

Our United Kingdom, bearing date the 23rd day of December 1846, provision was made respecting the settlement of the waste lands of the Crown in the two provinces of the colony of New Zealand, and therein respecting the sales of the said lands, and respecting the reservation thereon of certain rents and royalties; and whereas the 31st clause of the said chapter is in the words following; that is to say:

"A separate account shall be kept by the Treasurer of each of the said provinces of the gross proceeds of the said land sales, rents, and royalties, and of all the costs, charges, and expenses of and incident in any way to the sale, survey, administration, and management of the said demesne of Us, in right of Our Crown; and after deducting from such gross proceeds all such costs, charges, and expenses, the net balance shall be by Us held in trust for defraying the cost of introducing into the said respective provinces emigrants from the United Kingdom, or in trust for defraying the costs of such other public services therein as by Us shall from time to time be prescribed by Instructions to be issued in pursuance of the said Act of Parliament, under Our Signet and Sign Manual, with the advice of Our Privy Council."

And whereas by the said letters patent, we did reserve to ourselves, our heirs, and successors, full power and authority to amend, and for that purpose to add to, or, if necessary, repeal the said instructions; and whereas it is expedient that the hereinbefore recited clause of the said instructions should be amended:

We do, therefore, declare by these our instructions, given under Our Signet and Sign Manual, and approved in Our Privy Council, that so much of the said recited clause as prescribes the mode of expending the net balance therein referred to, shall be, and the same is hereby repealed, and that the said net balance shall be by Us held in trust for defraying the cost of introducing into the said colony emigrants from the United Kingdom, or in trust for defraying the costs of such other public services, in respect of the said colony, as shall be from time to time prescribed by, or in pursuance of, any Instructions issued by Us under Our Signet and Sign Manual, and approved by Our Privy Council:

And whereas by virtue of certain proclamations issued, or to be issued, within the colony of New Zealand, certain parts of the said colony have been, or may hereafter be, divided into hundreds:

And whereas it may be expedient that part of the proceeds arising from the sale of Crown Lands, within the said hundreds, should be applied in such manner as may be specified by the wardens or other proper authorities thereof:

We do hereby further declare, that it shall be competent for the Governor, or officer administering the Government of the said colony, to authorize the application of any proportion, not exceeding one-third, of the gross proceeds of the sales of Crown Lands, effected within the limits of any such hundred, towards such purposes as shall be signified to him by the wardens of such hundred, or by such other authorities thereof as shall be designated for that purpose by any Ordinance to be passed by the Legislature of the said colony, subject nevertheless to such restrictions and regulations as shall be imposed by such Ordinance.

Whereas by our Instructions under Our Signet and Sign Manual, accompanying Our Letters Patent under the Great Seal of Our United Kingdom, bearing date the 23rd day of December, 1846, We

did, among other things, make certain rules and regulations respecting the settlement of the waste lands of the Crown, which are comprized in the 13th chapter of the said Instructions:

And whereas by an Act of Parliament passed in the 11th year of Our reign, entitled "An Act to promote colonization in New Zealand, and to authorize a loan to the New Zealand Company," it was, amongst other things, enacted, "That the several provisions relating to the settlement of the waste lands of the Crown, contained in the 13th chapter of the said Instructions under Her Majesty's Sign Manual and Signet, except such as relate to the registration of titles to land, the means of ascertaining the demesne lands of the Crown, the claims of the aboriginal inhabitants to land, and the restrictions on the conveyance of lands belonging to any of the aboriginal natives, unless to Her Majesty, Her heirs and successors, shall be suspended, and of no force and effect within the province of New Munster, in the said colony of New Zealand; until the 5th day of July, in the year one thousand eight hundred and fifty, and during such further time as shall be directed by Parliament:"

And whereas Parliament has made no such further direction as aforesaid, and the said recited Instructions are therefore now in force in the province of New Munster:

And whereas it is by the said Act further provided "that if the Directors of the said Company shall give notice to one of Her Majesty's Principal Secretaries of State, within three calendar months next after the said 5th day of April one thousand eight hundred and fifty, by any instrument under the seal of the Company, that they are ready to surrender the charters of the said Company to Her Majesty, and all claim and title to the lands granted or awarded to them in the said colony, all the powers and privileges of the said Company, except such as shall be necessary for enabling the directors to receive the several sums of money hereinafter mentioned, and to distribute the same among the shareholders and other persons entitled thereunto, and for enabling the directors to adjust and close the affairs of the Company, shall cease and determine, and all the lands, tenements, and hereditaments of the said Company in the said colony shall thereupon revert to and become vested in Her Majesty as part of the demesne lands of the Crown in New Zealand, subject nevertheless to any contracts which shall be then subsisting in regard to any of the said lands:"

And whereas the Directors of the New Zealand Company did, on the 5th day of July last past, give to the Right Honourable Earl Grey, Our Principal Secretary of State for the Colonies, such notice as aforesaid, in pursuance of the above-recited provision; and whereas, on the giving of such notice as aforesaid, all the lands, tenements, and hereditaments of the said Company, in New Zealand, reverted to and became vested in Us, as part of the demesne lands of the Crown in New Zealand, subject nevertheless, as aforesaid, to any contracts which were then subsisting in regard to any of the said lands:

And whereas certain contracts have been entered into between the New Zealand Company and certain bodies of settlers and others, in regard to lands in New Munster aforesaid, namely, with the settlers at Wellington, Nelson, and New Plymouth, and the Associations of Otago and Canterbury:

And whereas it is apprehended that the provisions contained in the 13th Chapter of the said