

Terms upon which
Land is granted to
Settlers in New South
Wales from Diemen's
Land. —

2414/R23

Colonial Office,
Downing Street, London -
24. October 1826

Sir, I am directed by Earl Bathurst to acquaint you, in reply to your letter of the 14th instant that the printed Memorandum which I enclose, will explain to you the Conditions upon which Persons are permitted to hold Lands at New-South Wales, and Van Diemen's Land, and if under such circumstances you should think it advisable to proceed to either of those Settlements, with a view to Agricultural objects, the Governor will, on your making the necessary application to him for that purpose, and provided he shall be satisfied of your

Mr. G. J. Crouch

possessing

possessing sufficient Capital to
enable you to fulfil those Conditions,
make to you a Grant of Land
accordingly. —

I am directed further to
acquaint you, that the general
Instructions with which the
Governor has been furnished,
will render it unnecessary for you,
on your proceeding to the Colony,
to be provided with any other
letter from the Colonial Department,
than this.

I am

Sir,

Your most obedient Servant,

Albany

Terms upon which Land is granted to Settlers in New South Wales & Van Diemen's Land.

For the information of persons proceeding to New South Wales and Van Diemen's Land, as Settlers, it has been deemed expedient to prepare the following Summary of the Rules which His Majesty's Government have thought fit to lay down for regulating the Grants of Land in those Colonies. —

1. A division of the whole territory into Counties, Hundreds, and Parishes is in progress. — When that division shall be completed, each Parish will comprize an Area of about 25 Miles. — A valuation will be made of the Lands throughout the Colony, and an average price will be struck for each Parish. —

2. All the Lands in the Colony not hitherto granted, and not appropriated for public purposes, will be put up to sale at the average price thus fixed. —

3. All persons proposing to purchase Lands must transmit a written application to the Governor in a certain prescribed

form

form, which will be delivered at the Surveyor General's Office to all parties applying, on payment of a fee of two shillings and sixpence. —

4. All correspondence with the local Government respecting Grants of Land, must take place through the same Office. —

5. A deposit of 10p. Cent upon the whole value of the purchase to be paid down, the remainder to be paid half yearly by promissory Notes, payable at such Intervals of time, and under such Regulations as may be agreed on by the Governor.

6. On payment of the Money, a Grant will be made in fee simple to the purchaser, at the nominal Quit Rent of a pepper corn. —

7. The largest quantity of Land which will be sold to any Individual is 9,600 Acres. —

The Lands will generally be put up to sale in Lots of 3 Square Miles, or 1920 Acres. —

Persons wishing to make more extensive purchases, must apply to the Secretary of State in writing, with full explanations of their object and means. —

8. Any purchaser, who within ten years after his purchase, shall by the

employment and maintenance of Convicts, have relieved the public from a charge equal to ten times the amount of the purchase money, will have the purchase money returned, but without interest. It will be computed that for each Convict employed, and wholly maintained by the purchaser for twelve months, £10. have been saved to the public.

9. Lands may also be obtained without immediate purchase, but upon different conditions.

10. Persons desirous to become Grantees without immediate purchase, will make their application to the Governor in writing in a prescribed form, Copies of which are to be obtained at the Surveyor General's Office, on payment of two Shillings Sixpence.

11. The largest Grant that will be made to any fresh Settler without purchase, is 2,560 Acres — The smallest 320 Acres. —

12. No Grant is to be made to any person without immediate purchase, unless the Governor is satisfied that the Grantee has the power of expending in the cultivation of the Lands, a Capital equal to half their estimated value. —

13. A quit-rent of 5th Cent p. Annum, upon the value of each Grant of Land, as estimated in the Survey, will be levied on all such Grants: but such Quit Rent will not commence to be levied; until the expiration of the first seven years next succeeding the issue of such Grant; — at the expiration of the above mentioned seven years, the Grantee will become possessed in fee simple

of the Grant, subject to the payment of the Quit-Rent; or he will be entitled to redeem such Quit-Rent, if he prefer that alternative. —

14. The Quit-rent will always be redeemable at 20 Years purchase; the power of such redemption commencing at the termination of the first seven years, when such Quit rent is first levied. —

15. Every Grantee without purchase must at the expiration of the before mentioned term of seven years prove to the satisfaction of the Surveyor General, that he has expended in the cultivation & improvement of his Land a Capital equal to half its value; as that value was estimated at the time of his Grant; on failure of such proof, the Land will be forfeited to the Crown. —

16. In the redemption of his Quit-rent, the Grantee will have credit for one fifth part of the sums which he may have saved to His Majesty's Government by the employment and maintenance of Convicts, and for the purpose of making this allowance, it will be calculated that the Government has saved £10, for each Convict employed by the Grantee, and wholly maintained at his expense on his Land, for one whole year. — In the case of such Grantees as may not have an opportunity of obtaining Convicts, and thereby reducing the amount of their Quit-rent in the manner laid down in this Clause; — every such Grantee, upon shewing an expenditure of Capital on his Land to the amount of five times the estimated value of that Land at the time of its being granted to him, will be entitled, at the expiration of seven years from the time of such Grant, to claim a reduction

of one half of his annual Quit-Rent, whether for the purpose of annual payment or redemption. —

17. No additional Grant of Land will be made to any person, who has not proved, as last mentioned, the necessary expenditure of Capital on the Lands already granted to him, and that he has sufficient Capital in hand to enable him to cultivate to advantage the additional Grant for which he applies. —

18. Persons receiving a second Grant of Land without purchase, will become liable to pay a Quit-Rent upon the Lands comprized in such second Grant, immediately from the date of it; but any Grantee who can shew an expenditure of Capital upon his first Grant, to the amount of five times the estimated value of that Grant at the time of its being made to him, will be entitled to a further Grant, at the rate of $2\frac{1}{2}$ per Cent, on the estimated value of such Grant, on proving that he has sufficient Capital still in hand to cultivate to advantage the additional Grant.

19. The same regulation will apply to purchasers of Land who may make application for a second purchase, and who can shew that they have laid out Capital upon such Land to five times the amount of its value. — In such a case, half the estimated value of the new Land will be remitted. —

20. Persons desirous to receive Grants of

Said without purchase, on terms different from those above stated, must lay before the Secretary of State a full explanation in writing of the circumstances which they may conceive to exempt them from the operation of these general Rules.—

Colonial Office,
Downing Street,
April, 1826.—