.

Proceedings of the Board may be Private.

28. Except when otherwise directed by the Governor in Council the proceedings of Boards of Inquiry shall be private.

Payment of Salary after Suspension.

29. Unless it shall be otherwise specially ordered by the Governor in Council, if any officer be suspended pending the investigation of any complaint or accusation against him, and he be afterwards dismissed from the Service, he shall receive no salary or pay from the date of his suspension; and, if he be reduced, the reduced rate of salary or pay shall take effect from the date of his suspension; and, if he be fully acquitted of the charges made against him, he shall receive arrears of pay in full from the date of his suspension.

Penalties.

30. The commission by any officer of anything forbidden as the neglect or violation of anything enjoined in or by these regulations shall be deemed to be a breach of duty or misconduct that may render it unfit that the officer should remain in the Civil Service; and the penalty for such breach or misconduct shall be dismissal from the Service, or reduction to a lower rank in the Service, or to a lower salary within the class, or deprivation of future annual increment or of leave of absence. All cases of dismissal and reduction under these regulations shall be notified in the *Government Gazette*.

SPECIAL NOTICE TO OFFICERS IN CHARGE OF DISTRICTS.

The officer in charge of each district is directed to supply each of his permanent and temporary officers with a copy of these Regulations, the receipt of which is to be acknowledged to him, and it shall be the duty of each recipient to carefully read the contents hereof and make himself thoroughly acquainted with them. Attention will be drawn (where noticed) to any deviation from these Regulations, and a frequent disregard of them will lead to inquiry as to the officer responsible therefor.

From the 1st day of May, 1897, these instructions will be deemed to be in the hands of every officer.