24/14 R23

[Handwritten text not legible]
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 circumstance, 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 possessing
possessing sufficient Capital to enable you to fulfil those Conditions, make to you a Grant of Lands 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,

[Signature]
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 comprise 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 ten

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

5. A deposit of 10% of 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 Rent of a peppercorn.

7. The largest quantity of Land which
will be sold to any Individual is 5,000 Acres.
The lands will generally be put up to sale
in Lots of 3 Square Miles, or 12,000 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
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,
£20 have been saved to the public.

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

10. Persons desirous to become Grantors 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.

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 $20 per 52.8 acres, 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 prefers 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 and improvement
of his Land a capital equal to half its value, so that value
was estimated at the time of this 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
showing 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 comprised in such second Grant, immediately from the date of it; but any Grantee who can show 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 twenty 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 show 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
Laid 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 operations of these general Rules.

Colonial Office,
Downing Street,
April, 1826.