

AT NEW PLYMOUTH, FRIDAY, 12TH MARCH, 1880.

Mr. C. D. WHITCOMBE, Commissioner of Crown Lands, further examined.

941. *The Commissioners.*] We now wish to ascertain the action of the Land Board in regard to the survey of the Waimate Plains. Did the Board take any steps on that subject?—The Board took no action in reference to the Waimate Plains until directly called upon to do so by the Government.

942. When was that?—The first telegram I received was on the 25th March, 1879.

943. Are we to understand that, after that, all the proceedings relating to the surveys were taken by the Executive Government, without the interference of the Land Board?—It was done without any interference of the Land Board.

944. But as, under "The Land Act, 1877," all confiscated lands had been constituted Crown lands, and placed under the control of the Land Board, was it not, in your opinion, necessary that the Land Board should itself take action in the matter before the survey of the Plains was begun?—In order to be legal, it was necessary that the Board should take the initiative; and for that reason the Board showed jealousy when the preliminary steps were taken by Government, and declined to have anything to do with the Plains until the time when the urgent telegrams of the Government now produced were received.

945. In what shape did they display jealousy?—There was no remonstrance. Mr. Standish endeavoured to pass a resolution: but the Board, though feeling dissatisfied with the action of the Government, thought it might do harm, in the then state of Native affairs, to raise difficulties. Mr. Standish's resolution therefore got no seconder. He wanted to pass what would have been equivalent to a censure upon the Government for illegal action. The Board agreed with the terms of the resolution, but did not think it expedient to pass it.

946. Do you mean that the Land Board was aware it was illegal for any action to be taken with respect to the laying-off of rural land under "The Land Act, 1877," except through the medium of the Board?—Yes.

947. Then why did not the Land Board take any step to put their own position straight in the matter?—They thought there might be a question of public policy involved. Although a member of the Land Board did move a resolution equivalent to censure in regard to the action of the Government, and the rest of the Board agreed with him, yet they considered it inexpedient to pass the resolution, on the ground that it was inadvisable in a legal body to interfere with the action taken by the Government at a critical period, especially in a matter surrounded by so many difficulties as the Waimate Plains.

948. Did the Land Board give any instructions to the Chief Surveyor, or to any member of his staff?—No.

949. What was the first telegram of 25th March, 1879?—This is it: "25th March, 1879.—The Government desire that you will call an emergency meeting of the Board to-day, to arrange for the sale of the Waimate Plains within the next few weeks. Draft preliminary advertisement will be telegraphed you immediately. Meanwhile, please convene the meeting.—J. BALLANCE."

950. What authority had the Executive Government to desire any Land Board to call an emergency meeting of the Board?—There is power under the Act for the Board to call a special meeting, and the Government merely telegraphed for me to convene the meeting. The Government have no power to order the Board to do so. Acting upon the request, I telegraphed to the members at a distance, and the meeting was held the same day. I replied, urgent, that I had convened the meeting for that afternoon.

951. In the meantime, did you communicate with the Minister of Lands?—I telegraphed this back, as well: "I wish particular instructions where Government desire sale of Waimate Plains to be held. I think Wellington best, but decision rests with Board. Wanganui would certainly be rejected. Choice lies between Wellington, New Plymouth, and Patea. Also who is to conduct sale? If held at New Plymouth, Board appoints me: if at Patea, then the District Land Officer: if at Wellington, then probably me, unless you wish some other person appointed. Board objects to pay auctioneer for Government sales. Next, as to deferred payments. The great object being to place a European population on the Plains as rapidly as possible, I recommend that every alternate section, or all sections on one side of every road—i.e., one-half the land—be sold on terms of deferred payments. Does this meet your approval? The Board meets at four o'clock. Please telegraph immediate reply for my guidance."

952. That telegram was sent, before the meeting of the Board took place, by you as Commissioner of Crown Lands?—Yes.

953. Did you receive an answer?—Yes, from the Under-Secretary of Crown Lands, as follows: "March 25.—Waimate Plains are to be sold at Patea. You should recommend District Land Officer. Proportion of land to be sold on deferred payments will be suggested hereafter, if, meanwhile, Board will approve preliminary advertisement."

954. Was that answer received by you before the Board met that day?—Yes.

955. Was any other communication received by you?—Shortly after, I received the following from the Colonial Treasurer: "March 25.—*Re* my telegram of this morning. If the Board approves following preliminary advertisement, please inform Under-Secretary Crown Lands by telegraph, so that it may appear to-morrow in the New Zealand and Australian papers. Also publish it yourself in Taranaki papers. The advertisement is as follows: 'New Zealand, Waimate Plains.—Notice is hereby given that about 16,000 acres of the well-known Waimate Plains, on the West Coast of the North Island, New Zealand, will be disposed of by public auction, at Carlyle, Patea, on Tuesday, 6th May next. The whole of the land proposed to be sold has been surveyed and subdivided into allotments, and will be disposed of partly upon deferred payments, and partly upon immediate payments, under the provisions of "The Land Act, 1877." Full particulars and details of the sections and allotments will be published shortly.—C. D. Whitcombe, Commissioner of Crown Lands, New Plymouth, 25th March, 1879.'—The lists of deferred-payment and immediate-payment sections, also of the Native and other reserves, will be submitted for the consideration of the Board shortly. Meanwhile it is important that the proposed preliminary advertisement should be published to-morrow. Please, therefore, attend to the matter at once.—J. BALLANCE."