

LAND REGULATIONS.

Colonial Secretary's Office, Sydney, 12th Octobers 1835.

THE following- SUMMARY of the existing LAND REGULATIONS is published for general information, viz.— SALE OF LAND.

I. The Lands open to Selection, continue to be those situated within the limits of the Colony, as fixed by the Government Order of 14th October, 1829, No. 50, and the Proclamation of 30th July, 1830. (A and B annexed.)

II. The existing Regulations for the Sale of Land are contained in the Government Notice of 1st July, 1831, and the Government Order of 1st August, 1831, (C and D annexed) modified, with regard to Emigrants, by the Government Notice of 19th January, 1835 (E annexed) ; with regard to Naval and Military Officers, by the Regulations of the 15th August, 1834, republished in the Colony on 16th February, 1835 (F annexed) ; and with regard to Town Allotments, by the No-tice of 25th June, 1833 (G annexed). Soldiers do not now receive either Grants of Land or Remission Money, upon being discharged.

III. Upon reference to these Regulations, it will be perceived that the following is the course to be adopted by ordinary settlers, viz.—

1st. That all applications for the purchase of land must be made in the prescribed form (H annexed), addressed to the Surveyor General, and obtainable from that officer, and from the Clerks of the several Benches of Magistrates, upon payment of a fee of 2s. 6d.

2nd. That after one month's notice, in the case of Emigrants newly arrived, and after three months' notice in all other cases, the lands so applied for, if approved by the Governor and actually measured in time, will be put up to sale by public auction, at a price of 5s. per acre, or such higher rate as may be determined by the Government.

3rd. That with the exception of special cases, the reasons for which must be assigned, each lot so put up will consist of not less than one square mile, or 640 acres. If a section with water frontage does not contain this full quantity, the section behind it will be added to the lot.

4th. That the highest bidder must pay down a deposit of 10 per cent, at the time of sale, and the remainder of the purchase money within one month, under penalty of forfeiting both the land and deposit. In cases where the land is sold for any special purpose, sufficient security must also be given that such purpose will be carried into effect without delay.

5th. That all free persons may become purchasers without any limitation as to quantity.

RETIRED OFFICERS.

IV. Upon reference to section 2, of the Government Notice of 1st July, 1831 (C annexed), and the 10th and following paragraphs of the Government Order of 1st August, 1831, No. 22 (D annexed), it will be seen that retired and half-pay officers must apply in the same form as ordinary settlers (H annexed),

But instead of obtaining the remission money according to length of service only, as therein laid down, they will be allowed such remission according to the graduated scale mentioned in the Regulation of 15th August, 1834 (F annexed), which combines the advantages arising from rank and from length of service.

V. In order to obtain this remission, it is necessary—

1st. That they transmit to the Colonial Secretary, the written permission granted by the British Government, to go on half-pay, or retire from the service, for the purpose of settling in the Colony, and likewise shew, if not stated therein, the date of their first commission.

2d. That they enter into the usual bond for £500 (I annexed), that either they or their families will reside in this Colony for seven years.

3rd. That they obtain a certificate, signed by the Colonial Secretary, stating the amount which they will be allowed in re-mission of the purchase money.

VI. It will also be seen from the 8th paragraph of the Regulations of 15th August, 1834 (F annexed), that retired and half-pay Officers are allowed to acquire, on payment of the upset price, lands previously put up to sale, but not bought ; a list of which, as open to selection on 11th August, 1835, was published in the Government Notice of that date (K annexed).

VII. In order to this—

4th. Each Officer is permitted to obtain any one portion of such land, deducting his remission money, and paying for the surplus, if any, at the upset price, without competition ; and if such portion does not absorb the whole of his remission money, he is allowed in like manner to select a second portion.

5th. But it is to be clearly understood, that no second portion is to be allowed, if one of the two will absorb the whole of the remission money, and that both portions are to be selected at one and the same time.

6th. The selection is, in every case, to be notified to the Surveyor General in the prescribed form (H annexed) specifying the amount of remission money to which the Officer is entitled, as certified by the Colonial Secretary.

TOWN ALLOTMENTS.

VIII. Allotments in the several townships are to be applied for in the same form as land (H annexed), and to be put up to sale in the same manner, at the several prices mentioned in the list (K annexed).

IX. They will be sold, subject to the nominal quit-rent of a peppercorn, to the conditions of buildings according to a certain line, and as mentioned in the following paragraph), of erecting permanent buildings within two years, and under the reservation to the Crown of the right of constructing such drains and sewers as may be necessary, and of resuming possession of the land, with its appurtenances, if the stipulated buildings are not duly erected.

X. With the exception of the towns of Sydney, Parramatta, and Windsor, the purchaser will be required, under penalty of forfeiting the allotment and all payments made thereon, to execute a bond, (M annexed,) before the delivery of the Title Deed, engaging to erect a permanent building on each allotment of the value of £20, within two years, as mentioned in the Government Notice of 25th June, 1833 (G annexed).

LEASES.

XL All unappropriated Crown Lands, with the exception of such as may be expressly reserved for purchase, within the limits mentioned in paragraph I, may be rented for one year under the conditions pointed out by the 24th and following paragraphs of the Government Orders of 1st August, 1831, No. 22 (D annexed), and those now subjoined, viz :— 1st. The application is to be addressed to the Surveyor General, and the lease after being advertised for not less than one month, is to be put up to auction at a rent of twenty shillings for each section of one square mile, or 640 acres.

2nd. In general each lot will consist of 640 acres. But if a section, with water frontage, does not contain that full quantity, the section behind it will be added to the lot.

3rd. A clause will be inserted in the lease (N annexed), restraining the lessee from cutting cedar or other timber, except such of the latter only as may be required for fuel, or bona fide used in fencing the land rented.

4th. The Land will be still open to purchase, and in the event of its being sold, must be surrendered by the lessee upon one month's notice.

5th. If it be not sold, the lease will endure for one year, and at the end of that time will be put up to auction again, whether the occupant make application to that effect or not ; but if the land be not then re-let, it will be notified accordingly.

By Command of His Excellency

the Governor.

ALEXANDER M'LEAY.

(A.)

GOVERNMENT ORDER.

(No. 50.) Colonial Secretary's Office,

Sydney, 14th October, 1829. His Excellency the Governor directs it to be notified, with reference to the 5th paragraph of the Government Order of 5th September, 1826 (No. 35), that the Boundaries of the Colony, within which settlers will be permitted to select Land, have been fixed for the present as follows, viz :—

BOUNDARIES OF THE COLONY.

On the North.

The River Manning, from the sea-coast, westward, to the chain of mountains at the head of that river ; and that chain, ex-tending in a general direction nearly westward, from Mount Royal to a conical summit distant four and a half miles, north 46° west, from the burning hill at Wingan and continuing thence westward, by Ox-ley's Peak and Pandora's Pass, to where it is intersected by a line due north from the station at Wellington Valley, so as to include all streams, valleys, and ravines, which descend to the Rivers Goulburn and Hunter.

On the West.

The line above-mentioned to the station on the junction of the Rivers Bell and Macquarie, at Wellington Valley ; thence the Macquarie to the junction of the Currigurra Rivulet at the north-western angle of the county of Bathurst ; thence the western boundary of that county, as de-scribed below, and a line in continuation thereof bearing due south to the Pic of Pabral, a remarkable mountain of a conical form ; and thence the mountains of Warragong a lofty chain which extends first southward from Pabral, and then eastward.

On the South.

The chain of mountains extending from Mount Murray, the highest point of Warragong Chain, by the Twins, two remarkable pics in the latitude of Bateman Bay, named Tindery by the natives ; and thence an east line to the Shoalhaven River at the south-western angle of the county of St. Vincent, and that river and the river Murroo, according to the county boundary, as described below, to the sea-coast.

On the East.

The sea-coast from the mouth of the Murro to the mouth of the Manning.

Contents.

Thirty-four thousand five hundred and five, 34,505 square miles, or twenty-two million eighty-three thousand and two hundred, 22,083,200 acres.

COUNTIES.

II. His Excellency also directs it to be notified, that the following divisions have been adopted for counties to be established hereafter within the above boundaries.

It is to be understood, however, that the present notification is not intended as the publication directed by His Majesty's instructions, and necessary to the legal erection of counties, the arrangements not being sufficiently advanced for that purpose. But it has more particularly in view the convenience which it will afford to settlers in describing their selections, and to the Commissioners and Surveyor General's Department, in apportioning the Territory, and laying down the Requisite reserves for public purposes, viz :—

I. County of Cumberland.

Bounded on the north and west by the rivers Hawkesbury and Nepean. On the south-west and south by the Nepean, the Cataract River, and a line bearing east 20° south to Bulli on the sea-coast, which forms the eastern boundary.

2. County of Camden.

Bounded on the north by a line bearing west 20° north from Bulli on the sea-coast to the head of the Cataract River ; thence by that river and the Nepean to its junction with the Wolondilly, there called the Warragumba. On the west by the River Wolondilly to the junction of the Uringalla, commonly called Paddy's River ; and by the Uringalla and Barber's Creek, forming the boundary between Camden and Argyle, to the Shoalhaven River. On the south by the Shoalhaven River to the sea-coast, which forms the eastern boundary.

3. County of St. Vincent.

Bounded on the north and west by the Shoalhaven River. On the south by an east line of four miles from the Shoalhaven River to the Murroo, in the latitude of the mouth of that river ; and thence by that river to the sea-coast, which forms the eastern boundary.

4. County of Northumberland.

Bounded on the north by the River Hunter. On the west by Wollombi Brook to the junction of the Sugar Loaf Creek ; by that creek to its head in the range dividing the waters of the Hawkesbury from those of the Hunter ; by that range to the head of the Lower Branch of the Hawkesbury ; and by the said Lower Branch to its junction with that river. On the south by the Hawkesbury to the sea-coast which forms the eastern boundary.

5. County of Gloucester.

Bounded on the north by the River Manning. On the west by a line due south to the River Thalaba, and by the Williams' River to the sea-coast. On the south-east and east by the sea-coast.

6. County of Durham.

Bounded on the east by Williams' River and the Church Lands, adjoining the Australian Agricultural Company's Grant. On the north by the upper part of the River Manning, and the range of Mount Royal. On the west and south by the River Hunter, to the junction of Williams' River above-mentioned.

7. County of Hunter.

Bounded on the north by the River Hunter, the Goulburn, and a natural boundary, to be surveyed, between it and the County of Phillip. On the west by the dividing range which separates it from Roxburgh. On the south by the range which separates, it from the Counties of Cook and Northumberland. On the east by Wolombi Brook, to its junction with the Hunter.

8. County of Cook.

Bounded on the north-east by the Lower Branch of the Hawkesbury. On the north by the rock dividing range, extending east and west between the Rivers Hunter and Hawkesbury, and forming the southern boundary of the County of Hunter. On the west by the range dividing the waters to Honeysuckle Hill, and thence to where the Mount Blaxland Road crosses Cox's River. On the south-west by Cox's River. On the east by the Warragumba, Nepean, and Hawkesbury, to the junction of the Lower Branch as above-mentioned.

9. County of Westmoreland.

Bounded on the north-east by Cox's River, from its junction with the Wolondilly to the station on the road to Mount Blaxland. On the north by that road to the Fish River, and by that river to its junction with the River Campbell. On the west by the Campbell to its source ; and thence by a line of marked trees to Burra Burra Lagoon. On the south by the River Guinecor, from Burra Burra Lagoon to its junction with the Wolondilly. On the east by the Wolondilly to the junction of Cox's River above mentioned.

10. County of Argyle,

Bounded on the north by the River Guinecor, from its junction with the Wolondilly, to its source near Burra Burra Lagoon on the dividing range. On the west by the dividing range from Burra Burra, by Cullarin to Lake George, including the three Bredalbane Plains. On the south by the northern margin of Lake George to Kenny's Station ; from Lake George to the Alianoyonyiga Mountain, by a small gully descending to the lake ; from Alianoyonyiga, by the ridge extending south-east to the hill of Wolowolar, and from Wolowolar by Boro Creek, to the Shoalhaven River. On the east by the Shoalhaven River to the junction of the Rivulet from Barber's ; by the Rivulet from Barber's to its source ; across a narrow neck of land to the head of the Uringalla ; by the Uringalla to its junction with the Wolondilly ; and by the Wolondilly to the junction of the Guinecor above-mentioned.

11. County of Murray.

Bounded on the north-east by Boro Creek from its junction with the Shoalhaven River, to its source in the hill of Wolowolar ; by the range thence to Alianoyonyiga Mountain between Lake George and Lake Bathurst, and by a water-course descending from that mountain to Lake George ; by Lake George to the hollow in the bight near the middle of its western shore ; and thence by a natural line, to be surveyed, extending towards the Pic. of Pabral. On the west by the Mountains of Warragong. On the south by a range extending east-ward from Mount Murray by Tindery or the Twins, and a line east from these Pics to the Shoalhaven River ; on the east by the Shoalhaven River to the junction of Boro Creek above-mentioned.

12. County of King.

Bounded on the east by the county of Argyle, and the northern portion of the western shore of Lake George. On the south by the county of Murray, on the north and west by natural boundaries, to be surveyed.

13. County of Georgiana.

Bounded on the north by the county of Bathurst. On the west by a natural line to be surveyed. On the south by the county of King. On the east by the counties of Argyle and Westmoreland.

14. County of Bathurst.

Bounded on the north-east by the River Campbell from Pepper Creek and the River Macquarie to the Currigurra Rivulet. On the north-west by that rivulet, the Callalia Rivulet, and a line of marked trees to the Molong River. On the west by that river, and a range of hills, named Panuara Range, to the Panuara Rivulet ; and by the upper part of Limestone Creek from its junction with the Belubula. On the south by the road to Dunn's Plains, and by Pepper Creek to its junction with the River Campbell first-mentioned.

15. County of Roxburgh.

Bounded on the north-east by the dividing range from the head of the Capertee Rivulet, to that of the Cudjeong River ; and by the Cudjeong River to a point fifteen miles above its junction with Lawson's Creek. On the north-west by a line thence to the River Macquarie, at the northern angle of the county of Bathurst. On the south-west by the River Macquarie. On the south by the Fish River and the Mount Blaxland Road, to the crest of the range which separates the waters of the Fish River from those of Cox's River. On the east by that range to the, point over Capertee, as above-mentioned.

16. County of Phillip.

Bounded on the north by the River Goulburn. On the north-west by a natural line to be surveyed, across the range to Cudjeong River. On the south-west by the Cudjeong River to its source. On the south-east by the north western boundary of the county of Hunter.

17. County of Brisbane.

Bounded on the east by the River Hunter, and the western boundary of Durham. On the north by the great mountain range, the northern boundary of the country at pre-sent prescribed for location to settlers. On the west and south by the River Goulburn, which joins the Hunter near the south western angle of Durham.

18. County of Bligh.

Bounded on the north by a range of mountains extending from Pandora's Pass westward, and forming the present pre-scribed boundary of the Colony.* On the west by the western limit of the Colony. On the south-west by the Cudjeong Ri-

ver to Waldrar Creek ; and from Waldrar Creek by a north-east line across the Mountains, to the south-western angle of the county of Brisbane.

19. County of Wellington.

Bounded on the north-east by the River Cudjeegong. On the west by the present boundary of the Colony to the station at Wellington Valley. On the south-west by the River Macquarie to the Gurrigurra Rivulet. On the south-east by the boundary of Roxburgh.

* See Proclamation of 30th July, 1830, (.B) following.

By His Excellency's Command,

ALEXANDER M'LEAY.

(B.)

PROCLAMATION.

His Excellency Lieutenant-General Ralph Darling, Commanding His Majesty's Forces, Captain General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, &c. &c. &c.

WHEREAS by a Proclamation, dated the fifteenth day of August, One thousand eight hundred and twenty-six, the Governor, in virtue of the power in him vested, appointed Port Macquarie to be one of the places to which offenders convicted in New South Wales, and being under sentence or order of transportation, should be sent or trans-ported ; And whereas it is expedient that the said place of Port Macquarie should be no longer continued as a penal settlement, but that the same should be open for settlers and all free persons desirous of proceeding thither ; Now I, the Governor aforesaid, in exercise of the power and authority in me vested, do, by this my Proclamation, declare, that Port Macquarie is no longer considered as a penal settlement ; and that, from and after the fifteenth day of August next, all settlers and other free persons shall be at liberty to proceed thither in like man-ner as to any other part of the Colony.

GIVEN under my Hand and Seal, at Government House, Sydney, this Thirteenth day of July, One thousand eight hundred and thirty.

(L. S.) " RALPH DARLING." By Command of His Excellency the Governor,

ALEXANDER McLEAY.

(C.)

GOVERNMENT NOTICE.

Colonial Secretary's Office,

Sydney, 1st July, 1831.

LAND.

The following copies of the "terms upon which the Crown Lands will be disposed of in New South Wales and Van Diemen's Land," and of the Regulations which have been established with respect to the Officers of the Army obtaining land, in order to their settling in these Colonies, have been received from the Right Honorable the Secretary of State, and are published for general information, viz.

1.—It has been determined by His Majesty's Government that no land shall, in future, be disposed of in New South Wales or Van Diemen's Land, otherwise than by public sale ; and it has therefore been deemed expedient to prepare for the information of settlers, the following summary of the Rules which it has been thought fit to lay down for regulating the sales of land in those Colonies :—

(1.) A division of the whole Territory No. 194. November 14, 1834. into Counties, Hundreds, and Parishes, is in progress. When that division shall be completed, each parish will comprise an area of about twenty-five square miles.

(2.) All the lands in the Colony, not hitherto granted and not appropriated for public purposes, will be put up to sale. The price will, of course, depend upon the quality of the land, and its local situation ; but **no land will be sold below the rate of five shillings per acre.**

(3.) All persons proposing to purchase lands, not advertised for sale, must transmit a written application to the Governor, in a certain prescribed form, which will be delivered at the Surveyor-General's Office to all persons applying, on payment of the requisite fee of 2s. 6d.

(4.) Those persons who are desirous of purchasing, will be allowed to select, within certain defined limits, such portions of land as they may wish to acquire in that manner. These portions of land will be advertised for sale for three calendar months, and will then be sold to the highest bidder, provided that such bidding shall at least amount to the price fixed by Article (2).

(5.) A deposit of 10 per cent, upon the whole value of the purchase must be paid down at the time of sale, and the remainder must be paid within one calendar month from the day of sale, previous to which the purchaser will not be put in possession of the land ; and in case of payment not being made within the prescribed period, the sale will be considered void and the deposit forfeited.

(6.) On payment of the money, a grant will be made in fee simple to the purchaser, at the nominal quit-rent of a peppercorn. Previous to the delivery of such a grant, a fee of forty shillings will be payable to the Colonial Secretary for preparing the grant, and another fee of five shillings to the Registrar of the Supreme Court for enrolling it.

(7.) The land will generally be put up to sale in lots of one square mile, or 640 acres ; but smaller lots than 640 acres may, under particular circumstances, be purchased, on making application to the Governor in writing, with full explanations of the reasons for which the parties wish to purchase a smaller quantity.

(8.) The Crown reserves to itself all lands within one hundred feet of high water mark on the Sea Coast, Creeks, Harbours, and Inlets, all Mines of Gold, Silver, and Coals, the right of constructing all Roads and Bridges which may be necessary for public purposes, and the right of taking and removing such Stone, indigenous Timber, and other Material, the produce of the Land, as may be required at any time for the construction and repair of Roads and Bridges, for Naval purposes, and for other Public Works.

2.—His Majesty's Government having deemed it expedient to substitute new Regulations for those at present in force respecting the system of granting land in the Australian Colonies, and according to which no land will in future be disposed of otherwise than by public sale, it has become necessary to make a corresponding change in the arrangements which have hitherto been in force, with respect to military settlers, and which have been published to the Army in the General Orders, dated June 8, 1826 ; May 16, 1827 ; and August 24, 1827.

His Majesty has accordingly been graciously pleased to declare that all the advantages held out to the Officers of the Army, under those Orders, as far as relates to the sale of commissions, shall continue and remain in force ; and with a view that each individual Officer may derive the same benefit with respect to an allotment of land, as has been held out in those Orders respectively, His Majesty has been pleased to command that the following arrangement shall be promulgated for the information of those Officers who may be disposed to become settlers in New South Wales and Van Diemen's Land, in substitution for those contained in the General Orders above alluded to.

The Officers of the Army wishing to become settlers, shall, like all other individuals, procure land only by purchase at the public sales, but they shall be entitled to have a remission of the purchase money to the following amount ; provided that they shall produce, from the General Commanding-in-Chief, satisfactory testimonials of good conduct, and of unexceptionable character.

Officers who have served twenty years and upwards, shall have a remission of £300.

Officers who have served fifteen years and upwards, £250.

Officers who have served ten years and upwards, £200.

Officers who have served seven years, and less than ten, £150.

Each individual Officer who may obtain this remission, will be required to give security that he or his family shall reside at least seven years in the settlement ; and he will be require to provide for his own passage to the Colony, and for that of his family. By Command of His Excellency the Governor, ALEXANDER M'LEAY.

(D.) Colonial Secretary's Office Sydney, 1st August, 1831.

No. 22.) LAND REGULATIONS.

His Excellency the Governor directs it to be notified, that all Crown Lands will in future be disposed of only according to the Regulations published in the Government Notice of the 1st of last month ; and that the following course of proceeding will be observed in carrying the same into effect :

SALE.

1. As soon as the necessary arrangements have been completed, with respect to the survey of a parish, notice will be published in the Gazette, that a chart thereof will be exhibited in the Surveyor General's Office for public information, shewing its boundaries, the public reserves, the lands already appropriated, and those remaining for sale ; the latter being divided by lines into sections of one square mile, or six hundred and forty acres, as nearly as practicable, and such section distinguished by a numerical mark ; together with a schedule pointing out and describing the natural and artificial marks corresponding with the division lines of every such section.

2. Notice will, at the same time, be given in the Gazette that such lands, after the expiration of three months, will become disposable.

3. All offers and transactions of every kind relative to such disposable lands must be effected with reference to the before-mentioned public charts and schedules.

4. If any person shall be desirous of purchasing lands, so notified as disposable, it will be necessary to make application through the Surveyor General, in a printed form, copies of which may be obtained on application at his Office, on payment of a fee of 2s. 6d. for each.

5. If the spot applied for should contain less than six hundred and forty acres, the reasons for the applicant's wishing to obtain it, must be fully explained ; as it is not intended to dispose of land in smaller quantities, unless upon special grounds.

6. All lands, for the purchase of which application shall be made, will be advertised for one month, and will then be sold by public auction to the highest bidder, in lots of one section, or six hundred and forty acres, as nearly as practicable, provided that the price offered shall at least amount to the sum of five shillings per acre.

7. But before the bidding is accepted, the party will be required to pay down a deposit of 10 per cent, on the amount of the purchase money, and to sign an engagement to pay the balance within one calendar month, under penalty of forfeiting the deposit.

8. If payment be not made within the prescribed period, the deposit will be forfeited accordingly, and the land will again be open to the selection of the public.

9. But if the purchase be completed within the period stipulated, the purchaser will be put in immediate possession of the land, and no time will be lost in preparing the title deeds ; previous to the delivery of which, a fee of forty shillings will be payable to the Colonial Secretary for preparing the same, and another fee of five shillings to the Registrar of the Supreme Court for enrolling them.

10. In ordinary cases the land must be surveyed and notified as above-mentioned. But if any person shall be desirous of purchasing Crown Lands, situated within the limits prescribed for selection, and not before notified as disposable, he will make application in the same manner as is directed in paragraph 4, taking care to describe the situations and boundaries accurately, so as to prevent mistake.

11. If unobjectionable, the land thus applied for, will be immediately advertised for sale, and after three months will be sold, subject to all risks arising from any inaccuracy in the description. In all other respects the mode of proceeding will be exactly the same as is detailed above regarding lands previously advertised as disposable.

12. All lands disposed of under these Regulations, will be held in free and common socage, subject to the nominal quit-rent of a peppercorn.

13. The Crown will reserve to itself the right of making and constructing such roads and bridges as may be necessary for public purposes in all lands purchased as above ; and also to such indigenous timber, stone, or other materials, the produce of the land, as may be required for making and keeping the said roads and bridges in repair, and for any other public purposes.

The Crown will further reserve to itself all mines of coals and of precious metals.

14. No land within one hundred feet of high water mark on, the sea-coast, harbours, bays, or inlets, is to be considered open to purchase, unless for the purposes of commerce or navigation.

15. All free persons will be eligible as purchasers of land without any limitation as to quality.

RETIRED OFFICERS.*

16. The same advantages will be extended to Officers of His Majesty's Navy and Marines retiring from the service, or going on half-pay, as are held out to Military Officers by the regulations for the disposal of land, published in the Government Notice of the 1st July last, viz :—

17. All Officers desirous of becoming settlers, shall, like other individuals, procure land only by purchase, at the public sales ; but they will be entitled to a remission of the purchase money according to the respective periods of their service, as follows :—

Those who have served Twenty years and upwards £300 Fifteen years and upwards 250 Ten years and upwards 200 Seven years and upwards 150

18. Officers who have not served seven years will have no claim to any advantages under this Regulation ; nor will any Officer be entitled thereto, unless, if Military, he shall produce the written permission of the General Commanding-in-Chief, or the Commander of the Forces in India, to go on half-pay, or to retire from the service, for the purpose of settling in the Colony ; or if of the Navy or Marines, a similar permission from the Lords' Commissioners of the Admiralty.

* See Government Notice of 16th February, 1835, (F annexed).

19. All Officers desirous of availing themselves of these Regulations must enter into a bond for £500, that either they, or their families, will reside in the Colony for seven years.

20. They will be required to apply for the land they wish to purchase in the form prescribed by the fourth paragraph of this Order.

21. To prevent the inconvenience, at the time of sale, of advancing the prescribed deposit of 10 per cent., a certificate must be produced, signed by the Colonial Secretary, stating the sum they will be allowed in remission of the purchase money.

22. The other modes of procedure will be the same in all respects as those detailed above in the case of ordinary purchasers.

DISCHARGED SOLDIERS.†

23. Non-commissioned Officers and Pri-vates, discharged from the service for the purpose if settling in the Colony, will be allowed Free Grants to the following extent, viz.

Acres.

Serjeants 200 Corporals and Private Soldiers 100

LEASES.

24. All Crown Lands within the pre-scribed limits will, if applied for, be let by Auction, in lots of one square mile, or six hundred and forty acres each, as nearly as practicable.

25. Persons desirous of renting such lands will address themselves to the Surveyor-General, taking care to describe accurately the situation of each section ap-plied for.

26. The lands so applied for will be advertised for one month, and the lease of each lot for one year, will then be put up to Public Auction.

27. No lot consisting of less than one square mile, or six hundred and forty acres, will be let, except in special cases, which may render expedient a departure from this rule.

28. Each lot will be put up at a rent of twenty shillings a year, and the highest bidding (not less than that sum) will be accepted.

29. It is to be distinctly understood that the lands so let will be open for purchase ; and, in the event of their being sold, must be surrendered by the lessee upon one months' notice.

30. At the expiration of the year, the lease of each lot will be again put up to Auction for the year ensuing. By Command of His Excellency the Governor.

ALEXANDER M'LEAY.

† This Rule has been since rescinded, and no allowance is now made to Discharged Soldiers.

(E.)

Colonial Secretary's Office,

Sydney, 19th January, 1835.

LAND.

The Governor having taken into consideration the great expense and inconvenience to which newly arrived Emigrants are sometimes subjected, by the operation of that part of the Land Regulations of August, 1831, which requires that no Land unless previously notified as disposable, shall be put up to sale until it shall have been advertised for three calendar months, His Excellency with the advice of the Executive Council is pleased to order, that in future such Land as shall be selected by any person within three months after his arrival in the Colony, shall be put up to sale immediately after the same shall have been advertised for one calendar month, provided such Land shall have been surveyed and measured, and descriptions for the Deed of Grant furnished, on or before the day of sale.

By His Excellency's Command,

ALEXANDER M'LEAY.

(F.)

Colonial Secretary's Office,

Sydney, 16th February, 1835.

RETIRED OFFICERS.

His Excellency the Governor has been pleased to command that the following Notice, issued from the Office of the Secretary of State on the 15th August, 1834, for the use of Officers proposing to settle in the British Colonies, and having reference to the Regulations for the Disposal of Land already in force in this Country, shall be re-published here, for the information of all Persons interested.

By His Excellency's Command,

ALEXANDER M'LEAY.

(COPY.)

Information for the use of Military and Naval Officers proposing to Settle in the British Colonies, Colonial Office, 15th August, 1834

1. Annexed is a statement of the Regulations, according to which, with such modifications as local circumstances may render necessary, Lands belonging to the Crown are disposed of in the several British Colonies in North America, as well as a statement of the Regulations in force in the Australian Colonies.

2. Under these Regulations, Military and Naval Officers cannot receive Free Grants of Land ; but, in buying Land, they are allowed a remission of the purchase money, according to the undermentioned scale :—

Field Officers of twenty-five years' service and upwards, in the whole, £300.

Field Officers of twenty years' service and upwards, in the whole, £250.

Field Officers of fifteen or less years' service, in the whole, £200.

Captains of twenty years' service and upwards, in the whole, £200.

Captains of fifteen years' service or less, in the whole, £150.

Subalterns of twenty years' service and upwards, in the whole, £150.

Subalterns of seven years' service, or less, in the whole, £100.

Regimental Staff Officers and Medical Officers of the Army and Navy will be deemed to come within the benefit of this Rule.

3. Officers of the Army or Navy who propose to proceed to the Colonies, in order to take advantage of this indulgence, should provide themselves with Certificates from the Office of the General Commanding-in-Chief, or of the Lords Commissioners of the Admiralty, shewing 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.

4. Officers on half-pay, residing in the Colony where they propose to settle, may be admitted to the privileges of Military and Naval Settlers, without referring to this Country for testimonials, provided they can satisfy the Governor that there is no objection to their being allowed the indulgence, and that their return of rank and length of service is accurate ; and provided, if they belong to the Navy, that they produce their letter of leave of absence from the Admiralty.

5. Military Chaplains, Commissariat Officers, and Officers of any of the Civil Departments connected with the Army, cannot be allowed any privileges on the subject of Land. Pursers, Chaplains, Midshipmen, Warrant Officers of every description, and Officers of the Civil Departments connected with the Navy, must also be considered as not qualified for those privileges.

Although numbers of these classes may have been admitted formerly, and under a different state of circumstances, they must now be excluded.

6. Gentlemen who have ceased to belong to His Majesty's Service, cannot be allowed the advantages to which they were entitled, while in the Army or Navy. It is

not, however, proposed to affect by this rule 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 General Commanding-in-Chief, or from the Lords Commissioners of the Admiralty, that they do so with a view of emigrating ; and such certificate, if produced to the Governor of any Colony, within one year from its date, but not otherwise, will be a sufficient warrant for allowing the bearer the same advantages as Officers still in His Majesty's Service.

Officers who have sold out within the last twelve months, preceding the date of this memorandum, will be allowed the usual privileges, notwithstanding their want of the certificate required by these Regulations, if they present themselves to the Governor of the Colony within a year from the present date ; and all Officers who have already been recommended by the General Commanding-in-Chief will be entitled to their privileges, without regard to any obstruction which might otherwise be offered by the Regulations now established.

7. Officers cannot be allowed advantages in the acquisition of Land in any Colony, unless it be their intention to fix their residence in that Colony. In order to ensure the observance of this rule, it has been determined that the Titles to Lands, obtained by Officers who take advantage of the peculiar Regulations existing in their favour, shall be withholden for a period sufficient to prove that they have not repaired to the Colony for the mere purpose of gaining possession of a portion of land and then departing.

Two years is the period for which it has been decided that the Titles shall be kept back : this delay will be sufficient for the salutary object in view, and will not constitute any serious inconvenience to the bona fide Settler.

8. By the annexed Regulations for the disposal of Crown Lands, it will be observed that the General Sales will take place periodically ; but in order to prevent inconvenience to Officers who may arrive in the intervals between those Sales, and be desirous at once to obtain an allotment, the Governors of the Colonies are authorised to allow Officers to acquire, at any time, on payment of the upset price, Lands which have previously been offered for sale at some General Sale and not been bought.

Officers will thus be relieved from delay at the time of establishing themselves in the Colony. They will also be enabled by this arrangement, which will permit them to obtain their Land at a fixed price, to choose such a quantity as shall be exactly equivalent to the amount of the remission to which they are entitled, instead of being liable to be called upon to pay a balance, which must be the case if they bid for Lands at a Sale by Auction.

9. There be little or no Crown Land available in Prince Edward's Island, Officers cannot be offered any privileges in the acquisition of Land in that Colony. In Cape Breton, an Island in which the natural inducements for settlement of Officers are not very considerable, it is necessary, from local circumstances, that there should not be a remission of purchase money as in other Colonies ; to such Officers as may wish to settle in this Island, Allotments of Land will be granted on the same scale and conditions as before the general introduction of the system of selling the Crown Lands, viz.—

To a Lieutenant-Colonel ..1,200 acres.

— Major 1,000 ditto

— Captain 800 ditto — Subaltern 500 ditto.

(G.)

Colonial Secretary's Office,

Sydney, June 25, 1833.

TOWN ALLOTMENTS.

The Governor in Council having taken into consideration the inconvenience which is likely to result if the portions of Crown Lands laid out for Townships in remote parts of the Colony, should pass by purchase into the hands of a few wealthy persons instead of being at once occupied by Mechanics, Tradesmen, and Labourers, is pleased to notify, that from this date, purchasers of allotments in the several towns in the Colony—Sydney, Parramatta, and Windsor only excepted, will be re-quired before they receive a Deed of Grant, to enter into a bond to erect a permanent Building, of the value of Twenty Pounds at the least, on each allotment, within the period of two years.

By His Excellency's Command,

ALEXANDER M'LEAY.

(H.)

Application of * of † 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 at the minimum price

determined by the Government, agreeably to the regulations of the 1st of August, 1831, and 1st November, 1833, viz.—

I am Free, and arrived in the Colony by the ship from in the month of 183 .

I have the honor to be,

Sir,

Your obedient humble servant, To the Surveyor General.

(I.)

Retired Officers' Residence Bond.

Know all men by these presents, that I

late but now

of in the Colony of New South Wales, am held and firmly bound unto Our Sovereign Lord the King, in the Sum of Five Hundred Pounds, of good and lawful money of Great Britain, to be, paid to His Majesty, His Heirs and Successors, for which payment to be well and truly made, I bind myself, my heirs, and executors, and ad-

* Write Christian and Surnames legibly, and at full length.

† State accurately the usual place of Residence, that the reply may be duly forwarded.

‡ Describe exactly the particular spot alluded to.

Note.—When the application is for a less quantity than a Section in any District not appropriated for small farms, the reasons for so applying are to be stated ; and it is understood that security is to be given to carry into effect, in a stated time, the improvements or buildings con-templated.

ministrators, firmly by these presents. Sealed with my seal, this day of in the year of our Lord one thousand eight hundred and

Whereas the above bounden

having requested permission to purchase land in the Colony of New South Wales, and having received the sanction of His Excellency the Governor for the remission

of a certain portion of the purchase-money thereof, to the extent of pounds sterling, doth hereby undertake, that either himself or his family will reside within the said Colony for the full space of seven years, from the date of the authority to take possession of the said land, without being absent therefrom, at any one time, for a longer period than one calendar month ; Now the condition of the above obligation is such, that if the above bounden shall well and faithfully fulfil, and conform to every thing as above required, then this obligation to be null and void ; otherwise to be and re-main in full force, virtue, and effect.

L. S.

Signed, sealed, and delivered, } in the presence of } (K.)

Colonial Secretary's Office,

Sydney, 11th August, 1835.

LAND.

His Excellency the Governor has been pleased to direct that the following Return of the Crown Lands put up to sale from time to time, and not bid for, shall be made public for the information of Officers entitled to obtain such Lands without Sale, under the Regulations, dated 15th August, 1834, and published in this Colony on 16th February, 1835, and of all other persons interested. By His Excellency's Command,

ALEXANDER M'LEAY.

(L.)

List of all Townships open for Sale, and Minimum Prices per Acre. £ s. d.

Appin 5 0 0 Balgowlah 10 0 0 Bathurst 2 0 0 Berrima 2 0 0 Bungonia 2 0 0
Campbelltown 20 0 0 Castlereagh 20 0 0 Clarence Town 2 0 0 Double Bay 40 0 0
Emu 5 0 0 Goulburn 2 0 0 Liverpool 20 0 0 Macquarie 2 0 0 Maitland 7 0 0
Marulan 2 0 0 Murrumbula 2 0 0 Musclebrook 2 0 0 Narellan 20 0 0 £ s. d.
Newcastle 5 0 0 Parramatta 20 0 0 Patterson 2 0 0 Pitt Town 20 0 0 Richmond 20 0
0 Sutton Forest 2 0 0 Watson's Bay 20 0 0 Wilberforce 20 0 0 Windsor 20 0 0
Wolombie 2 0 0 Wollongong 2 0 0 (M.)

Bond to erect Buildings.

KNOW ALL MEN BY THESE PRESENTS, THAT I am held and firmly bound unto His Most Excellent Majesty King WILLIAM THE FOURTH, in the Sum of Twenty Pounds of Sterling Money of Great Britain, to be paid to His said Majesty, His Heirs and Successors, for which Payment to be well and truly made, I bind

myself, my Heirs, Executors, and Administrators, firmly by these Presents, sealed with my seal, this day of in the Year of Our Lord One thousand eight hundred and thirty

WHEREAS at a Public Sale by Auction, held on the day of the above bounden purchased a certain Allotment of Land, situate and being in the County of and Town of being Allotment of Section subject to the Condition (amongst others) that the said his Heirs or Assigns, should build upon the said Land a Dwelling-House, Store, or other permanent Building, of not less value than Twenty Pounds in conformity with the Conditions of Sale subscribed by him the said on becoming the Purchaser of the said Land.

Now the Condition of the above written Obligation is such, that if the above bounden his Heirs or Assigns, do, and shall, well and truly, within Two Years from the date hereof, make, erect, or cause to be erected upon the said Land, a Dwelling-House, Store, or other permanent Building, of not less value than Twenty Pounds, and in strict conformity with the Conditions of Sale subscribed by the said on becoming the Purchaser of the said Land as aforesaid, then this Obligation to be void, otherwise to be, and re-main in full Force and Virtue.

Signed, Sealed, and Delivered, } in the Presence of } (N.) Yearly Lease.

THIS INDENTURE made the day of in the year of Our Lord One thousand eight hundred and thirty- , between William Macpherson, of Sydney, in the Colony of New South Wales, Esquire, Collector of the Internal Revenue of the said Colony, acting- for and on behalf of His Majesty the King, of the one part and of the other part: Whereas, the said William Macpherson, in pursuance of the power and authority in him vested as such Collector of Internal Revenue, did on the day of last, put up for Sale, by Auction, at the Police-office, in Sydney, under certain covenants, provisoes, and agreements hereinafter reserved and contained, Leases of sundry Lands, among which a Lease for the term of twelve Calendar months, from the first day of in the year of Our Lord One thousand eight hundred and thirty-, of the undermentioned piece or parcel of Land was so put up by Auction, when having attended and offered, or bid, for a Lease, for twelve calendar months, from t he first day of aforesaid, of the be the same more or less, herein-after described, the Rent or Sum of Sterling Money of Great Britain, payable, and to be paid at the expiration of the said term of twelve calendar months ; whereupon the said was declared the highest bidder, and purchaser of the said Lease ; Now know ye, That This Indenture Witnesseth, That in consideration of the Rent hereinafter by these Presents re-served, and of the covenants, clauses, and agreements hereinafter contained, on the part and on behalf of the said His Executors, Administrators, and Assigns, to be observed and performed, the said William Macpherson, for and on behalf of His said Majesty, hath demised, leased, and to farm let, and by these Presents doth demise, lease, and to farm let, all that piece or parcel of Land, situate in the County of and Parish of containing by estimation

of thereabouts, TO HAVE and TO HOLD the said piece or parcel of Land with the ap-purtenances thereunto belonging unto the said His Executors, Administrators, and Assigns, for the term of twelve calendar months, to be computed from the first day of determinable nevertheless as hereinafter mentioned ; he, the said His Executors, Administrators, and As-signs, YIELDING and PAYING, therefore, at the expiration of the said term of twelve calendar months unto the said William Macpherson, as such Collector of Internal Revenue as aforesaid, at his Office, in Sydney, or to the Collector of the Internal Revenue of the said Colony, for the time-being, for, and on behalf of His said Majesty, the yearly Rent or Sum of of lawful Money of Great Britain, if this demise shall subsist and continue during the whole period of twelve months aforesaid ; or a proportionate part thereof, at, and after that yearly rate, for the period during which the same may subsist, and continue, if this demise shall be sooner determined as hereinafter mentioned, without any deduction or abatement thereout whatsoever, to be paid at the expiration or earlier determination as herein-after mentioned of this demise, and the said doth hereby for himself, His Executors, Administrators, and Assigns covenant, promise, and agree to, and with the said William Macpherson, as such Collector of Internal Revenue, acting for and on be-half of His said Majesty as aforesaid, in manner following ; that is to say, That he, the said His Executors, Administrators, or Assigns, do, and shall well and truly pay, or cause to be paid, unto the said William Macpherson, as such Collector of Internal Revenue as aforesaid, or the Collector of Internal Revenue of the said Colony, for the time-being, the said Rent hereby reserved on the day, at the time, and in the manner hereinbefore appointed for payment thereof :

And further, That he, the said His Executors, Administrators, and Assigns, shall, and will, at the expiration, or other sooner determination as hereinafter mentioned, of the said term hereby demised, peaceably and quietly leave, surrender, and yield up, the said piece or parcel of Land, unto the said William Macpherson, as such Col-lector of Internal Revenue, acting for, and on behalf of His said Majesty as aforesaid, or to the Collector of the Internal Revenue of the said Colony, for the time-being, together with all such houses, erections, buildings, walls, fences, and ap-purtenances as now are, or which at the expiration or sooner determination of this demise, may be thereon : Provided always, nevertheless, that it shall and may be lawful for the said William Macpherson, as such Collector of Internal Revenue as aforesaid, or for the Collector of the Internal Revenue for the time-being, to determine and make void this lease or demise at the expiration of any one calendar month, of the twelve months of the term hereby granted, on causing a notice, or warning, in writing, for that purpose and to that effect, to be given to, or left for, the said His Executors, Administrators, or Assigns, at his, or their usual or last known place of abode, one calendar month at least before the time limited for determining the same as aforesaid, anything herein contained to the contrary thereof in any wise notwith-standing : And provided always further,

That if the said His Executors, Administrators, or Assigns, shall not, at the expiration or sooner de-termination aforesaid of this demise, peace-ably and quietly leave, surrender, and yield up, the said piece or parcel of Land, with the appurtenances thereunto belonging, THEN IT SHALL and may be lawful for the said William Macpherson, as such Collector of Internal Revenue, acting for and on behalf of His Majesty as aforesaid, or for the Collector of Internal Revenue, for the time-being, to RE-ENTER in, and upon, the said hereby demised piece or parcel of Land, with the appurtenances thereof, or any part thereof, in the name of the whole, and the same to have again, re-possess, and enjoy, as if his Lease had never been made, and the said His Executors, Administrators, and Assigns, and all other Tenants and Occupiers of the said Land, and all its appurtenances thereout and therefrom utterly to eject and remove : And the said doth

hereby for himself, His Executors, Administrators, and Assigns, covenant promise, and agree to, and with the said William Macpherson, as such Collector of Internal Revenue as aforesaid, and to, and with his Successor or Successors for the time-being, Collector, or Collectors of the Internal Revenue of the said Colony, that he, the said His Executors, Administrators, or Assigns, shall nor will, at any time, or times during the continuance of the said demise, or for, or during such term as he, the said His Executors, Administrators, or Assigns, shall, or will, continue, or remain in the pos-session of the said Lands, and premises, either as yearly Tenant, or Tenant at Sufferance, or at Will, cut down, root up, destroy, or injure any of the Timber, or other Trees growing, standing, or being upon the said Lands hereby demised, or any part thereof, without the permission in writing, of the said William Macpherson, or the Collector, or Collectors of the Internal Revenue of the said Colony, for the time-being, for that purpose being first had and obtained, the small wood (commonly called fire bote, necessary for consumption in the Dwelling-house of the said and such Timber Trees, not being Cedar Trees, as may be absolutely necessary for, and used for, fencing the Lands so demised, always excepted,

IN WITNESS thereof the said Parties have hereunto set their Hands and Seals, the Day and Year first above written.

Signed, Sealed, and Delivered, }

in the Presence of }

Collector of Internal Revenue.

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