



SUPPLEMENT
TO THE
NEW SOUTH WALES
Government Gazette.

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SATURDAY, 1 MARCH, 1851.

Colonial Secretary's Office,

Sydney, 1st March, 1851.

HIS Excellency the GOVERNOR, directs the re-publication, for the information of the Departments and others concerned, of the following notices:—

I.—Crown Lands within the Settled Districts:—

- 1st.—Regulations for Occupation, 29th March, 1848.
- 2nd.—Transfer of Leases and sub-letting, 12th February, 1849.
- 3rd.—Renewal of Leases, 26th July, and 5th September, 1849.
- 4th.—Illegal cultivation and sub-letting, 15th January, 1851.

II.—Quit Rents:—

Redemption of, 9th October, 1846, and 30th July, 1849.

III.—Abandonment of Coal Reservation, 24th January, 1850.

IV.—Crown Lands:—

- 1st.—Regulations for sale, 1st March, 1843, and 26th July, 1849.
- 2nd.—Commonage Rights, 26th July, 1850.
- 3rd.—Licenses to cut timber on, 16th September, 1850.
- 4th.—Reservation of Timber near Sydney, 17th March, 1843, and 4th October, 1850.
- 5th.—Bailiff appointed for protection of Land near Sydney, 17th August, 1849.
- 6th.—Retired Officers, 26th January, 1849.

By His Excellency's Command,

E. DEAS THOMSON.

I.—CROWN LANDS WITHIN THE SETTLED DISTRICTS.

1st.—Regulations for Occupation.

*Colonial Secretary's Office,
Sydney, 29th March, 1848.*

OCCUPATION OF CROWN LANDS, WITHIN THE SETTLED DISTRICTS.

In pursuance of Her Majesty's Order in Council of 9th March, 1847, His Excellency the Governor, with the advice of the Executive Council, has been pleased to establish, subject to the approval of the Right Honorable the Secretary of State for the Colonies, the following Regulations for the occupation of Crown Lands within the Settled Districts of the Colony, as they are now or may hereafter be defined.

Holders of purchased Lands may pasture stock on vacant Crown Lands free of charge.

2. The Holders of purchased lands within the Settled Districts, will be permitted to pasture their stock, free of charge, on any vacant Crown Lands, immediately contiguous to their respective properties, provided they do not erect any hut or building thereon, or clear, enclose, or cultivate any portion thereof; but it is to be distinctly understood, that such permission will in no way interfere with the right of the Government at any time to dispose of the lands either by Sale or by Lease.

This permission constitutes only a Commonage right.

3. The permission to pasture stock on vacant Crown Lands free of charge, will not carry with it any other than a Commonage right, to be enjoyed alike by all the holders of adjacent purchased lands. Persons desiring to secure the exclusive right of pasturage over any particular Crown Lands, must obtain a Lease by purchase, in one or other of the modes hereinafter described.

Lands will be let on Annual Lease and for pastoral purposes only.

4. Within the Settled Districts Lands will be let, for pastoral purposes only, on annual Lease, in sections of six hundred and forty acres each, as charted in the Surveyor General's Office, and at a yearly rent not lower than ten shillings per section.

Size of Lots.

5. No portion of land, consisting of less than six hundred and forty acres, or one square mile, will be let on lease, except in special cases, which may render expedient a departure from this rule; and in any case where there is a broken section, with water frontage, the section behind it will be added to the lot.

What lands will not be let.

6. No sections lying either in whole or in part within the distance of five miles from either of the cities of Sydney or Melbourne, or within the distance of two miles from any town shewn by the last census for the time being to contain more than one thousand inhabitants, nor any lands set apart as the sites of towns or villages, or measured for sale as "Special Country Lots," nor any of the Lands comprised within the Church and School Estates, will be open to lease under these Regulations.

Duration of Lease.

7. The annual Leases issued under these Regulations, will be for the calendar year commencing on the first day of January; and all Leases granted, whether taking effect from the first day of the Leasing year, or from any subsequent date, will alike expire on the 31st December.

Lands demised for pastoral purposes only; but with permission to cut timber.

8. The Leases will carry with them the exclusive right of occupancy of the Land for pastoral purposes only, during the period they shall remain in force; but a clause will be inserted in each Lease, permitting the Lessee to cut such timber, with the exception of cedar, as may be required for domestic uses, for firebote, fencing, stockyards, or other conveniences for the use of the land, for the purposes specified.

Leases not to be assigned.

9. The Leases will not be assignable, nor shall any portion of the Lands held thereunder be assigned or sub-let, under penalty of absolute forfeiture of the Lease.

No compensation for improvements.

10. Leases of Lands under these Regulations will not be entitled to any compensation whatsoever for any improvements they may effect on the Lands.

Lands open to sale. If sold, lease to be surrendered.

11. The lands included in any lease will be open to purchase under the ordinary Regulations and in the event of their being sold, or required for any public purpose, must be surrendered, as heretofore, by the Lessee, upon his receiving one month's notice; but in such case, the balance of the price of the Lease for the time it has to run will be refunded to him.

Leases renewable annually.—Terms subject to revision.

12. Subject to the approval of His Excellency the Governor in each case, the Leases held under these Regulations may be renewed at the same yearly rent as that paid for the preceding year. Such renewals will be ordinarily sanctioned by the Governor, unless the lands be required for sale, or for any public purpose, or for the satisfaction of any new claims which may arise under the pre-emptive right hereinafter conferred on purchasers of Crown Lands. It is, however, to be distinctly understood that His Excellency reserves to himself the full power of periodically revising and altering the terms on which the leases will be granted or renewed, as the public interests may from time to time appear to him to require.

Period for renewal of leases.

13. Persons desiring to renew their Leases under the preceding clause, must make application to the Colonial Secretary, at Sydney, or to the Superintendent of Port Phillip, at Melbourne, if the lands be situated in that district, not later than the 31st August, in the year preceding that for which the Leases will have effect, and if allowed to do so, must pay the rent into the Colonial Treasury, not later than the 30th day of September in the same year.

Leases not renewed will be put up to Auction.

14. All Leases for the ensuing year which shall not be renewed by the 30th of September preceding, will, whether applied for or not, be put up to auction, in or about the last week in the month of November in each year, in the manner described in a subsequent part of these Regulations.

Leases once advertised, obtained only by competition.

15. No Lease which has once been advertised for sale can be obtained by any person until it has been submitted to competition.

Pre-emptive right to holders of Land in fee simple; even sections only will be computed; less than 640 acres will not confer pre-emptive right.

16. The holders in fee simple of any Lands within the Settled Districts, whether acquired by purchase or grant, will be allowed, subject to the conditions hereinafter prescribed, to obtain Leases of any vacant Crown Lands adjacent to their respective properties without competition, at the fixed price of ten shillings per section of 640 acres, and to the extent of *three times* their own purchased or granted Lands, if there be so much vacant Crown Lands available. It is, however, to be understood that the Rule above laid down, that land will not be let in portions less than six hundred and forty acres, will not be departed from, in order to make up the exact quantity which an individual may be entitled to claim under this clause; and no person will be deemed entitled to the pre-emptive right hereby conferred, who does not hold purchased or granted lands in one block to the extent of at least one section.

Additional Land obtained only at Auction.

17. If the holders of land in fee simple desire to lease a greater number of sections than they are entitled to claim under the pre-emptive right conferred by the preceding clause, they can only do so by purchase at Auction.

As to lands claimed by more than one party.

18. In cases in which the same portions of Land may be claimed by more than one party under the pre-emptive right conferred by clause 16, the Government will, at the expiration of the term allowed for preferring such claims, announce to each claimant the names of his competitors, in order that he may arrange with them respecting the division of the Lands in the manner pointed out in the next clause.

Where more than two claimants, claims to be settled by private arrangement; If only two, claims to be referred to arbitrators.

19. If there be more than two claimants, the division of the Lands amongst them may be settled by private arrangement; and on the result of such arrangement being communicated to the Government within the time prescribed in the following clause, in a document signed by all the contending parties, the Lands will be apportioned and let accordingly; but if there be only two claimants, the question at issue between them may be determined by arbitration in the manner following; each party shall name an arbitrator, and the two arbitrators shall have power, if necessary, to elect an umpire, and according to the award of such arbitrators or umpire the land in dispute will be apportioned and let. In considering the respective claims of the contending parties, it is desirable that the arbitrators and umpire should be guided by the extent of the purchased or granted land held by each, so as to apportion the vacant Crown land in reference to such extent,—by the previous occupation of the land in dispute according to the usage of the Colony as part of the run of either of the parties,—and the access to water for its beneficial occupation.

If no division agreed upon, leases will be put up to auction.

20. If, at the end of one month from the date of the letter announcing to the several claimants the names of their competitors, the Government shall be uninformed of a division of the lands having been made either by agreement or by arbitration, the leases of the lands so circumstanced will be offered for sale by auction, and the public admitted as competitors for the same.

Holders of granted lands to enjoy the same privileges as holders of purchased lands.

21. The holders of granted Lands within the Settled Districts, on which the quit rent has been redeemed, will, for the purposes of these regulations, be placed on the same footing in all respects, as the holders of purchased Lands. The holders of granted lands on which the quit-rent has not been redeemed, are not considered admissible, under the terms of the Order in Council, to the privileges of pasturing their stock on Crown Lands free of charge as above described, but they will be allowed to exercise the pre-emptive right mentioned in clause 16.

As to lands of the settled class under squatting license.

22. Lands which have been brought by the Order in Council within the settled class, but which have been hitherto held under Squatting Licenses for pastoral purposes, will be let to the present licensed occupants thereof, on yearly lease, at the fixed rent of One Pound per Section, so long as they shall not be required for sale or for any public purpose or be applied for on lease by any holder of purchased lands in the immediate neighbourhood. But whenever any holder of purchased land in the immediate neighbourhood shall either put forward his claim to the number of sections which he may be entitled to rent under the pre-emptive right conferred by clause 16 of these Regulations, or shall make application for a Lease of any additional sections to be offered for sale by auction, such sections will not be re-let to the previous occupant, but will be withdrawn from his holding, in order that they may be demised to the person claiming the exercise of his pre-emptive right respecting them, or be let by auction, as the case may be. In respect, however, to any sections thus taken out of the previous occupant's holding, in order that the leases of them may be offered for sale, such previous occupant will be allowed to continue to use them for pastoral purposes until the day of sale, and in the event of their not being then purchased, to renew his lease for the current year at the rate above mentioned.

Lands not charted in sections how to be let.

23. Any lot of land within the meaning of the preceding clause, which may not have been charted in sections in the Surveyor General's Office, will be let, until so charted, to the present licensed occupant thereof in one block, the amount of rent being determined by the computed number of sections therein contained, according to an estimate to be submitted by the occupant, and approved by the Surveyor General, or the Surveyor in charge at Melbourne, accordingly as the lands may be situated in the Sydney or Port Phillip District.

Sections containing improvements, let only to previous occupant in certain cases.
24. Of the class of Lands referred to in clause 22, no sections containing valuable improvements, nor any of the sections contiguous thereto, will, for the present, be open to Lease under these regulations, to any other persons than the present licensed occupants thereof.

Time and mode of claiming exercise of pre-emptive right.

25. Persons desirous of exercising either of the pre-emptive rights conferred by clauses 16 and 22 of these regulations, will be required to make application accordingly, in the one or other of the forms annexed, (A or B,) as the lands may be of the one or other of the classes referred to, describing as accurately as possible the sections which they desire to rent, and also specifying the purchased or granted Lands, or the licensed Runs, in respect of which they claim to exercise the pre-emptive right. These applications must be lodged at the Surveyor General's Office in Sydney, or at the Office of the Surveyor in charge at Melbourne, on or before the 31st day of August, in the year preceding that for which the desired Leases will have effect.

Leases obtained by pre-emption will be notified; if rent not paid within one month, they will be put up to auction.

26. All leases accorded by the Government under the pre-emptive rights conferred by clauses 16 and 22 of these Regulations, will be notified in the *Government Gazette*; and if, within one month from the date of such notification, the rent for the same shall not have been paid into the Treasury, the Leases will be offered for sale by auction.

Lands not taken by pre-emption will be let at auction.

27. All Lands, to the Leases of which no pre-emptive right shall have been exercised within the periods above specified, will be open to Lease, and be offered for sale by auction, on the application of any person requiring the same.

Application for sale of Leases by Auction.

28. Applications for the Lease, at auction, of particular portions of Crown Lands are to be addressed as heretofore, to the Surveyor General in Sydney, or to the Surveyor in charge at Melbourne, in form annexed marked C.

General sale in November of each year.

29. In or about the last week in the month of November in each year, there will be a general Sale by auction, at which will be put up all Leases for the ensuing year which may have been applied for under the preceding clause, or which may have been claimed but not obtained under the pre-emptive right, or of which a right of renewal may have been granted but not exercised, as well as any leases which the Government may think it expedient to bring forward at its own instance.

Special Sales on application.

30. Leases applied for under clause 28, subsequently to the general Sale, will be put up at auction as demanded,—the term of the Lease in every such case being the unexpired portion of the calendar year, as explained in clause 7.

One month's notice of each Sale.

31. No Sale of Leases under these regulations will take place without one month's notice thereof having been given by advertisement in the *Government Gazette*.

Leases sold at places of Petty Sessions.

32. The Sales will be held at the principal places of Petty Sessions of the Police Districts in which the Lands may be respectively situated.

Upset price.

33. The upset price of each lot will be ten shillings per section of six hundred and forty acres; or five shillings, if half of the current year shall have expired.

Bidding may be refused, or lot withdrawn.

34. The Government reserves to itself the right to refuse the bidding of any one, as well as to withdraw any lot from sale. But this right will never be exercised, except for a sufficient and assignable cause.

Full price to be paid down.

35. The full price bid for each lot must be paid down on the day of sale; failing which, the land will be leased on application, as described in clause 38.

Leases issued from the Treasury.

36. As early as possible after the day of sale, Leases will be issued from the Colonial Treasury, at Sydney or Melbourne, accordingly as the lands may be situated in the one or other of those Districts, to those persons who have duly paid their purchase money.

Lots not bid for obtained at upset price.

37. Any lot of land, the lease of which may have been offered for sale at auction and not bid for, may be obtained on lease by any person of approved character, on payment, at the Colonial Treasury, of the upset price of ten shillings per section, or of half that price, if half the current year has expired.

Lots, of which price not paid, obtained at that price without competition.

38. The foregoing rule will also apply to those Lands, the Leases of which have been bid for, but the price of which has not been paid on the day of sale. In such case, however, the sum to be paid for the lease will be, not the upset price, or its half, but the highest price bid for the lot at the sale, or its half, if half of the year shall have expired.

Lots not purchased may be again put up.

39. Lots open to purchase, under either of the two preceding clauses, but not taken, may be put up again at auction, either on the application of individuals, or at the instance of the Government.

Leases first issued for year commencing 1st January, 1849.

40. The first Leases issued under these Regulations will be for the year commencing on the 1st January, 1849.

As to lands held under existing Licenses.

41. All Licenses now held, in terms of the Regulations of the 21st August, 1841, which will expire during the present year, may be renewed for the remainder thereof, on payment of rent at the same rate as that paid for the existing Licenses, such payment to be made on taking the Licenses up at the Treasury.

Persons occupying Crown Lands contrary to these Regulations will be proceeded against.
42. It is distinctly to be understood, that as soon as these Regulations shall have been brought into effect, all persons who may be found in occupation of Crown Lands within the Settled Districts, contrary to the plain intent and meaning of these Regulations, will be immediately proceeded against under the provisions of the Act of Parliament 9 and 10 Vict., cap 104.

Regulations of 1841 annulled.

43. The Regulations for the occupation of Crown Lands within the boundaries of location, dated 21st August, 1841, are hereby cancelled.

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

(SCHEDULE A.)

Form of Application to be used by the holder of purchased or granted Lands in the Settled Districts, when claiming to exercise the pre-emptive right.

Place*
Date

SIR,

In pursuance of the Regulations of 29th March, 1848, respecting the occupation of Crown Lands within the Settled Districts, I do hereby apply to be allowed Leases of the several sections of Crown Lands hereunder described, at the fixed rent of ten shillings per section.

The Land in virtue of which I claim to exercise a right of pre-emption, is situated as follows, and is now in my occupation, namely:—

County of	parish of	situated†	
containing	acres, being the Land‡	to§	and for which a Deed
of Grant has issued in favor of			

I have the honor to be,
Sir,
Your most obedient servant,

To¶

Description of the Sections applied for.

* State nearest Post Town.

† State general situation of the Land.

‡ "Sold" or "Granted," as the case may be.

§ State name of Purchaser or Promisee.

|| State name of Grantee.

¶ To the Surveyor General in Sydney, or to the Surveyor in charge at Melbourne.

(SCHEDULE B.)

Form of Application to be used by the holder of a Squatting License, in respect to portions of his Run, situated in Settled Districts.

Place*
Date

SIR,

In pursuance of the Regulations of 29th March, 1848, respecting the occupation of Crown Lands within the Settled Districts, I do hereby apply to be allowed leases of the several sections of Crown Land hereunder described, at the fixed rent of one pound per section.

The Run in virtue of which I claim to exercise a right of pre-emption is as follows, and is now in my licensed occupation, namely:—

Commissioner's District
Name of Run
General Locality

I have the honor to be,
Sir,
Your most obedient servant,

To†

State as accurately as possible the sections required according to the charting in the Survey Office.
If the lands be not chartered in sections, the boundaries of the entire extent of land claimed should be given with an Estimate of its area, in sections or square miles.

* State nearest Post Town.

† To the Surveyor General in Sydney, or to the Surveyor in charge at Melbourne.

(SCHEDULE C.)

Form of ordinary application for a Lease of Crown Lands within the Settled Districts.

Place*
Date

SIR,

In pursuance of the Regulations of 29th March, 1848, respecting the occupation of Crown Lands within the Settled Districts, I have the honor to request that the Leases of the portions of Crown Lands hereunder described may be put up to public auction.

I have the honor to be,
Sir,
Your most obedient servant,

To†

Description of the Lands referred to

County of
Parish of
Situated‡
and Bounded§

* State nearest Post Town.

† To the Surveyor General in Sydney, or to the Surveyor in charge at Melbourne.

‡ State general locality.

§ State the boundaries as accurately as possible, with reference to section lines.

No. 24, 1ST MARCH, 1851.—2.

*Colonial Secretary's Office,
Sydney, 12th February, 1849.*

OCCUPATION OF CROWN LANDS WITHIN THE SETTLED DISTRICTS.

REFERRING to the 9th clause of the Regulations for the Occupation of Crown Lands within the Settled Districts, dated 29th March, 1848, which declares that leases obtained under those Regulations will not be assignable, nor shall any portion of the lands held thereunder, be assigned or sub-let, under penalty of absolute forfeiture of the lease, His Excellency the GOVERNOR, with the advice of the Executive Council, directs it to be notified, that leases obtained under the 22nd clause of the same Regulations of Lands brought by Her Majesty's Order in Council within the Settled Class, but which were previously occupied under Squatting Licenses for pastoral purposes, may be transferred as heretofore with the approval of the Government, notwithstanding the general provision against the assignment of leases contained in the 9th section of the Regulations as above quoted.

2. It is, however, to be clearly understood, that the sub-letting or the transfer of portions only of the holdings to which this rule refers, will not be allowed, and that the rule is applicable only to the particular class of Lands above described.

By His Excellency's Command
E. DEAS THOMSON.

3rd.—Renewal of Leases.

*Colonial Secretary's Office,
Sydney, 26th July, 1849.*

RENEWAL OF LEASES OF LAND UNDER THE REGULATIONS OF 29TH MARCH, 1848.

HIS Excellency the GOVERNOR has been pleased, with the advice of the Executive Council, to direct, with reference to the 13th paragraph of the Regulations of the 29th March, 1848, respecting the Occupation of Crown Lands within the Settled Districts, that all applications for the renewal of Leases are to be addressed to the Colonial Treasurer, for lands situated in the Sydney or Middle District, instead of to the Colonial Secretary; and for lands at Port Phillip, to the Sub-Treasurer at Melbourne, instead of to His Honor the Superintendent.

By His Excellency's Command
E. DEAS THOMSON.

*Colonial Secretary's Office,
Sydney, 5th September, 1849.*

RENEWAL OF LEASES.

WITH reference to the notice of the 26th July last, respecting applications for the renewal of Leases under the Regulations of 29th March, 1848, His Excellency the GOVERNOR directs it to be pointed out, for the information of parties interested, that instead of making previous applications in such cases, it will be only necessary for them to pay, or cause to be paid, into the hands of the Colonial Treasurer in Sydney, or Sub-Treasurer at Melbourne, during the month of September in each year, the amount of rents payable for the Lands for which they require renewals, when, if no objection should exist, the Leases will be at once granted.

By His Excellency's Command
E. DEAS THOMSON.

4th.—Illegal Cultivation and Sub-letting.

*Colonial Secretary's Office,
Sydney, 15th January, 1851.*

IT having been represented to the Government, that some of the Lessees of Crown Lands within the Settled Districts have, contrary to the conditions of their Leases and to the Regulations of the 29th March, 1848, either themselves cultivated, or sub-let to others for the purpose of cultivation, portions of the lands so held by them: His Excellency the Governor, in order to put a stop to so serious an infraction of the 8th and 9th sections of the Regulations in question, and to prevent the unfair competition to which the holders of land in fee simple are thereby exposed, has been pleased to direct, that in every case in which it shall appear that any portion of such leased land has been brought into cultivation, notice shall be immediately given to the Lessee of the termination of his Lease, in order that the land may be forthwith divided into suitable allotments and put up to sale by auction, according to the Regulations.

By His Excellency's Command
E. DEAS THOMSON.

II.—QUIT RENTS.

REDEMPTION OF QUIT RENTS.

*Colonial Secretary's Office,
Sydney, 9th October, 1846.*

HIS Excellency the GOVERNOR, with the advice of the Executive Council, directs it to be notified, that the following Regulations have been established for the payment and redemption of Quit-rents, due upon Lands under Grants from the Crown, namely:—

1st.—All lands for which twenty years' Quit-rent, has been already paid shall be free from further charge; and any persons who may have paid more than twenty years' Quit-rent shall have the difference refunded to them.

2nd.—All persons who have not paid up twenty years' Quit-rent, will be required to do so by yearly instalments of the annual amount due in each case, commencing in this present year; and on the completion of the twenty years' payment they will be relieved from all further charge.

3rd.—As an inducement to parties to redeem the Quit-rents, due by them according to the terms laid down by this notice, they will be allowed to do so *at any time within twelve months from this date*, at the number of years purchase specified in the following scale, namely :—

If	Years be due to make up Quit-rent in the whole.	Years Months		Purchase.
		1	9	
Two	}	2	3	}
Three		2	6	
Four		3	11	
Five		4	7	
Six		5	2	
Seven		5	8	
Eight		6	2	
Nine		6	8	
Ten		7	1	
Eleven		7	6	
Twelve		7	10	
Thirteen		8	2	
Fourteen		8	6	
Fifteen		8	10	
Sixteen		9	1	
Seventeen		9	4	
Eighteen		9	7	
Nineteen		9	9	
Twenty				

In any case in which the land included in a Grant, has been sub-divided and conveyed in portions to different proprietors, the Government will not object to entertain proposals for the total extinction of the proportionate amount of Quit-rent, due on any such portion, on the principle established by this notice; but, as no rule can be laid down which would be generally applicable to cases of this nature, they must form the subject of special investigation and arrangement in each individual case, it being however understood, that any expense of ascertaining the boundaries of the land on which it is desired so to redeem the Quit-rent, must be borne by the parties interested.

This arrangement will include all Quit-rents, whether for Town Allotments or Portions of Land; and whether the Grant contain any covenant for redemption or not.

By His Excellency's Command,

E. DEAS THOMSON.

*Colonial Secretary's Office,
Sydney, 30th July, 1849.*

QUIT RENTS.

REFERRING to Earl Grey's Despatch No. 7, of the 12th January, 1849, respecting the payment and redemption of Quit-rents, due upon Lands under grants from the Crown, and to the notice from this Office of the 9th October, 1846, in which it was declared, that all persons who had not paid up Twenty years' Quit Rent, would be required to do so by yearly instalments of the annual amount due in each case, commencing in the then present year, that on the completion of twenty years' payment in this manner they would be relieved from all further charge, and that they would be allowed to redeem the Quit Rents which would be due under those terms, at any time *within twelve months from the date of that Notice*, at the number of years' purchase specified in the scale thereunto subjoined; His Excellency the Governor with the advice of the Executive Council, has directed it to be notified, that at any time henceforward any person may redeem his future Quit Rents, by an equivalent cash payment computed according to the scale laid down in the said notice of the 9th October, 1846.

It is to be understood, however, as an indispensable preliminary condition, that all annual payments due under the Regulations of 9th October, 1846, shall be paid up before any application under this Notice can be entertained for the redemption of the further number of years' Rents required to complete the payments which under the said Regulations will release the land from further charge.

By His Excellency's Command,

E. DEAS THOMSON.

III.—ABANDONMENT OF COAL RESERVATION.

PROCLAMATION.

By His Excellency SIR CHARLES AUGUSTUS FITZ ROY, Knight Companion of the Royal Hanoverian Guelphic Order, Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, &c., &c.

Whereas numerous Grants of Land which have been issued under the Great Seal of the Colony, during the respective Reigns of their Majesties King George the Fourth, King William the Fourth, and Her present Majesty Queen Victoria, contain reservations to their said Majesties respectively, and their Heirs and Successors, of all mines of Coal, with full and free liberty and power to search for, dig, and take away the same, and also the right of full and free ingress, egress, and regress, into, out of, and upon the said land for the purposes aforesaid; and whereas Her Present Majesty being desirous of promoting the welfare of her subjects, has been graciously pleased to direct that all such reservations and the rights incident thereto shall be abandoned: Now, know ye, that, I, SIR CHARLES AUGUSTUS FITZ ROY, the Governor aforesaid, do in pursuance of instructions in that behalf, received from one of Her Majesty's principal Secretaries of State, proclaim and declare on behalf of Her said Majesty, Her Heirs and Successors, that all and every the reservations and rights aforesaid are and is for ever abandoned and given up, and that the respective Grantees under the

aforesaid Grants, and their respective Heirs and Assigns, now are and shall henceforth be at full liberty to dig and take away all Coal, which may be in their respective lands, for their own use and benefit, with the exception alone of such lands as may be comprised within any City, Township, or Village.

Given under my hand and Seal, at Government House, Sydney, this twenty-fourth day of January, in the Year of Our Lord one thousand eight hundred and fifty, and in the thirteenth year of Her Majesty's reign.

(L.S.) CH^s. A. FITZ ROY.

By His Excellency's Command,

E. DEAS THOMSON.

GOD SAVE THE QUEEN!

IV.—CROWN LANDS.

1st.—Regulations for Sale.

*Colonial Secretary's Office,
Sydney, 1st March, 1843.*

LAND REGULATIONS.

THE recent passing of the Act of Parliament, 6th Victoria, chapter 36, regulating the sale of Land in the Australasian Provinces, having rendered some alterations necessary in the mode of selling Crown Lands in the Colony of New South Wales, His Excellency the Governor, with the advice of the Executive Council, is pleased to declare, that the regulations hitherto in force relative to the sale of Land, shall, from the publication of the present notice, be cancelled, and the following regulations be established in their stead.

Periodical sales to be held by Auction.

1. There must be held once at least in each of the four usual quarters of the year one or more public sales by auction; but sales will be held oftener if there be a demand for land, and all sales, except as hereinafter mentioned, must be by auction.

2. Lands will be brought forward for sale by auction in three different classes.

Classes of Lots.

1. Town Lots.
2. Suburban Lots.
3. Country Lots.

Town Lots.

(1.) The Town Lots will comprehend all lands within the actual boundaries of towns, and will differ in no respect from what have hitherto been called 'Town Allotments.

Suburban Lots.

(2.) Suburban Lots will comprehend all lands lying within five miles of such towns, the five miles being determined by section lines, north and south, east and west, not less than five miles from the outer limits of the towns in each direction; but under the provisions of the Act above referred to, it will be competent for the Governor to exclude any such last mentioned land from the class of suburban lots, if he shall consider that they will not derive any increased value from their vicinity to any such town.

Country Lots.

(3.) The Country Lots will comprehend all other Lands.

Intended sales to be notified.

3. The intention of holding sales of land will in future be notified to the public in two ways, that is to say, by common notice and by Proclamations.

Mode of notifying sales.

4. A notice will convey to the public only an intimation of the general intention of Government. It will be of a less formal nature than a Proclamation, and may be at any time cancelled or altered by another notice; a Proclamation will be of a more formal character. The exact number of lots to be sold, and the situation and extent of each will always be specified in such Proclamation, as will the intended day of sale; and though the power must be reserved to the Government of altering or amending a Proclamation by the issue of another, such power will rarely be exercised, and only for some sufficient reason.

Sales to be notified not earlier than three or later than one month.

5. A Proclamation will never be issued earlier than three months, and except on particular occasions never later than one month, before the day of sale; and though the right must also be reserved to the Government of withdrawing any lot or number of lots from sale, even up to the moment of the fall of the hammer, this right will, after the intended sale of such lots shall have been proclaimed, only be exercised in cases of necessity, and not for the sole purpose of bringing the lots forward for sale at some future period at a higher upset price.

Lands and allotments to be brought forward for sale as may be arranged by the Government.

6. The time and manner of bringing forward lands for sale, as well as the determination of the size of the allotments in which they are to be sold, are matters for the arrangement of Government or the reports of the Surveyor General, subject, however, to the restrictions imposed by the Act, which, are first, that no land shall, under any circumstances, be put up at less than twenty shillings per acre; and secondly, that of country lots, brought forward for the first time, not more than one tenth shall be put up at a higher price than twenty shillings per acre.

Applications may be made for land in particular localities.

7. Persons desirous of obtaining lands in particular localities may make application to have such lands surveyed and brought forward for sale, and their wishes will be complied with as far as circumstances may permit; but much inconvenience to the Government, expense to the Surveyor General's Department, and disappointment to individuals, having been found to result from the Regulations under which parties were led to expect that lands in any part of the Colony, within the established Counties, could be surveyed and brought to sale immediately on their applying for them, or within an interval of only a few months, it is to be understood in future, that the Government does not bind itself to bring forward such lands for sale within any specified period. The applications in such cases must be made in the form (A) annexed, and are to be addressed in respect of lands situated in the middle or Sydney District, to the Surveyor General at Sydney, and in respect of such as are situated in the southern or Port Phillip District, to the Senior Surveyor resident at Melbourne.

FORM OF APPLICATION.

(A.)

Application of (1) of (2)
for permission to purchase Land.
Dated.

SIR—Being desirous to purchase the following of Land, I request you will obtain the Governor's authority that may be put up to sale, agreeably to the regulations contained in the Government order of viz. :—(3)
I am free, and arrived in the Colony by the ship from in the month of

I have the honor to be,
Sir,
Your most obedient servant,

To the Surveyor General.

- (1.) Write Christian and Surname legibly, and at full length.
- (2.) State accurately the usual place of residence, that the reply may be duly forwarded.
- (3.) Describe exactly the particular spot alluded to.

8. But though the Government reserves to itself the right of bringing land forward for sale, whether in the country or in towns, in allotments of such size and extent as may appear from time to time to be best suited to the public demand, the following general rules will be departed from as little as possible:—

Grazing lands to be in lots not exceeding 640 acres.

- (1.) Grazing lands will be sold by auction in sections never exceeding 640 acres; 640 acres being the largest quantity which can be sold by auction in one lot, by the 4th clause of the 6th Victoria, No. 36.

Special country lots.

- (2.) Lands suited for cultivation, or likely to be purchased for small farms, and which will be designated as "Special Country Lots," will be sold in portions of from 20 to 320 acres.

Size of town lots.

- (3.) Building ground in minor towns, or villages, will be sold generally in half acre allotments; but in large towns, or in places likely to become the chief towns of extensive districts, building allotments will not exceed a quarter of an acre.

Size of suburban lots.

- (4.) In the neighbourhood of towns of either description, suburban allotments will be laid out and sold, varying from 2 to 640 acres.

No lands to be sold excepting in proclaimed counties.

- (5.) Except under special circumstances, no lands will be sold which are not comprehended within counties, the boundaries of which have been (at least provisionally,) proclaimed.

Deposit.

9. A deposit of 10 per cent. is in all cases to be paid, as heretofore, on the fall of the hammer, and the remainder within one calendar month, or the Land and the deposit will be forfeited.

Conditions of Sale to be announced.

10. In minor particulars, the sales of Crown Lands will be conducted according to conditions which will be announced in the room previously to the commencement of the sale.

Country and Special Country Lots put up and not bid for may be claimed without competition.

11. Lands of the 3rd class, namely, country lots, and including such as are designated "special country lots," which may have been exposed to public competition, at auction, subsequent to the date hereof, but not sold, may at any time be had at their upset price by the person or persons who may first apply and pay for them at the Colonial Treasury of the district wherein they are situated. This regulation, however, does not extend to town or suburban allotments, nor to any land that may be held under License from the Crown, until the expiration of the same.

Country and Special Country Lots obtainable without competition after deposit forfeited.

12. Lands also will be open to selection in the same manner which, after having been sold by auction, may have reverted to the Crown, in consequence of the forfeiture of the Deposit paid on them at the time of sale; and the price at which such lands may be obtained will be that at which they were sold at auction less the amount of deposit paid and forfeited on them.

The full price to be paid at the time of claiming.

13. The full price of each such allotment must be paid at the Treasury Office of the District by the party at the time of claiming it; and no claim on the part of any individual will be established or officially noticed, until the whole of the purchase money shall have been paid.

Form of Application for Land without competition.

14. Every such selection, without competition, must be made in writing, in the annexed form, (B) and delivered personally at the Treasury Office of the district in which the land is situated by the party himself, or an agent on his behalf, and must contain the christian and surnames legibly written at full length, and the residence of the party in whose favor the Deed of Grant for the land is to be made out, and in which no alteration will subsequently be allowed. It is also to be distinctly understood that no land once selected *and approved*, as in conformity to these Regulations, will, under any pretence, be allowed to be afterwards changed.

(B.)

Selection of land under the Regulations of	184 .	Place
Month Year Date		

SIR,

(3) I have the honor herewith to tender to you the sum of (1) as the price of lot
of country lands put up to auction at the sale of Crown Lands held at (2) on the
day of (4), 184, now remaining unsold, and open to selection under the Regulations
of 184, and of which the following is the description, viz.— (5)

Subjoined are the requisite particulars of the names and residence of the party in whose favor it is desired the Deed of Grant may be made out, viz.—

Surname
Christian name at full length
Residence

I have the honor to be,
Sir,
Your most obedient servant.

Signature of applicant

- (1.) Here state the amount in words at length and in figures.
- (2.) Here state the place of sale.
- (3.) Here state the day, month, and year of sale.
- (4.) Here insert the description published in the *Government Gazette* before the sale.
- (5.) If the Deed be required in favor of more than one person, the same particulars must be given for each.

N.B.—This letter must be addressed to the Colonial Treasurer, or Sub-Treasurer, of the district in which the land is situated, and delivered personally by the applicant, or an agent on his behalf, together with the amount in cash tendered for the land.

Money intended for the payment of land will be received at any time.

15. Money intended to be vested in land may be at any time paid into the Treasury, at Sydney, or into the Sub-Treasury in any district; and for money so paid receipts will be given which will be available as cash at any land sale, or in payment for any land purchased at the upset price under Regulations No. 12, but no money so paid will under any circumstances, be returned.

Certificates of payment for Land received in London.

16. Certificates, in the form prescribed by the Act above referred to, from Her Majesty's Land and Emigration Commissioners in London, of the payment of any sums for the purchase of Crown Lands in this Colony, will also be received as equivalent to the amount of money for which the same may be respectively given, in the purchase of lands under these Regulations either by public auction or private contract.

If the purchase be less than the amount paid, the balance to remain as a credit with the Treasurer.

17. If the number of acres purchased at auction, or selected, be less than the number of pounds stated in the Land Receipt, the difference or balance will remain as a credit at the Treasury in Sydney, or Sub-Treasury of the District, for the purchase of land in favor of the holder of the Receipt; and in such case it will be returned to the holder, with an endorsement, specifying the extent to which it has been used.

Land Receipts transferable.

18. Land Receipts, whether granted by the Commissioners, or for money paid into the Colonial Treasury, will be transferable; but they must be transferred by endorsement, in the same manner as Bills of Exchange. The last person to whom any receipt may be endorsed will be considered the holder of it, and it will be received at the Colonial Treasury of Sydney, or Sub-Treasury of the District, from him or his agent only; this, however, will not prevent parties from endorsing a portion only of their Land Receipt to any other party.

Remissions to Retired Military and Naval Officers.

19. Certificates granted by the Colonial Secretary, in pursuance of the Regulations of 1st August, 1838, to Retired Officers of the Army and Navy, and of the East India Company's Service, of the amount of remission to which they are entitled in the purchase of Crown Lands, will be received in payment for any purchases under these Regulations, but such Certificates will in no case be transferable, and the Title Deeds of the lands purchased in whole or in part by means of the same, will be made out in the name of the officer in whose favor the Certificate is granted; and such Title Deeds will not be deliverable except at the expiration of two years from the day of purchase, as in the said Regulations of 1st August, 1838, is prescribed; in other respects the Regulations in question will be in no way altered or affected by anything herein contained.

Regulation when one or more parties claim on the same day lands put up to auction but not bought.

20. Should two or more parties holding Land Receipts, Land Orders, or Remission Orders, claim the same lot of land, on the same day, under Regulation No. 12, and the priority of their respective claims not admit of settlement in any other way, such priority will be determined by the priority in date of the document under which they respectively claim, whether it be a Land Receipt, a Land Order, or a Remission Order; but, as already stated, no claim will be admitted, founded on a money payment, until the payment shall be completed.

Terms of Deeds of Grant.

21. Deeds of Grant from the Crown will be issued to the purchasers of Crown Lands, conveying to them all that is above and all that is beneath the surface, with the following reservations only:— In Country Lands or in Suburban Allotments the right will be reserved of opening roads through the lands, or of making canals or railroads, the right also of taking sand, clay, stone, gravel, and indigenous timber, for the construction, under lawful authority, of roads, canals, railroads, bridges, fences, embankments, dams, sewers, or drains; coal will be reserved until the year 1862 in the districts to which the privileges of the Australian Agricultural Company extend, but not elsewhere; precious minerals or metals may be also reserved, if it be known that they greatly abound in any district, but not otherwise. In Town Allotments coal will always be reserved, and also the right of opening sewers or drains.

Reservations on sea coast.

22. It is to be understood also that on the sea coast, and on every navigable river, harbour, or inlet of the sea, the Government will cause lots to be measured only to within 100 feet of high water mark, whenever it may be thought necessary to reserve sea or river coast.

No Quit-rent chargeable.

23. No rents will be reserved save a quit-rent of a peppercorn on each grant, payable if demanded. No conditions respecting the nature of the buildings to be erected, or improvements to be made, will be inserted in the Deeds, except in particular cases, where such may be rendered necessary by peculiar circumstances, and where such conditions may have been notified at the time of sale.

Nor any conditions respecting buildings, or improvements, excepting in particular instances.

Fees payable on delivery of Deeds.

24. The following Fees are payable on Deeds of Grant from the Crown, and no Deed will, under any circumstances, be delivered until such Fees are paid, namely:—

	£	s.	d.
On each Grant of Land (including Town Lots,) where the quantity does not exceed 50 acres .	1	0	0
Above 50 acres, and not exceeding 300 acres.....	1	5	0
All above 300 acres.....	1	10	0
Which charges include the respective fees of 10s., 15s., and £1, payable for enrolment in the Registrar's Office, under the Act of Council, 5 Victoria, No. 21, and the Deeds will be delivered at the Colonial Treasury Office of the District in which the land is situated and where the fees must be paid.			

Purchasers of unsurveyed Lands in blocks of 20,000 acres.

25. Persons desiring to purchase tracts of unsurveyed lands in quantities or blocks of not less than 20,000 acres, must make special applications to the Government for such purchases, under the 15th clause of the Act of Parliament, 6 Victoria, No. 36. All such lands must be measured, as nearly as the natural features of the country will admit, in the form of a parallelogram, of which no one side shall be more than twice the length of any other, and the price will in no case be less than 20s. an acre, nor will the purchaser be entitled to any survey of the land, except so far as may be necessary to ascertain the external boundaries of the same.

By His Excellency's Command,

E. DEAS THOMSON.

*Colonial Secretary's Office,
Sydney, 26th July, 1849.*

REGULATIONS RESPECTING THE SALE OF LAND.

In consequence of many urgent applications being made for the purchase of land in particular localities, and of an erroneous impression which appears to be entertained by the public that they can always be immediately attended to, His Excellency the GOVERNOR has been pleased to direct the republication, for general information, from the Regulations of 1st March, 1843, of the clause therein which relates to such applications, namely:—

7. Persons desirous of obtaining lands in particular localities may make application to have such lands surveyed and brought forward for sale, and their wishes will be complied with as far as circumstances may permit; but much inconvenience to the Government, expense to the Surveyor General's Department, and disappointment to individuals, having been found to result from the Regulations under which parties were led to expect that lands in any part of the Colony, within the established Counties, could be surveyed and brought to sale immediately on their applying for them, or within an interval of only a few months, it is to be understood in future, that the Government does not bind itself to bring forward such lands for sale within any specified period. The applications in such cases must be made in the form (A) annexed, and are to be addressed in respect of lands situated in the middle or Sydney District, to the Surveyor General at Sydney, and in respect of such as are situated in the southern or Port Phillip District, to the Senior Surveyor resident at Melbourne.

(A.)

of (2) for permission to purchase Land.

I am free, and arrived in the Colony by the ship _____, from _____ in the month of _____.

I have the honor to be,

Sir,

Your most obedient Servant,

- (1.) Write Christian and Surname legibly, and at full length.
- (2.) State accurately the usual place of residence, that the reply may be duly forwarded.
- (3.) Describe exactly the particular spot alluded to.

*Colonial Secretary's Office,
Sydney, 26th July, 1850.*

In order to prevent mis-apprehension on the part of purchasers or intended purchasers of Town and Suburban allotments, His Excellency the Governor, with the advice of the Executive Council, directs it to be notified, with reference to the 2nd clause of the Regulations of 29th March, 1848, that the possession of Town, Village, or Suburban allotments, whether situated in the Settled, Intermediate, or Unsettled class of Lands, does not carry with it any right of commonage over adjacent Crown Lands, unless in those cases in which land reserved for the extension of a Town may have been given up as a pasture to be used by the inhabitants under established regulations as long as it may remain unalienated.

By His Excellency's Command,

E. DEAS THOMSON.

*Colonial Secretary's Office,
Sydney, 16th September, 1850.*

MIDDLE DISTRICT.

(Former Regulations cancelled. New to take effect from 1st January, 1851.)

THE Regulations dated 21st May, 1839, relating to the issue of Licenses for cutting Timber on Crown Lands, requiring amendment in certain particulars, His Excellency the Governor, with the advice of the Executive Council, has been pleased to cancel the Regulations referred to, and to substitute the following, to take effect upon and after the first day of January, 1851.

(Applications to be made to Court of Petty Sessions.)

2. Applications for Licenses to cut Timber on the vacant Crown Lands, within the Settled Districts, are to be addressed in the form annexed, (A) to the principal Court of Petty Sessions of the District within which the License is to be used.

(Or Crown Commissioner beyond Settled Districts.)

3. Applications for Licenses to cut Timber on vacant Crown Lands beyond the Settled Districts, are to be made in the same form (A) ; but addressed to the Crown Commissioner of the District.

(Recommendation required.)

4. Every such application must be supported by the recommendation of at least two respectable persons, to the satisfaction of the Bench of Magistrates or Commissioner, as the case may be.

(Discretion given to issue Licenses.)

5. The Bench of Magistrates and Crown Commissioners are authorised to exercise a full discretion in the giving or withholding of the Licenses applied for, according to the merits of each case.

(Applications to be filed.)

6. Applications for Timber Licenses shall be filed of record, by the Bench or Commissioner, to whom they may have been addressed, for the convenience of future reference, if need be.

(Return of applications to be made to Colonial Secretary.)

7. A return in the form annexed (B) of all applications granted or refused, is to be made half-yearly to the Colonial Secretary, by the different Benches within the Settled Districts, and to the Chief Commissioner of Crown Lands, by the several Crown Commissioners beyond the Settled Districts. These returns will briefly state the grounds of the decision in any case where the Bench or Commissioner may have seen fit to refuse the License applied for.

(License personal.)

8. The License in the form annexed (C) will be *personal*, and will entitle no one but the actual holder to any privilege whatsoever; neither will it be transferable.

(Separate License for each person.)

9. A separate License must be taken out by every person actually employed in felling, cutting, sawing, splitting, or removing Timber from Crown Lands; as well dead Timber, underwood, or roots cut for fuel, as growing Timber cut for other purposes.

(Lessees may cut Timber for certain purposes without License.)

10. The preceding Regulation does not, of course, apply to the Lessee or Licensed Occupant of Crown Lands, either within or beyond the Settled Districts, who is at liberty to cut any Timber growing thereon, for domestic uses, for firebote, fencing, or other convenience for the enjoyment of the land, but not for sale or barter.

(Licenses.)

11. The Licenses shall be of two kinds—one empowering the holder to cut any kind of Timber as well Cedar and Pine as hardwood; the other will be restricted to hardwood alone.

(Fees.)

12. The fee for a Cedar or Pine License shall be £4, which must be paid to the Clerk of Petty Sessions, or Crown Commissioner as the case may be, previously to the issue of the License; and the fee for a hardwood License shall be £2, to be paid in like manner.

(Clerks of Benches to account.)

13. The sums so paid to the Clerks of Benches or Crown Commissioners are to be accounted for and paid over in the same way as other public moneys passing through their hands.

(Operation of License.)

14. The Licenses shall be operative only within the Police District, or Commissioner's District for which they are granted.

(How available in another District.)

15. Licenses granted for one District may be made available in another without the payment of any additional fee, provided that the Licensee obtain the written consent of the Bench or Commissioner of such last mentioned District, to be endorsed on the License and recorded in the office of the principal place for holding Courts of Petty Sessions or of the Commissioner as the case may be.

(Duration of License.)

16. The Licenses shall be in force for twelve months from the 1st January in each year; Licenses taken out on or after the 1st July, shall in like manner determine on 31st December, but they will be charged only half the regulated fee.

(Timber to be removed.)

17. In order to prevent needless waste of Timber, all Timber must be removed from off the Crown Lands, within 12 months from the time at which it was cut; otherwise it will be liable to be seized, forfeited, and sold on behalf of the Crown, notwithstanding that it was cut under the authority of a license duly obtained.

(Licenses to be notified.)

18. A return will be published, from time to time, in the *Government Gazette*, of all Timber Licenses issued.

(Licenses to extend only to vacant Crown Land.)

19. It is distinctly to be understood, that Licenses granted under these Regulations will extend only to the vacant Crown Lands in the District for which they are granted. Lands therefore temporarily leased within the Settled Districts, or in Licensed occupation beyond the Settled Districts, will not be open to use for this purpose unless with the consent of the Lessee or Licensed occupant; neither will any Lands which have been or may hereafter be reserved by a public notification to that effect.

(Renewal of Licenses.)

20. Persons holding Licenses under these Regulations may renew them annually, on payment of the regulated fee, without any fresh recommendation; unless the Bench of Magistrates or Crown Commissioner, as the case may be, may be aware of any assignable reason for declining to issue the License in any particular case.

(Occupying Land without authority.—Penalties.)

21. The Commissioner of Crown Lands, within and beyond the Settled Districts are charged with the prosecution of persons illegally cutting Timber on Crown Lands. If there be any act of occupancy, such as "residing" or "erecting a hut or building" upon Crown Lands without License, the offender is liable to the penalties imposed by section 4 of the Imperial Act 9th and 10th Victoria, cap. 104; and informations under that Act, can be laid by the Commissioner of the District, provided he holds a letter of authorisation in that behalf from His Excellency the Governor.

(Cutting Trees without authority, proceedings against.)

22. Should there be no such occupancy, the offenders may be proceeded against under the 39th section of the Larceny Act, 7 and 8 Geo. IV., cap. 29, for cutting trees of the Crown with intent to steal part thereof, injury being thereby done to the extent of one shilling. Under this enactment, the offenders may be summarily convicted before one Justice of the Peace, and upon a first conviction be fined to the extent of five pounds beyond the value of the timber stolen or injury done; for a second offence they would be liable to imprisonment not exceeding twelve months; and upon a subsequent conviction they would be liable to punishment as for simple larceny.

(The proof required.)

23. In order to remove a misapprehension which is understood to have been entertained, parties are warned that it is not essential to a conviction under the above Act, that the offender should be detected in the act of falling Timber on Crown Lands, but that (as in the case of ordinary charges) the offence may be established by evidence of facts, from which its commission by the party charged may be reasonably concluded.

(Instructions to Commissioners for prosecuting.)

24. In prosecuting offenders in the manner referred to in the three preceding clauses, the Crown Commissioners beyond the Settled Districts will be guided by such instructions, general or otherwise, as they may receive from the Chief Commissioner of Crown Lands; but those Commissioners who act within the Settled Districts, will report as heretofore each case for the instructions of the Government. And they will receive the remuneration authorised by law in those cases only in which they have acted under the special direction of the Government.

(Seizure of Timber.)

25. The Crown Commissioners should seize all Timber cut by unlicensed persons, and all cut timber lying on Crown Lands, which they may have cause to believe has not been cut by a person duly authorised to cut the same; but in case a right to such timber shall be asserted within 14 days after the notice to be presently mentioned, and shall be established to the satisfaction of the Commissioner seizing the same, it shall be restored to the claimant.

(To be sold after due notice.)

26. All such timber when seized is to be marked with the broad arrow, and after due notice of the seizure thereof, by a writing to be posted up at the principal place of Petty Sessions of the District, shall in case no claimant shall appear and establish his claim within 14 days thereafter, be there sold, such timber being previously removed thither, or sold for delivery on the spot, as may appear most expedient to the Commissioner, on condition of its removal within a convenient time, to be specified in each case.

(Proceeds.)

27. The proceeds of the sale of timber so seized are to be accounted for, and paid over like other public moneys.

(Regulations only applicable to the Sydney District.)

28. The foregoing Regulations have exclusive reference to the Sydney or Middle District of the Colony. In the Port Phillip District the Regulations of 21st May, 1839, will remain in force until new ones shall be framed by the local authorities.

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

A.

Application for a License to cut Timber,*
Lands of the Colony.

including Cedar and Pine Wood, on the vacant Crown

I [1] hereby respectfully make application for a License to cut Timber, *
[2] residing at [3]
[4] including Cedar and Pine Wood, on the
vacant Crown Lands in the District of [4]

(Signature of Applicant.)

To [5]

We, the undersigned beg leave to recommend the above named [6]
proper person to hold the License applied for.

as a fit and

[7]

B.

Return of all Applications made to the Bench of Magistrates at
Lands for the District of) from the
day of 18 , both inclusive.

(Or the Commissioner of Crown
day of 18 , to the

Applicant's name, and civil condition.	Description of License, whether general, or for hardwood only.	Whether granted or refused.	Grounds of refusal.	Amount of Fee received in each case.

Signature of Presiding Magistrate,
and Clerk of Petty Sessions, or
of Commissioner of Crown Lands.

[1] Write Surname and all Christian names, legibly, and at full length.

[2] Here state trade and calling.

[3] State usual place of residence.

[4] State the Police or Commissioner's District.

[5] Address "to the Commissioner for the District of
Petty Sessions at "—if within the limits.

" if beyond the limits, or " the Magistrates in

[6] Applicant's name.

[7] Signatures of at least two respectable persons known to the Bench or Commissioner.

* The word "not" to be inserted here in the case of a hardwood License. The fee payable for a hardwood License is £2, but for a Pine and Cedar License £4; the latter will also embrace the privilege of cutting hardwood.

C.

NEW SOUTH WALES.

License to cut Timber,* including Cedar and Pine Wood,* within the limits of location.
 At a Court of Petty Sessions held on the day of A.D., for the
 District of in the Colony of New South Wales,†

Whereas whose personal description is endorsed hereon, appears to us, (or me,) the undersigned Justices (or Commissioner of Crown Lands,) to be a fit and proper person to hold a License to cut Timber,* including Cedar and Pine Wood, growing on the Waste Lands of the Crown, situated in the District of in the Colony of New South Wales; and whereas the stipulated fee of pounds has been duly paid for such License for the period of months, into the hands of the Clerk of the said Court of Petty Sessions, (or Commissioner aforesaid,) as hereunder acknowledged by him, (or me:) Now, we, the Justices aforesaid, (or I, the said Commissioner,) do hereby, in pursuance of the regulations in that behalf made, bearing date the 16th day of September, 1850, authorise the said to fell, cut, saw, split, and remove any Timber,* including Cedar and Pine Wood, growing on Waste Lands of the Crown in the said District of This license to be in force for the space of calendar months from the 18, and no longer.
 Given under our hands, (or my hand,) this day of one thousand eight hundred and fifty

£ Received the sum of

pounds as the fee for the above License.

Clerk of Petty Sessions,
 (or Commissioner of Crown Lands.)

(ENDORSEMENT.)

Description of the person hereby licensed.

Christian Name—

Surname—

Condition—

For whom employed—

(If a prisoner of the Crown, the following particulars to be added.)

Age—

Height—

Hair—

Eyes—

Complexion—

Ship—

Date of arrival—

Sentence—

To whom assigned—

4th.—Reservation of Timber near Sydney.

*Colonial Secretary's Office,
 Sydney, 4th October, 1850.*

TIMBER LICENSES.

His Excellency the GOVERNOR, with reference to the 19th clause of the Regulations for the cutting of Timber on Crown Lands, of date the 16th ultimo, is pleased to direct the re-publication of the following Notices, dated 17th March, 1843, and 17th August, 1849 respectively, in order that the attention of the public may be drawn to the fact that the Lands therein described are excluded from the operation of those Regulations.

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

*Colonial Secretary's Office,
 Sydney, 17th March, 1843.*

CROWN LANDS NEAR SYDNEY.

In pursuance of the provision made in the 3rd section of the Act of Council, 2nd Victoria, No. 27, intituled, "*An Act further to restrain the unauthorised occupation of Crown Lands, and to provide the means of defraying the expenses of a Border Police,*" His Excellency the GOVERNOR directs it to be notified, that the Timber on all Crown Lands within seven miles of the City of Sydney, shall be reserved for public use, and that consequently it will not in future be permitted to any one to cut either timber or firewood on the several portions of land hereunder described, namely:—

1. About 700 acres, Seven hundred acres, county of Cumberland, parish of Willoughby; commencing at the head of Tambourine Bay Creek, and bounded on the south and south-east by Kirk's, Condell's, and Stubbs' lands as far as Burn's Bay; by that bay to Kellett's 10 acres; on the south by that and J. Clarke's 20 acres; on the west by Lane Cove River about 1 mile, and on the north and east by the lands of Hatfield, Woodhouse, Stubbs, Nichols, Wright, and others, to Kirk's land aforesaid.

2. About 600 acres, Six hundred acres, county of Cumberland, parish of Willoughby, bounded on the north by a branch of Middle Harbour and Davis' grant; on the east by the grants of Ryan, Wills, O'Neil, and others on Hunter's Bay; thence by Beilby's lands to George's Head, towards the east and south by Port Jackson and Chouder Bay, and thence by the grants of Graham, King, Mossman, Thrupp, and Holt, to the branch of Middle Harbour aforesaid; and on the west by that branch.

3. About 2000 acres, Two thousand acres, county of Cumberland, parish of Willoughby; commencing from the northernmost boundary of the reserve of St. Leonard's; and bounded thence by Middle Harbour, about 6 miles to Archbold's grants; on the west and north-west by the lands of Archbold, Brown, Gore, Henny, Mossman, Dargin, and others to the St. Leonard's reserve; and by that reserve to the waters of Middle Harbour.

* The word "not" to be inserted here when the case requires it.

† When the application is under the third section of the regulations, these words are to be left out, and the following substituted:—"At the Office of the Commissioner of Crown Lands for the District of in the Colony of New South Wales."

4. About 3000 acres, Three thousand acres, county of Cumberland, parish of St. George ; bounded towards the south by George's River and Townson's Bay, and the grants of Messrs. Cowper, Townson, Walker, Betts, Moore, and others ; towards the east by Botany Bay, about three miles to F. Mitchell's land at the head of Muddy Creek ; thence on the east by Muddy Creek to Unwin's land ; thence by the lands of Sparke, Futter, Pike, and others to Woolli Creek, by that creek to Chandler's grant, known as " Bexley ;" on the south-west by that grant, and towards the north and north-west by that grant, P. Moore's and Townson's lands as far as Oatley's grant on George's River, which it is divided by a creek.

5. About 1100 acres, Eleven hundred acres, county of Cumberland, parish of St. George, at and near the proposed crossing place, George's River ; bounded on the west by Salt Pan Creek about half a mile ; on the south by George's River about $2\frac{1}{2}$ miles ; on the east by Oatley's grant ; and on the north by the lands of Parrott, Tyrrel, McCaffrey, and Galvin.

6. About 150 acres, One hundred and fifty acres, county of Cumberland, parish of Alexandria, bounded on the east by the sea-coast from the inner South Head to about 1 mile south of the Light House ; on the south by Hughes and Hosking's and Mitchell's lands ; on the west by the old South Head Road, about $1\frac{1}{2}$ mile to the small grants at Watson's Bay ; and on the west and south-west by those grants and Laing's to Camp Cove ; thence by the waters of Port Jackson to the inner South Head.

7. About 400 acres, Four hundred acres, county of Cumberland, parish of Alexandria ; bounded on the south-west by Roberts and Hind's grants on Bondi Bay ; on the east by the sea coast about $1\frac{1}{2}$ mile ; on the north by Smart's lands ; and on the west by various small grants on the old South Head Road of Best, Roberts, Alcorn, Murrays, Bond, and others, and Knight's 50 acres to Roberts' grant aforesaid, exclusive of the lands of Thompson, Breilton, Clarke, and Cohen on the sea-coast.

8. About 2000 acres, Two thousand acres, county of Cumberland, parish of Alexandria ; bounded on the south by the boundary line of the parish of Botany, about half a mile south of Big Coogee Bay ; on the east by the sea-coast, about $2\frac{1}{2}$ miles as far as Nelson's Bay ; on the north by Lewis' lands to the Coogee Bay Road ; on the north-east by that road to the road at the corners of Gordon and Levy's lands ; on the north by the lands of Josephson, Peek, Lawson, and Cole, to the Sydney Common, or water reserve ; by that reserve to S. Terry's grant, known as " Lachlan Mills" ; and on the west by that land to the boundary line of the Botany parish. This land includes the Sydney Race Course reserve, and is exclusive of the lands of Greville, Newcombe, Wentworth, Holmes, and Jones.

9. About 1300 acres, One thousand three hundred acres, county of Cumberland, parish of Alexandria, known as the Water Reserve or Sydney Common ; bounded on the west by Foveaux and Hall's grant, known as the " Surry Hills" and Campbell's grant ; on the south by S. Terry's 570 acres, known as the " Lachlan Mills" and the Sydney Race Course reserve ; and on the east by a line north to near the three mile stone on the Old South Head Road ; and on the north by that road to nearly opposite the Gaol at Woolloomooloo. This land is situated on both sides of the Botany Bay Road, and is exclusive of the small grants to Gordon, Newcombe, Brooks, and Levey.

10. About 6000 acres, Six thousand acres, County of Cumberland, parish of Gordon ; bounded towards the north and north-east by Middle Harbour about 8 miles ; on the north-west by a branch of Cowan Creek about 4 miles ; and on the west and south by the various lands on the Lane Cove Road of Hyndes, Matthews, Clayton, Bradley, Munro, McNally, Matthews, Archbold, and others, to Bates' grant on Middle Harbour ; and on the east by that grant.

11. About 4000 acres, Four thousand acres, county of Cumberland, parish of Gordon ; commencing from Blue Gum Creek, and bounded on the south and south-west by the Lane Cove River about 5 miles, and the lands of Hyndes, O'Brien, McIntosh, and Gilbert ; towards the north-east by the various grants on the Lane Cove Road of Hyndes, Wright, Beattie, Fiddie, Caddie, Jenkins, and others ; and on the south by Blue Gum Creek to Lane Cove River.

12. About 5800 acres, Five thousand and eight hundred acres, county of Cumberland, parish of Botany ; bounded on the north by a line east from the north-east corner of Winder's 417 acres to the sea coast ; on the east by the sea coast as far as Botany Bay ; on the south and south-west by that Bay as far as Boatswain Maroot's 10 acres ; and thence by that land and the grants of Crane, Brown, Bell, Curran, Stark, Kellet, and Winder.

13. About 10,000 acres, Ten thousand acres, county of Cumberland, parish of Manly Cove ; bounded on the south-west by the lands of Jones, Yates, Harvey, Fisher, Spencer, and Moir, and the waters of Middle Harbour to its source ; towards the north by a line extending thence to Wheeler's 50 acres, near Narrabeen Lagoon ; by that land and Macdonald's and the waters of the Lagoon to Ramsay's 400 acres ; on the east by that and Cossar's, Wheeler's, and Harper's lands to the sea coast near Deewhy Head ; on the east by the sea coast, and Skully's, Thompson's, Baker's, Cheer's, Chapman's, Crane's, and Hely's lands, as far as Grotto Point, Middle Harbour.

14. About 30 acres, Thirty acres, county of Cumberland, in the Harbour of Port Jackson, the following Islands, viz. :—Garden Island, Clark's Island, and Shark Island.

By His Excellency's Command.

E. DEAS THOMSON.

5th.—Bailliff appointed for protection of Land near Sydney.

Colonial Secretary's Office,

Sydney, 17th August, 1849.

CROWN LANDS.

(IN THE NEIGHBOURHOOD OF SYDNEY.)

His Excellency the GOVERNOR is pleased to direct it to be notified that Mr. Simeon Henry Pearce has been appointed Bailliff for protecting the undermentioned Crown Lands, in the neighbourhood of Sydney, from the cutting of wood thereon, namely :—

1. Parish of Botany, containing about five thousand eight hundred acres ; bounded on the north by a line east from the north-east corner of Winder's 417 acres to the sea coast ; on the east by the sea coast as far as Botany Bay ; on the south and south-west by that Bay as far as Boatswain Maroot's 10 acres ; and thence by that land and the grants of Crane, Brown, Bell, Curran, Stark, Kellet, and Winder.

mile and a half to the small grants at Watson's Bay; and on the west by the old South Head Road, about one and Laing's to Camp Cove; thence by the waters of Port Jackson to the Inner South Head, exclusive of the Burial Ground and Griffin's land.

3. Parish of Alexandria, containing about four hundred acres; bounded on the south-west by the grants of Roberts and Hurts, at Bondi Bay; on the east by the sea-coast about one mile and a half; on the north by Smart's grants; on the west by various small grants on the old South Head Road, of Jones, Robert's, Hughes, Beet, Murray, Alcorn, Watts, Bond, and Knight's 50 acres to Robert's grant aforesaid, exclusive of Harvey's grant and the lands of Clark, Boulton, Cohen, Thompson, and Clarke, on the sea coast.

4. Parish of Alexandria, containing about nineteen hundred acres; bounded on the south by the boundary line of the Parish of Botany, about half a mile south of Big Coogee Bay; on the east by the sea-coast about two miles and a half, as far as Nelson's Bay; on the north-east by Lewis' lands to the Coogee Bay Road at the corner of Gordon's and Peck's grants; on the north by the lands of Gordon, Jones, Smith, Glenn, Fitzgerald, Smart, Lawson, and Abercrombie, to the Sydney Common or water reserve; by that reserve to S. Terry's grant, known as the Lachlan Mills; and on the west by that land to the boundary line of the parish of Botany. This land includes the Sydney race-course reserve, and is exclusive of the lands of Cooper, Gordon, Greville, and Newcombe, Mitchell, Newcombe, M'Gee, Wentworth, Marsh, Williams, Stewart, Gordon, Greville, Holmes, and Hatfield.

5. Parish of Alexandria, thirteen hundred acres of land, known as the Water Reserve or Sydney Common; bounded on the west by Toveaux and Hall's grant, known as the "Surry Hills" and "Campbell's grant"; on the south by S. Terry's 570 acres, (known as the Lachlan Mills) and the Sydney Race Course Reserve; on the east by a line north, to near the three mile stone on the old South Head Road; and on the north by that road to nearly opposite the Gaol at Woolloomooloo. This land is situated on both sides of the Botany Road, and is exclusive of the small grants of Gordon, Newcombe, Levey, Brooks, Church of England, Presbyterian, and Wesleyan Appropriations, the General Cemetery, and St. James' Glebe.

6. Parish of Alexandria, containing about one hundred and eighty acres; bounded on the south by the small grants of Hayes, Hatfield, Lewis, and Lowe; on the east by the sea coast to Robert's grant at Bondi Bay; on the north-east by that grant to Woolley's grant; on the west by Woolley's grant to the small grant of Galloway's; thence by that grant and the grants of Want, Mitchell, Cole, Hoskings, Galloway, and Dickson, to Gordon's grant; and by that grant to Hayes's grant aforesaid, excluding Hatfield's and Barton's grants on the sea-coast.

By His Excellency's Command.

E. DEAS THOMSON.

6th.—Retired Officers.

Colonial Secretary's Office,

Sydney, 26th January, 1849.

RETIRED OFFICERS.

His Excellency the GOVERNOR has been pleased to direct that the following Notice, containing an amended scale of remission to be allowed to Officers in the purchase of Land, issued from the Office of the Secretary of State in August, 1848, for the use of Officers purposing to settle in the British Colonies, and having reference to the Regulations for the disposal of Land in the Australian Colonies, shall be re-published here for the information of all persons interested.

By His Excellency's Command,

E. DEAS THOMSON.

INFORMATION FOR THE USE OF MILITARY AND NAVAL OFFICERS PURPOSING TO SETTLE IN THE BRITISH COLONIES.

1. The Colonies in which Military and Naval Officers are allowed privileges in the acquisition of public Lands are the following:—*First*,—the Australian Settlements, consisting of New South Wales, Van Diemen's Land, South Australia, Western Australia, and the Northern Province of New Zealand; *Secondly*,—Ceylon; *Thirdly*,—the Cape of Good Hope; and *Fourthly*,—Nova Scotia and Cape Breton, the only province in North America where privileges are still allowed.

2. In the different Australian Settlements, in Ceylon, and at the Cape of Good Hope, land is disposed of by sale only; but Officers purchasing land, are allowed a remission of the purchase money, according to the undermentioned scale:—

Field Officers, of 25 years' service and upwards, in the whole	£600
Field Officers, of 20 years' service and upwards, in the whole	500
Field Officers, of 15 or less years' service, in the whole	400
Captains of 20 years' service and upwards, in the whole	400
Captains of 15 years' service or less, in the whole	300
Subalterns, of 20 years' service and upwards, in the whole	300
Subalterns, of 7 years' service and upwards, in the whole	200
Subalterns, under 7 years standing, are not entitled to any remission in the purchase of land.	

Regimental Staff Officers, and Medical Officers of the Army and Navy, are allowed the benefit of this rule.

In Nova Scotia and Cape Breton, allotments of land are granted to Officers on the following scale and conditions:—

To a Lieutenant-Colonel	1200 acres
To a Major	1000 acres
To a Captain	800 acres
To a Subaltern	500 acres.

3. Officers of the Army or Navy, proposing to proceed to the Colonies, in order to take advantage of this indulgence, should provide themselves with certificates from the Office of the Commander-in-Chief, or of the Lords Commissioners of the Admiralty, or of the Master General of the Ordnance, showing that their emigration has been sanctioned, and stating exactly their rank and length of service. No document from the Office of the Secretary of State is necessary.

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they can satisfy the Governor that there is no objection to their rank and length of service is accurate; and provided, if they belong to the Navy, they produce their letter of leave of absence from the Admiralty.

5. Military Chaplains, Commissariat Officers, and Officers of any of the Civil Departments of the Army; Pursers, Chaplains, Midshipmen, Warrant Officers of every description, and Officers of any of the Civil Departments of the Navy, are not allowed any privileges in respect of land. Although members of these classes may have been admitted formerly, and under different circumstances, they are now excluded. Mates in the Royal Navy rank with Ensigns in the Army, and Mates of three years' standing, with Lieutenants in the Army, and are entitled respectively to corresponding privileges in the acquisition of lands.

6. Gentlemen who have ceased to belong to Her Majesty's Service are not allowed the advantages to which they were entitled while in the Army or Navy. This rule, however, is not to affect Officers who desire to quit the service, for the express purpose of settling in the Colonies; it is only required, that when they resign their Commissions, they should apply for a certificate from the Commander-in-Chief, or from the Lords Commissioners of the Admiralty, or from the Master General of the Ordnance, that they do so with a view of emigrating, and such certificate, if produced to the Governor of any of the Colonies before-mentioned within one year from its date, *but not otherwise*, will be a sufficient warrant for allowing the bearer the same advantages as Officers who are still in Her Majesty's Service.

7. An actual residence of two years in the Colony must be proved before the titles can be granted, except in cases in which death may have occurred before the expiration of that period.

8. For the convenience of Officers, the following heads are subjoined of the rules for the sale of land in the Australian Settlements.

All lands are disposed of by sale alone, and must have been once at least exposed to public auction. The lowest upset price is not less than £1 per acre; but the Government has power to raise the same by Proclamation, though not again to reduce it.

The lands are distinguished into three different classes; viz.—Town Lots, Suburban Lots, and Country Lots.

Upon Town and Suburban Lots, as well as upon a proportion not exceeding one-tenth of the whole of the Country Lots offered for sale at any auction, the Governor has the power of naming a higher than the general or lowest upset price; the last to be designated "Special Country Lots." Town and Suburban Lots are in no case disposed of except by public auction; but Country Lots, which have already been put up to public auction, and not sold, may be disposed of afterwards by private contract at the upset price.

No lands are sold by private contract, except for ready money. When sold by public auction, one-tenth at least of the whole purchase money must be put down, and the remainder within one calendar month, or the deposit is forfeited.

Lands are put up for sale in lots not exceeding one square mile in extent.

9. In Ceylon, land is sold by auction at an upset price, which is to be fixed by the Governor, but which is not to be less than £1 per acre. Before the lands are exposed for sale, they will be surveyed by the Government and duly advertised.

10. The several prices above-mentioned are of course subject to a revision at any time by the proper authorities, and the pecuniary amount of the remission made to Officers cannot be increased on account of an increased value set upon the lands.