No. 3.

SUPPLEMENT

TO THE

NEW SOUTH WALES GOVERNMENT GAZETTE,

OF TUESDAY, JANUARY 4, 1848.

Published by Authority.

WEDNESDAY, JANUARY 5, 1848.

Colonial Secretary's Office,
Sydney, 1st January, 1848.

CROWN LANDS BEYOND THE SETTLED DISTRICTS.

(TENDERS FOR RUNS.)

HIS Excellency the GOVERNOR, in pursuance of Her Majesty's Order in Council, bearing date the 9th day of March, 1847, has been pleased, with the advice of the Executive Council, to establish the following Regulations for the receipt and disposal of Tenders, as well for *forfeited* or *vacated* runs, as for *new* runs.

I.—FORFEITED OR VACATED RUNS.

1. On the receipt of a notice from any person, of his desire to purchase the lease of a run, which, after having been occupied, may have fallen vacant, either by forfeiture or surrender, and to the leasing anew of which no objection shall arise, a notice will be issued in the *Government Gazette*, describing the boundaries and grazing capability of the run applied for, stating the maximum number of years for which a lease thereof will be granted, and fixing a time and place, at which sealed Tenders, in a prescribed form, will be received from the applicant, and from any other persons desirous to enter into competition with him, for the purchase of the lease of the described run.

2. Every such Tender must state the term of years within the limit mentioned in the notice, for which it is proposed to take the run, and whether, in addition to the rent required by the Order in Council, it is intended to offer any, and if any, what amount of premium for the lease.

3. The Tenders will be opened in the presence of a Board of Officers appointed by the Governor, and will be disposed of in the manner directed in the 12th section of chapter II, of Her Majesty's Order in Council, a copy of which is annexed to this notice for more easy reference.

4. The lease will be made out as soon after the acceptance of the Tender as may be practicable; and the intending lessee will be required to take up the lease by payment of the first year's rent, and the premium (if any,) within sixty days from the date of the notification of the acceptance of his Tender; in default of which, the run will be again declared open to public competition.

5. Until the lease has been actually taken out, the intending lessee will acquire no title whatsoever to the occupation of the land tendered for.

II.—TENDERS FOR NEW RUNS.

1. Sealed Tenders for new runs will be received on the first Monday in every month—commencing on Monday, the 7th day of February next.

2. The Tenders in the prescribed form are to be addressed to this office, if the land be situated in the Middle District, or to the office of His Honor the Superintendent at Melbourne, if situated in the Port Phillip District.

3. The Tenders will be opened in the presence of a Board of Officers appointed by the Governor, and a record will be made in each case of the name of the highest tenderer, so as to secure to him the lease, in the event of the land applied for proving to be available.

4. The description of each run tendered for, will then be forwarded to the Commissioner of the District in which it is situated, with instructions to report whether it comprises any land leased or under promise of lease, or applied for in any other Tender, and if it does comprise any such land, that he shall state what should be the run for which it shall be declared competent to parties to tender.

5. If the run applied for be available, the acceptance of the Tender will be duly notified to the applicant; and the premium (if any,) and first year's rent computed in the manner hereinafter described, will be required to be paid, within sixty days from the date of such notification; in default whereof, the run will be declared by advertisement in the *Government Gazette* to be open for selection, and a day for the receipt of fresh Tenders for it, will at the same time be announced.

6. Until the first year's rent and premium (if any,) shall have been actually paid, the intending lessee will acquire no right whatever to the occupation of the land tendered for.

7. It is also to be distinctly understood, that the Government reserves to itself the right of excluding from any such run, any lands which it may be deemed proper to reserve for any of the purposes referred to in the 9th section of chapter II, of the Order in Council.

8. In any case in which the boundaries of the run tendered for may require to be adjusted, so as to exclude from it any land leased, or under promise of lease, or applied for by another party, the amended description of the run, and the day on which fresh Tenders will be received for it, will be publicly notified, in conformity with the provisions in that behalf contained in the 13th section of chapter II, of the Order in Council, a copy of which is annexed to this notice for more easy reference. The interval between such notification, and the day on which the Tenders will be received, will not be less than one calendar month.

9. As a considerable interval must be expected to occur in every case, between the acceptance of a Tender for a new run, and the survey of its boundaries, and the valuation of its grazing capabilities, which will be requisite for the purposes of a formal lease and the final adjustment of the rent, the following general rules have been laid down, under which the occupancy of the run during such interval, may be granted to the successful Tenderer, and the receipt of rent secured to the public.

(1.) Tenders for new Runs must contain not only "a clear description of the Run applied for, "and the boundaries of the same," but also an estimate of its grazing capabilities; and the Tenderer should state that in addition to any premium which he may offer, he will be prepared to pay a yearly rent of ten pounds, with two pounds ten shillings added for every thousand sheep, or their equivalent in cattle, above four thousand sheep or their equivalent, which the Run shall be estimated as capable of carrying.

(2.) Until the number of sheep or cattle which the Run can carry shall have been determined by valuation in the manner prescribed in Her Majesty's Order in Council, the intending lessee will be required to pay according to his own estimate as given in his Tender; and in the event of the rent so paid according to his own estimate, proving to have been less than that determined by valuation, he will be required to make up the difference previously to the execution of the lease.

10. Printed forms of Tender for forfeited or vacated Runs, and for new Runs respectively, may be obtained from the several Commissioners of Crown Lands beyond the Settled Districts, as well as at the Office of the Superintendent of Port Phillip, and at this Office.

By His Excellency's Command,
E. DEAS THOMSON.

Extract from chapter II, of Her Majesty's Order in Council, dated 9th March, 1847.

(Mode of acquiring Leases of forfeited or vacant Runs.)

SECT. 12.—When any run of lands, after being occupied, shall be forfeited, or become vacant without the previous occupant's having exercised his right of renewal hereinafter reserved, it shall be competent for any person desirous of acquiring a lease of such run of lands, to give notice to the Governor or Officer for the time being administering the Government of the said Colony, of his, her, or their desire to purchase anew the lease of such run of lands, and immediately after such notice the Governor, or Officer administering the Government of the said Colony, shall direct sealed tenders to be sent in at such time and place, and in such form as he shall think fit, by the person giving such notice as aforesaid; and also by such other person (if any) as may be disposed to enter into competition for the said lease; and every tender so to be made shall state the term of years for which it is proposed to take the said run, and whether in addition to the minimum rents required agreeably to the provisions contained in sections 2 and 3 of the second chapter of this Order in Council, it is proposed to offer any, and if any, what amount of premium for the lease; and the said tender or tenders shall be opened in the presence of two or more persons authorised by the Governor, or Officer for the time being administering the Government of the said Colony, for that purpose, and if there shall be more than one tender, the tenders shall be opened at the same time, and if there shall be only one tender, the lease of the run shall be given to the person making such tender, provided the rent offered shall be admissable under the provisions contained in sections 2 and 3 of this chapter of the Order in Council; but if there shall be more competitors than one, the lease of the run shall be given to such person or persons as shall tender the highest amount of premium for the same; but if two or more tenders shall be made for the same run, and no one of them be higher than all the rest, a future day shall be announced by the persons who open the tenders, on which day it shall again be competent to all persons to offer fresh tenders in the same manner as hereinbefore provided in regard to the first tenders.

(Mode of acquiring Leases of New Runs.)

SECT. 13.—If any individual be desirous to acquire a new run of land which has never been occupied before, he shall be at liberty to send in a sealed tender, at such time and place, and in such form, as may be appointed by the Governor or Officer administering the Government of the said Colony for receiving tenders for new runs, and shall set forth in

his tender a clear description of the run for which he applies and of the boundaries of the same, and shall state whether, beyond the amount of the rent to be ascertained as hereinbefore provided, he is willing to offer any, and if any, what amount of premium for the lease, and such tenders shall be in all respects dealt with as hereinbefore provided in section twelve of this Order in Council for tenders for runs, which have been forfeited or fallen vacant, save and except that if it shall occur that two or more persons have thus applied for different runs, of which part of one run would include part or the whole of another run, the Governor or Officer for the time being administering the Government of the said Colony, or the person or persons authorised by him to act in this behalf, shall declare what shall be the several runs, for which it shall be competent to parties to tender, and another day shall then be named, at which the previous applicants, and all other persons shall be at liberty to offer fresh tenders for the runs so delivered.

Colonial Secretary's Office,
Sydney, 1st January, 1848.

CROWN LANDS BEYOND THE SETTLED DISTRICTS.

(Transfer of Runs.)

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to establish the following Rules respecting the transfer of Runs beyond the Settled Districts, *previously to the issue of Leases*, under Her Majesty's Order in Council, dated 9th March, 1847.

1. Demands for Leases of Runs under the 11th section of Chapter II of the Order in Council, will (with the exceptions mentioned in the 2nd paragraph of this notice,) be received from those persons only who were the Licensed Occupants of the Runs at the date of the publication of the Order in Council by the Governor. But in consideration of the delay that must necessarily take place in the issue of the Leases, any Licensed Occupant who, after having demanded his Lease, may desire to part with his interest in the same, will be allowed to have the Lease made out in favor of any person recommended by the Commissioner of the District, on making written application to that effect to the Colonial Secretary, in Sydney, or to the Superintendent of Port Phillip, at Melbourne, (as the case may be) such application to bear the applicant's own signature, attested by a Magistrate or a Commissioner of the Supreme Court. In this case the original applicant will be debarred from all further claim to the Lease, the right of which will be thenceforth held to be vested in the person in whose favor he requested that it should issue.

2. If, however, a person who had a right to demand a lease of a run in his occupation, under the terms of the 11th section of chapter II, of the Order in Council, shall have died or become insolvent, without having exercised such right, the demand for the lease will be received by the Government from his representative, or from any one coming forward on his representative's behalf. The issue of the lease however, will, in such case, be suspended, until the claimant thereof shall have satisfactorily proved himself to be the legal representative of the deceased or insolvent person; and, in the meantime, the rent must be regularly paid, in default whereof, the run will be held to have become vacant, and the lease of it will be exposed to sale.

3. The transfer of *portions* of existing Runs will, in no way, be allowed by the Government. For each Run, now recognised as such, but one Lease will issue; and any portion of such Run which may not be demised to the Lessee of the remainder, will be held to have become vacant, and to be at the disposal of the Government.

By His Excellency's Command,
E. DEAS THOMSON.

Colonial Secretary's Office,
Sydney, 1st January, 1848.

CROWN LANDS BEYOND THE SETTLED DISTRICTS.

(Proportion of Cattle to Sheep.)

HER Majesty, by Order in Council, dated the 9th March, 1847, having determined that the Rent to be paid for each several Run of Crown Land beyond the Settled Districts of New South Wales, shall be proportioned to the number of sheep, or equivalent number of cattle, which the Run shall be estimated as capable of carrying, according to a scale to be established for the purpose by authority of the Governor, His Excellency directs it to be notified, that he has, with the advice of the Executive Council, established the following scale for such purpose, that is to say:—

Six hundred and forty head of cattle shall be considered equal to four thousand sheep; and in cases in which the stock upon a Run may consist of sheep and cattle, the amount of mixed stock (horses being reckoned as cattle) shall be calculated in the proportion of six hundred and forty head of cattle to four thousand sheep.

By His Excellency's Command,
E. DEAS THOMSON.

Sydney:—Printed by W. W. Davies, at the Government Printing Office, Bent-street, January 5, 1848.