

LAND TRANSFER SURVEY REGULATIONS.

WHEREAS "The Land Transfer Act, 1885," empowers the Surveyor-General of the Colony, with the approval of the Governor in Council, to make such regulations as he may think necessary for insuring the accuracy of plans and surveys required under the said Act, and to cancel and alter such regulations when and as necessary: Now, therefore, I, Stephenson Percy Smith, the Surveyor-General of New Zealand, do, in pursuance of the said power, and with such approval as aforesaid, hereby revoke the regulations made by the Surveyor-General on the nineteenth May, one thousand eight hundred and eighty-six, and published in the *New Zealand Gazette* of the twentieth May, one thousand eight hundred and eighty-six, and in lieu thereof I do hereby make the regulations following, that is to say:—

1. The regulations numbered 1 to 91 of even date herewith, made under "The Land Act, 1892," shall apply equally to surveys made under "The Land Transfer Act, 1885," wherever they are not inconsistent with these rules.

2. Any plan purporting to be a survey, resurvey, or subdivision of any land is to be signed by the surveyor who actually made the measurements in the field, and shall also be verified by statutory declaration of the licensed surveyor employed to make such survey, in the following form, or to the like effect so far as applicable:—

DECLARATION.

For Subdivision of or bringing Land under the Act.

I hereby certify that this plan has been made from surveys executed by me, and that both plan and survey are correct, and have been made in accordance with the regulations of the Surveyor-General dated 1896.

A.B., Licensed Surveyor.

Such plan shall be sent through the District Land Registrar for approval by the Chief Surveyor or officer acting for him, and when so approved shall be deemed to be accurate for all purposes of the Land Transfer Act.

8. The surveyor will be expected to disclose all doubts, discrepancies, and difficulties, and to afford all such other information obtainable by him relating to the property and the application for certificate of title or transfer as will aid in securing accuracy and completeness in the business of the Land Transfer Department. A regard to the interests of his employer will not be considered as excusing in any degree the withholding of any information affecting the merits of the application, even though the description supplied may be literally and technically correct.

4. In districts where triangulation exists, and where the triangulation points have not been obliterated, if a resurvey or subdivision of the whole of a rural section is made for the purposes of the Land Transfer Act the survey must be connected by traverse or by a subsidiary triangle with the nearest trig. station. If only a portion of a section is being dealt with this may be dispensed with at the option of the Chief Surveyor, but the survey must be connected with at least two of the corners of the original section. If only part of a section on an already deposited plan is being dealt with, then such survey need only be connected with two or more points of that section; provided always that the section has been previously properly connected with two or more points of the original section in such a manner as to definitely fix the

position thereof. In districts and cities where permanent standard points have been placed, then the survey must be connected both by angular and linear measurement with such bench-marks, and the surveyor must, in his traverses, use the standard points as his initial for bearing and distance.

5. All measured lines and distances must be shown in red, all observed bearings in blue, all calculated bearings or distances in black, the same being written along the lines. Included angles will only be admissible in such districts where minor triangulation does not exist, or where the original stations have been lost, and where the standard points for obtaining the meridian have not been re-established, or in the subdivision of small allotments. All work adopted from a previous survey must be shown in black.

6. Tie-lines in lieu of angles will only be admissible in the subdivision of very small pieces of land.

7. The true meridian bearing between two or more trig. stations or bench-marks will be always obtained by reference to the survey office of the provincial district.

8. Where the boundary consists of natural features they must be traversed unless they form the boundary of the original section, and have been traversed by the Government surveyor. A retraverse of such boundaries may, however, be required in cases where the original survey appears to be faulty.

9. When an irregular boundary is defined by offsets measured thereto from one or more survey lines the surveyor must furnish the distances along such line or lines at which offsets have been taken, and the length of such offsets.

10. Should a property be bounded on one or more sides by natural features, of which a retraverse is not required, the survey must be closed by traverse-lines or tie-lines in such a manner as will enable the work to be thoroughly checked.

11. All traverse-lines to be numbered, and mathematically reduced on the meridian and perpendicular of the initial station of the circuit, or, if that is not required to be connected with in the survey, on the starting or initial point of the survey, and tables are to be deposited with maps.

12. In the subdivision of small areas or town lands 2 links to the mile will be the maximum error allowed, and in the case of the survey of rural land 4 links to the mile; bearings must close to two or three minutes, according to the nature of the survey. Recent approved surveys adjacent should be connected with the survey being made.

13. All bearings must be observed with a serviceable and adjusted theodolite; the steel measuring-band must be tested and corrected before survey to the Government standard.

14. Deposited plans must be on mounted drawing-paper cut to 30in. by 30in., or 20in. by 20in., cut so that due north is perpendicular to the paper, which must be the exact size named, to fit the office portfolios.

15. The smaller sizes protracting sheets can be obtained at the survey office of the provincial district. Plan to accompany application, transfer, lease, or mortgage to be 15in. by 10in., or on the larger size mentioned above if necessary.

16. Plans of allotments containing 1 to 10 perches should be drawn to a scale of not less than $\frac{1}{2}$ chain to lin.; 10 to 20 perches, 1 chain to lin.; 20 perches to 1 acre, 2 chains to lin.; 1 acre to 10 acres, 5 chains to lin.; 10 acres to 320 acres, 10 chains to lin.; 320 acres and above, 20 chains to lin. In cases where details are numerous, plans

may be enlarged to 10 or 20 links to an inch. Marginal diagrams of intricate portions may be used. All plans should bear the surveyor's name and address; they should be drawn in a neat, plain, and professional manner, in accordance with examples, which will be shown to surveyors on application.

17. Where the land forms a part of two or more original sections the boundaries of such sections must be shown by a distinguishing colour.

18. The sectional numbers, or names of Native blocks, with the names of the owners or occupiers of the land represented by the plan, and also the names of the owners or occupiers of adjoining lands, whenever obtainable, should be written on the plan, and inquiries, if necessary, must be made for that purpose by the surveyor. Names of adjoining proprietors may be dispensed with in surveys for subdivisional purposes.

19. If the boundary is a wall, it must be shown whether it is a party wall, and whether the line runs through the centre or otherwise. The true position of all boundary-fences must be shown, and the nature of the boundary of the land, whether wall, house, fence, ditch, hedge, stream, road, or undefined, should be stated. The position of a traverse line relative to the hedge, ditch, or fence should be clearly stated (or shown by enlarged marginal plan), whether the line measured is inside or outside or in the middle of the boundary. Swamps, terraces, or irregular fences are inadmissible as boundaries. These must be reduced to straight lines, having defined bearings and distances.

20. Every plan of any survey made under the Land Transfer Act must exhibit, distinctly delineated, the adjacent and included natural features, all the sides of roads, streets, passages, thoroughfares, fences, squares, reserves appropriated or set apart for public use, and also show all allotments into which the land may be divided, marked with distinct numbers. In towns, all the buildings on the section dealt with, and the buildings abutting on the boundaries of adjoining lots, are to be shown on the plan. All plans of private townships, or of extensions of private townships, which require to be submitted to the Governor under sections 17 and 18 of "The Land Act, 1892," are to conform in all particulars with that Act, the 10th section of "The Land Act Amendment Act, 1895," and these regulations.

21. The nature of the boundary—namely, roads, reserves, sections, natural features, together with all easements, such as eaves, light-rights, drainage-rights, whether on, over, or under the surface, and all claims by adjoining owners over the property under survey, &c.—should be shown.

22. All measurements must be given in links.

23. In case of intricate boundaries an accurate description of them must be furnished with the plan.

24. Roads, streets, and rights-of-way to be coloured with burnt sienna; edge of land to be dealt with, green; water, Prussian blue. Where natural features, such as terraces, are shown as the boundary of an allotment or section, they should be coloured with sepia.

25. If required, the licensed surveyor must produce his actual field-book for the inspection of the officer checking his work.

26. The actual measurements made in the field must be given, notwithstanding that they may not agree with the Crown grant or public map, and, should the difference be material, the measured distance and bearing to the next adjacent Crown-

grant boundary is to be furnished, in order to determine whether there is any real encroachment, or whether the differences arise from former defective surveys. The license of any surveyor will be cancelled if it is found that the measurements or bearings certified by him as correct differ materially from those which exist on the ground. And, in dealing with this subject, the surveyor must adhere to the principle of the unchangeableness of original lines and corners, established by Government or other duly-authorized surveyors, done in good faith; in other words, where the lines and corners are originally established on the ground by a proper officer, in pursuance of the survey system ordered by the law of the time, they must be regarded as the true lines and corners which they represent, even if subsequent surveys indicate that the posts, pegs, or marks are out of line, and that the corners are out of position, according to the original description thereof. Surveyors should also bear in mind that the Act prohibits the District Land Registrar from issuing a title to land held in adverse occupation.

27. When an existing fence or building is relied on as the boundary of a property the surveyor should state in a note on the plan the evidence he can obtain as to the erection of such boundary, and the date on which it was erected; and also, in cases where such boundary is departed from, the same information and the reasons for the same should be given.

28. When a survey made under the Land Transfer Act differs materially from the Crown grant or public map the Chief Surveyor, before altering or rectifying the records of his department to enable a correct certificate of title to be issued, will, if he deem it necessary, require a verifying survey to be made by another surveyor, to be approved of by him, or by the Inspector, to determine the correctness or otherwise of the deposited or of the original survey.

29. The required declaration shall be made on the margin of large plans, and may be on the back of those of a small size.

30. All surveys under the Land Transfer Act are to be substantially pegged on the ground, such pegs to be not less than 3in. by 2in. scabbling of the heart of totara, kowhai, blue-gum, kauri, matai (black-pine), puriri, or hinau, not less than 18in. or 24in. long, to be driven 15in. or 21in. into the ground, according to the nature of the soil, the hole having first been driven by an iron jumper; the pegs to be branded with the allotment number, with not less than 1in. figures branded one-eighth of an inch into the wood. At frontage-pegs of rural and suburban lands, when practicable, trenches at least 2ft. long, 9in. deep, and 9in. wide, and not less than 2ft. therefrom, to be cut in the direction of boundary-lines. Where wooden pegs cannot be driven, as in cities, iron bolts or spikes are to be used instead. Boundary pegs must wherever possible be inserted on the boundary, and not at stated distances therefrom.

31. The position of every peg is to be shown on the plan by a red circle; old pegs, when found, by a black circle; the position of lockspits or other original marks to be shown on plan if necessary. In all cases in which lands are subdivided for townships at least four iron pegs, not less than 1in. square and 18in. long, reciprocally visible from one another, should be driven in the street 25 links off the section lines, to which reference may be made in cases of dispute. Where the boundaries on the ground differ materially from the Crown-grant boundaries such Crown-grant boundaries to be shown by dotted black lines.

82. Plans returned to surveyors for correction are to be at once amended as directed, and be returned to the Chief Surveyor.

83. All plans for use under the Land Transfer Act are to be signed by the proprietor of the land, or by his lawfully-authorised attorney or agent.

84. All plans shall show on the face of them the town district, borough, or road district within which the land is situated.

85. These regulations shall come into force on and after the 15th day of February, 1897.

As witness my hand, this seventeenth day of December, one thousand eight hundred and ninety-six.

S. PERCY SMITH,
Surveyor-General of New Zealand.

In pursuance of the provisions of "The Land Transfer Act, 1885," His Excellency the Governor of the Colony of New Zealand, with the advice and consent of the Executive Council of the said colony, approves of the foregoing regulations.

Approved in Council, this eleventh day of January, one thousand eight hundred and ninety-seven.

GLASGOW.

AMELIUS M. SMITH,
For Clerk of the Executive Council.

Bankruptcy Notices.

In Bankruptcy.—In the Supreme Court, holden at Napier.

NOTICE is hereby given that ALFRED GEORGE HUGHES, of Woodville, Dentist, was this day adjudged bankrupt; and I hereby summon a meeting of creditors, to be holden at the Courthouse, Woodville, on Wednesday, the 11th day of February, 1897, at 11 o'clock.

M. W. P. LASCELLES,
Deputy Official Assignee.

Napier, 1st February, 1897.

In Bankruptcy.—In the District Court, holden at Wanganui.

NOTICE is hereby given that WILLIAM HAMMOND and HERBERT VERNON HAMMOND, of York Farm, near Maston, Sheepfarmers and copartners, were this day adjudged bankrupt; and I hereby summon a meeting of creditors, to be holden at County Council Chambers, Maston, on Wednesday, the 10th day of February, 1897, at 10 o'clock a.m.

JOHN NOTMAN,
Deputy Official Assignee.

Wanganui, 23th January, 1897.

In Bankruptcy.—In the District Court of Wanganui, holden at Palmerston North.

NOTICE is hereby given that statements of accounts and balance-sheets in respect of the under-mentioned estates, together with the report of the Audit Office thereon, have been duly filed in the above Court; and I hereby give notice that at the sitting of the said Court to be holden on Thursday, the 4th day of February, 1897, I intend to apply for an order releasing me from the administration of the said estates.

Dated this 19th day of January, 1897.

M. Mitchell, Road-overseer, Rongotea.
P. Kitchen, Saddler, Palmerston North.
William Goodwin, Contractor, Pemberton.
Frederick Hobden, Sailmaker, Palmerston North.
Benjamin Pepper, Saddler, Otaki.
Robert Wahle, Blacksmith, Halcombe.
Robert Rush, Turner, Palmerston North.
Frank Lowe, Labourer, Oxona Bridge.
Hugh Cameron, Carpenter, Palmerston North.
John Gartner, Labourer, Bunnythorpe.
C. Templar, Dairy-farmer, Cheltenham.

G. J. SCOTT,
Deputy Official Assignee.

Palmerston North, 11th January, 1897.

In Bankruptcy.—In the Supreme Court, holden at Wellington.

NOTICE is hereby given that DAVID BRAID, of Johnsonville, Baker and Storekeeper, was this day adjudged bankrupt; and I hereby summon a meeting of creditors, to be holden at my office, on Monday, the 1st day of February, 1897, at 2.30 o'clock.

JAMES ASHCROFT,
Official Assignee.

Wellington, 28th January, 1897.

In Bankruptcy.—In the Supreme Court, holden at Wellington.

NOTICE is hereby given that HENRY GEORGE, of Wilson Street, Newtown, Wellington, Carpenter, was this day adjudged bankrupt; and I hereby summon a meeting of creditors, to be holden at my office, on Thursday, the 4th day of February, 1897, at 2.30 o'clock.

JAMES ASHCROFT,
Official Assignee.

Wellington, 26th January, 1897.

In Bankruptcy.—In the Supreme Court, holden at Wellington.

NOTICE is hereby given that Ho KEE, of Wellington, Storekeeper, was this day adjudged bankrupt on creditors' petition; and I hereby summon a meeting of creditors, to be holden at my office, on Monday, the 8th day of February, 1897, at 2.30 o'clock.

JAMES ASHCROFT,
Official Assignee.

Wellington, 2nd February, 1897.

In Bankruptcy.—In the Nelson District Court, holden at Nelson.

In the matter of "The Bankruptcy Act, 1892"; and in the matter of HANNAH MARY COFFEY, of Nelson, Hotelkeeper, a bankrupt.

NOTICE is hereby given that a first and final dividend, of 2s. 4d. in the pound, is now payable on all proved claims against the above estate at my office, Nelson. Creditors holding acceptances will be required to produce the same for indorsement.

A. A. SCAIFE,
Deputy Official Assignee.

Nelson, 28th January, 1897.

In Bankruptcy.—In the District Court, holden at Westport.

NOTICE is hereby given that statements of accounts and balance-sheets in respect of the under-mentioned estates, together with the report of the Audit Office thereon, have been duly filed in the above Court; and I hereby further give notice that at the sitting of the said Court to be holden on Tuesday, the 23rd day of February, 1897, I intend to apply for an order releasing me from the administration of the said estates.

Dated this 1st day of February, 1897.

William Robinson, Blacksmith, Coalbrookdale.
Henri Pain, Cordial-manufacturer, Westport.
William Neighbours, Brickmaker, Waimangaroa.
John Edward Sheldon, Miner, Addison's Flat.
Alfred Wright, Medical Practitioner, Westport.
Charles Corr, Storekeeper, Westport.
Johanna Stewart, Hotelkeeper, Westport.
Thomas Sharp, Miner, Denniston.
Thomas Eugene Snow, Tailor, Westport.
John George Lakin, Bootmaker, Denniston.
William Mailer, Bootmaker, Westport.
Frederick Heisse, Miner, Addison's Flat.
Andrew Howie McLuskie, Storekeeper, Denniston.
Thomas Hansen, Labourer, Fairdown.
George Howard Snow, Miner, Denniston.
Eliza Phillips, Boardinghouse-keeper, Westport.
Julius August Sorensen, Bushman, Westport.
John Breen, Contractor, Mokihinui.
George Evington, Miner, Mokihinui.

A. D. BAYFEILD,
Deputy Official Assignee.

In Bankruptcy.—In the Supreme Court, holden at Christchurch.

NOTICE is hereby given that JOHN WILD, of Papanui, Coach-proprietor, was this day adjudged bankrupt; and I hereby summon a meeting of creditors, to be holden at my office, on the 5th day of February, 1897, at 11 o'clock.

G. L. GREENWOOD,
Official Assignee.

Christchurch, 30th January, 1897