

3. These regulations shall apply to stock belonging to or in charge of European settlers located upon Crown lands within or immediately adjoining the districts hereinbefore described, and to no other.

4. Nothing in these regulations contained shall be held to debar any person from any claim he may have for special damages in respect to trespass of cattle on lands substantially fenced, or for crops destroyed, or for fences broken.

5. In all cases where the rates imposed by these regulations are allowed to remain unpaid for a period of three months, the Resident Magistrate shall have power, after notice duly given, to distrain for the same.

6. The Interpreter to the Resident Magistrate's Court, assisted by two of the principal Chiefs to be chosen from among the aboriginal Natives, shall, in the month of _____ in each year, make a return to the Resident Magistrate of all settlers whose stock shall trespass on Native lands within the meaning of these regulations, with the number and description of cattle the property of each. The Resident Magistrate shall publish the said lists in the local newspapers in English and Maori, with a notice appended to the effect that all objections to the same will be heard and determined by him in the month of _____ following.

7. In the month of _____ in each year, the Resident Magistrate, assisted by two or more Native Assessors, shall hear and determine all cases of objections to such lists, and the lists finally settled and signed by the Resident Magistrate and Assessors shall be published in the local newspapers, such publication being considered sufficient notice to the stock-owners to pay their assessments as above provided.

8. The word "owner" shall be held to mean also the person in whose charge any cattle may be, or who may be for the time being responsible for the same. The term "great cattle" shall include horses, mules, asses, bulls, oxen, cows, heifers, steers, and the young of the same above six months old. The term "small cattle" shall include sheep, goats, and swine, and the young of the same above six months old. The term "European settlers" shall be held to mean settlers in the *bonâ fide* and lawful occupation of Crown lands within or immediately adjoining the districts hereinbefore described.

9. Persons driving stock through any of the districts hereinbefore described, who may be detained by the flooding of rivers or other sufficient cause for any number of days not exceeding seven, shall not be liable to any demand for trespass.

10. Any person or persons taking undue advantage of these regulations shall be liable, after one month's notice from the Resident Magistrate, to be obliged to withdraw his cattle, or in default thereof to pay a penalty not exceeding twenty pounds and not less than five pounds, the same to be recovered in a summary manner.

11. These regulations to be in force as long as the Native owners are willing to permit the occupation of their lands as aforesaid; six months' notice prior to the expiration of each year to be given by them in writing to the Resident Magistrate, when they wish parties depasturing stock to remove such stock from their lands.

12. No arrangements between the Natives and the Europeans shall be recognized under these regulations where any sum is paid in excess of assessments hereinbefore determined; and any person or persons making such arrangements shall be subject to prosecution under 1st clause of the Native Land Purchase Ordinance, Session 7, No. 19.

13. All claims of the Natives for past trespass, such as are referred to above, may be heard by the Resident Magistrate, assisted by one or more Justices of the Peace and one or more Native Assessors, and compensation awarded by them.

14. No appeal shall lie in these cases from the Resident Magistrate's decision, but in all cases where the penalty awarded exceeds £10, the Resident Magistrate shall forward such proceedings to the Governor for decision.

15. These regulations to come into operation on and after 1st January, 1860.

SIR,—

Napier, June 23rd, 1859.

I have the honor to forward herewith a set of Regulations, drawn up by myself in conjunction with some of the settlers of this district; in order to prevent, as far as possible, disputes arising between the two races from the trespass of cattle, the property of European settlers on Crown lands in this Province, upon the adjoining Native lands. I have the honor to request that you will be good enough to lay these Regulations before his Excellency's Government, with a view to their being brought into operation, under the "Native Districts Act." I forward also a copy of a letter, addressed by me to the Superintendent, asking his opinion upon the subject; and, though I have yet received no written reply, he has, in conjunction with other settlers and Natives consulted by me, verbally signified his entire approbation.

I have, &c.,

Thomas Henry Smith, Esq.,
Assistant Native Secretary.

DONALD McLEAN,
Chief Commissioner.

SIR,—

Port Napier, June 21st, 1859.

I beg to submit for your Honor's perusal a draft of Regulations, in reference to trespass on Native lands, in the hope that you will be good enough to offer any suggestions you may think