

\*  
Enclosure 2 in No. 27.

Mr. SINCLAIR, Auckland, to the UNDER SECRETARY for CROWN LANDS.

3rd December, 1875.

THE land was purchased by Mr. Whitaker, and a grant was prepared accordingly.

Before the grant was forwarded for signature, Mr. Whitaker requested the insertion of the additional names which now appear in the grant "as tenants in common."

The words were omitted through an oversight when rewriting the grant.

The Under Secretary for Crown Lands.

A. SINCLAIR.

No. 28.

28th December, 1875.

The UNDER SECRETARY for CROWN LANDS to the SOLICITOR-GENERAL.

THIS is the information asked for in your minute of 16th November, 1875 (see Enclosures 1 and 2 in No. 29).

The Solicitor-General.

C. E. HAUGHTON.

No. 29.

The SOLICITOR-GENERAL to the UNDER SECRETARY for CROWN LANDS.

28th December, 1875.

It seems to me that, strictly speaking, the grant should not have been altered, as originally required by Mr. Whitaker. He bought in his own name according to the application herewith, and in that name the grant should have been made out. However, I observe that a grant was made out to several grantees, that the words "as tenants in common" were omitted in error, and that the grant has been executed and registered. It is now perhaps too late to insist that Mr. Whitaker should take the land in his own name. That would have been the proper course, and I think the attention of the Commissioner at Auckland should be called to the circumstance. There is really no record that the other names associated with Mr. Whitaker have any right to be in the grant at all.

Mr. Sinclair's memorandum is the only authority for saying that Mr. Whitaker desired these names to be put in the grant; at least, nothing else appears on these papers.

I think Mr. Whitaker should supply this; and that the Commissioner at Auckland should make a statutory declaration as to the facts before the Governor can be advised to take any action herein. Evidence should also be furnished that the land has not been alienated or dealt with since the date of the first purchase.

The Under Secretary for Crown Lands.

W. S. REID.

No. 30.

The UNDER SECRETARY for CROWN LANDS to the COMMISSIONER of CROWN LANDS, Auckland.

*In re Crown Grant of Lot 166, Pepepe, to Mr. F. Whitaker.*

8th January, 1876.

THE opinion of the Solicitor-General in this case is forwarded for the information of the Commissioner, who is requested to take the necessary action indicated therein.

The Commissioner of Crown Lands,  
Auckland.

C. E. HAUGHTON,  
Under Secretary for Crown Lands.

No. 31.

The COMMISSIONER of CROWN LANDS, Auckland, to the UNDER SECRETARY for CROWN LANDS.

SIR,—

Crown Lands Office, Auckland, 8th April, 1876.

I have the honor, in conformity with the terms of your memorandum No. 2, of the 8th January last, requiring me to take the necessary steps indicated by the Solicitor-General in the opinion accompanying the memorandum of number and date above quoted, to forward to you the enclosed statutory declaration by Mr. Whitaker in relation to the Crown grant of Allotment No. 166 of the Parish of Pepepe, District of Waikato.

I also beg to enclose a statutory declaration by myself on the same subject.

The Under Secretary for Crown Lands,  
Wellington.

I have, &c.,  
D. A. TOLE,  
Commissioner of Crown Lands.

Enclosure 1 in No. 31.

STATUTORY DECLARATION by FREDERICK WHITAKER.

I, FREDERICK WHITAKER, of the City of Auckland, in the Colony of New Zealand, solicitor, do solemnly and sincerely declare as follows:—