

1885.
NEW ZEALAND.

REPORTS OF THE WASTE LANDS COMMITTEE.

(MR. O'CALLAGHAN, CHAIRMAN.)

Presented to the House of Representatives, and ordered to be printed.

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1931

NEW YORK

REPORTS OF THE BOARD OF DIRECTORS

Presented to the Shareholders at the Annual Meeting held at the City Club, New York, on May 15, 1931

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No. 38.—Petition of MARIA DOBLE.

THE petitioner prays that a grant of land may be given her on account of the military services of her late husband.

I am directed to report that this is one of a class of petitions which were carefully considered by the Committee during the last session. The Committee see no reasons for deviating from the conclusions then arrived at, which were embraced in the following report: “(1.) The claims of the whole of these petitions, whether well- or ill-founded, have long since lapsed according to law. In many cases it is possible that such lapses may not be attributable to any fault on the part of the claimants, but rather to ignorance on their part of the law from time to time in force in respect to land grants for military services. (2.) To meet such cases the Legislature has already repeatedly extended the time within which consideration would be given to their claims, in belief that finality would be arrived at by this means. (3.) That the claims of many of those were reported on unfavourably by the Royal Commission appointed to investigate in 1882. (4.) That the question of these claims, assuming, as it has done, such large proportions—there being about fifteen hundred claims—is one of public policy, which may be deemed to be outside the functions of this Committee to report upon, and as such, it is submitted that it should be dealt with in such manner as the Legislature in its wisdom may see fit.”

26th June, 1885.

No. 52.—Petition of ALEXANDER SCOTT and 22 Others.

THE petitioners, occupiers of land under the pastoral deferred-payment system, pray that the provisions of sections 60 to 63, inclusive, of “The Land Act 1877 Amendment Act, 1882,” be extended to them.

The Waste Lands Committee, to whom this petition was referred, have the honour to report that, as this petition relates to a matter of public policy, they are of opinion that it should be referred to the Government for consideration.

2nd July, 1885.

No. 46.—Petition of J. C. CRAWFORD.

THE petitioner alleges that he purchased some land from the Natives in Blind Bay and Massacre Bay in the year 1839, but has never been able to get a title. He prays for inquiry into his claim.

The Waste Lands Committee have the honour to report that the subject of this petition was considered and reported on in 1854 to the following effect: That, the petitioner having neglected to prosecute his claim within the statutory period, the Committee are of opinion that his request should not be entertained. I am now directed to report that this is a claim arising out of land transactions with the Natives which took place forty-six years ago, and that it is impossible for the Committee (even were it expedient so to do) to investigate claims having their origin so long ago.

9th July, 1885.

No. 49.—Petition of WILLIAM DEAN (Report No. 1).

THE petitioner alleges that he has improved Government land by draining. He prays that he may be refunded the amount of money he has expended.

I am directed to report that the Committee are of opinion that the claim of the petitioner ought not to be entertained.

9th July, 1885.

No. 85.—Petition of JAMES COONEY.

THE petitioner alleges that he purchased a deferred-payment section, but through ill health was unable to comply with its conditions, and forfeited the land. He therefore prays that his deposit may be refunded.

The Waste Lands Committee have the honour to report that the petitioner has not produced sufficient evidence to warrant the Committee making a favourable recommendation.
9th July, 1885.

No. 74.—Petition of JOHN DICKSON (Report No. 1).

THE petitioner is a deferred-payment settler, and alleges that, owing to his crops having been burnt, he was unable to comply with the terms of the Act, and forfeited his section. He prays for relief.

I am directed to report that the petitioner has no claim.

14th July, 1885.

No. 103.—Petition of SAMUEL CRICKETT.

THE petitioner states that he arrived as a Government immigrant in 1864. He received land, which he sold. He then went to reside on his son's land. This son having died, the Government sold this property, on which the father had resided for five years, to another son. He prays for relief.

I am directed to report that this petition has been reported upon on several former occasions, and the Committee do not see any reason for altering the decisions previously arrived at—viz., that the petitioner has no claim.

14th July, 1885.

No. 562, Sess. II., 1884.—Petition of MACKENZIE WILSON.

THE petitioner prays that he may receive a grant of land as an emigrant under the forty-acre land system of Auckland.

I am directed to report that the Committee are of opinion that the decision of the Committee in 1880 should be adhered to—viz., that the petitioner has no claim.

14th July, 1885.

THE TUAKITOTO AND KAITANGATA LAKES BILL.

THE Waste Lands Committee, to whom was referred the above Bill, have the honour to report that, after careful consideration, they recommend that the Bill be allowed to proceed, with the amendments as shown upon the copy of the Bill hereto attached.

14th July, 1885.

No. 68.—Petition of MICHAEL BOLAND and Others.

THE petitioners, military settlers, allege that they were given to understand by the Government Agent that a portion of the Muhunga Block, being a bush named Te Kohe, would be reserved for their use for firewood and other purposes. They pray that it may not be reverted in the hands of the Natives, as they hear is likely to be the case.

I am directed to report that, from the evidence before the Committee, it appears that the land referred to by the petitioners has been legally set aside as a public reserve, and the Committee recommend that the Government should take the necessary action to vest the land in a Domain Board.

16th July, 1885.

No. 145.—Petition of HENRY DENHARD and Others.

THE petitioners, residents in the Township of Wallsend, pray that the Government will grant them the fee-simple of their several small holdings.

I am directed to report that no evidence has been produced by petitioners to warrant the Committee in recommending that the prayer of the petitioners should be granted.

22nd July, 1885.

No. 7.—Petition of JOSEPH RICHARD CLEMENT.

THE petitioner alleges that he has sustained loss and damage through not getting the land he selected, owing to errors in Government plan, and also through having no roadway to the land. He prays for relief.

I am directed to report that the Committee see no reason to depart from the decision arrived at last year.

23rd July, 1885.

No. 74.—Petition of JOHN DICKSON (Report No. 2).

THE petitioner was a deferred-payment settler at Hokonui, and alleges that, through having exhausted his means in improvements and his crops having been destroyed by fire, he was unable to comply with the terms of the Act, and his section was consequently forfeited. Petitioner also alleges that, owing to the fall in the value of land, the valuation of his improvements had to be greatly reduced in order to find a purchaser for the land. He prays that such sum may be returned to him which, added to the amount he is to receive, will make 75 per cent. of the original valuation of his improvements.

I am directed to report that the Committee, having carefully considered the evidence given by petitioner, see no reason to depart from their previous decision—namely, that petitioner has no claim.

4th August, 1885.

No. 66.—Petition of the MOUNT IDA PASTORAL INVESTMENT COMPANY.

THE petitioners allege they were the lessees under a lease from the Crown of Run No. 243, in Otago; that on the expiry of the lease the run was subdivided into three and put up to auction for a term of ten years in pursuance of the provisions of "The Land Act, 1877," subject to a sum for valuation for improvements made by your petitioners on one portion of the run. Petitioners further allege that Messrs. Rutherford and Stewart were, owing to the act of the Government by its servants, let into possession of the said portion before having paid the full valuation for improvements, which sum they now refuse to pay, and your petitioners suffer loss. They pray for relief.

I am directed to report that, from the evidence before the Committee, it appears that the valuation awarded to petitioners was excessive, and that equitably they have already received full valuation. The Committee therefore have no recommendation to make.

5th August, 1885.

No. 132.—Petition of WILLIAM COWERN.

THE petitioner alleges that he signed a deed transferring land to the Government on the verbal condition that a small block included therein should be re-transferred to him at 2s. 6d. an acre and a *pro rata* of expenses. This condition not having been fulfilled, he prays for relief.

I am directed to report that the petitioner has a just claim against the Government for reasonable compensation for the evident loss he has suffered in this matter.

12th August, 1885.

No. 205.—Petition of E. J. HUGHES, WILLIAM RIOUX, and J. H. CORBETT.

THE petitioners, deferred-payment settlers in the Wairarapa District, allege that, after holding their several sections for three years, they applied to the Waste Lands Board for permission to pay off the balance of their instalments, and that permission was given; that E. J. Hughes applied to have the value of his unpaid instalments capitalized, but was refused. Petitioners also allege that they applied for a rebate of interest on the capitalized value, but, owing to their application being informal, they were refused. They pray that their ignorance of the law may not be taken advantage of.

I am directed to report that, in the opinion of the Committee, the claim of E. J. Hughes should be recognized by the Government; but that W. Rioux and J. H. Corbett have no claim.

13th August, 1885.

No. 272.—Petition of D. STRUMPEL and Others.

THE petitioners, inhabitants of Minuha Homestead Block, pray for a branch road to be made.

I am directed to report that the subject of this petition is a matter for the consideration of the local authorities.

13th August, 1885.

THE LAND BILL.

THE Waste Lands Committee, to whom this Bill was referred, have the honour to report that, after careful consideration, they recommend that the Bill should be allowed to proceed, with the amendments as shown upon the copy of the Bill attached hereto.

13th August, 1885.

Nos. 128, 144, 182, 193, 225, 264, 268, 333, 334, and 342.—Petitions of JAMES LINE and Others, PHILIP JOHN KNEEBONE and Others, LOUIS DASLER and Others, JOHN SQUIRES and Others, ROBERT FULLER and Others, WILLIAM NICOL and Others, W. J. WINTER and Others, WILLIAM MIDDLETON and Others, JAMES MCKENZIE and Others, and GIDEON A. SMITH and Others.

THE petitioners, deferred-payment settlers, pray for various alterations in the Land Act.

I am directed to report that the subject-matter of these petitions is one which has been under the consideration of the Committee in dealing with the Land Bill, and therefore the Committee have no further recommendation to make.

18th August, 1885.

REPORT relative to evasion of clause 67 of "The Land Act 1877 Amendment Act, 1882."

THE Waste Lands Committee, having been directed by the House to consider and report on the working of clause 67 of "The Land Act 1877 Amendment Act, 1882," and as to any breaches of the said clause, have the honour to report that it is the opinion of the Committee, from the evidence before it, (1) that the spirit of the 67th section of "The Land Act 1877 Amendment Act, 1882," is being evaded, and the intention of the Legislature to prevent the monopoly of large areas of pastoral country is being defeated; and this Committee would recommend that the Government should provide against the same by further legislation: (2) that the Government should cause further inquiry to be made by the Land Boards with a view to put a stop to evasions of the land laws.

18th August, 1885.

No. 330.—Petition of THOMAS JOHNSTONE JONES.

THE petitioner, late a settler in the Nelson Special Settlement at Karamea, states that in 1875-76 he acted as ferryman for about two years at the Little Wanganui Ferry, when he was summarily ejected by order of the Commissioner of Crown Lands for the Nelson Province; that he did work

entitling him to receive provisions at cost price, but for which he was charged a considerable advance; and that he has not received credit for the full amount of work performed by himself and sons, and cannot obtain a settlement of his claims. He prays for relief.

I am directed to report that, after carefully considering the evidence brought forward in support of this petition, the Committee are of opinion that the petitioner has no claim whatever against the Government.

18th August, 1885.

Nos. 337 and 320.—Petitions of WILLIAM BELL and Others, and C. J. HURST and Others
THE petitioners, residents in the County of Waimate, allege that there is not sufficient land available for settlement in their vicinity; that in the immediate neighbourhood land is held in very large areas. They pray that the Government may reacquire land (with consent of present owners) for the purposes of settlement.

I am directed to report that the provisions that have been embodied by this Committee in the Land Bill will, if passed into law and fairly administered, meet the case of the petitioners; and, with regard to this particular district, the Committee wish to draw attention to the large area of education reserves, the leases of which are, as they are informed, likely to fall in shortly, and which might be profitably administered both in the interests of the trust and of settlement.

20th August, 1885.

No. 358.—Petition of WILLIAM BENNISON and Others.

THE petitioners, deferred-payment settlers, pray for alterations in the Land Act.

I am directed to report that the subject-matter of this petition is one which has been under consideration of the Committee in dealing with the Land Bill, and therefore the Committee have no further recommendation to make.

20th August, 1885.

No. 363.—Petition of JOHN FRANCIS HERBERT.

THE petitioner alleges that he was the lessee of Run No. 212A, in Otago; that the said run was subdivided and sold, in accordance with section 115 of "The Land Act, 1877," to Messrs. D. Proudfoot and J. T. Chaplin; that the conditions of sale provided that the valuation for improvements should be paid by the purchaser one month before possession was given—accordingly, the purchasers were requested by the Commissioner of Crown Lands to pay £372; that petitioner has never been paid the said sum for improvements, nor any part thereof, and the Act precludes him from making any legal claim against the Crown in respect of such improvements. He prays for relief.

I am directed to report that, although the petitioner has no legal claim against the Government, yet, in consideration of the exceptional circumstances of the case, the Committee is of opinion that the equity of the case would be met by the Government paying petitioner the sum of £222 10s., being one-half of the rent received by Government from Messrs. Proudfoot and Chaplin, the said sum being in satisfaction of all claims of the petitioner.

20th August, 1885.

No. 249.—Petition of WILLIAM HUGHES and MERE HUGHES.

THE petitioners are man and wife, William Hughes having married an aboriginal native according to the laws of New Zealand. They allege that they are entitled to land in the West Coast confiscated territory which has been recently granted to other Natives. They pray that an inquiry may be made into their claims.

I am directed to report that the subject-matter of this petition is of a nature to be dealt with by the Native Affairs Committee, and not by this Committee. It is therefore recommended that it should be referred to that Committee.

20th August, 1885.

No. 359.—Petition of HUGH HART LUSK.

THE petitioner, a solicitor in Auckland, alleges that in 1875 deeds charred by fire were given to him by the Provincial Government to make copies of; but before the copies were completed the Provincial Government was abolished, and he had no means of obtaining payment. He also alleges that in 1884 he surrendered both copies and originals to the Government on the assurance of the Crown Lands Commissioner that he would be paid for them. He has never received any payment, and prays for relief.

I am directed to report that, in the opinion of the Committee, Mr. Lusk has not established his claims.

25th August, 1885.

No. 361.—Petition of JAMES MCBRIDE and Others.

THE petitioners, deferred-payment settlers, pray that certain clauses in the Land Bill may be considered with a view to alleviating their alleged grievances.

I am directed to report that the Committee cannot recommend the prayer of these petitioners.

25th August, 1885.

No. 263.—Petition of JOSEPH RUDD.

THE petitioner states that he is the owner of allotment No. 107, Parish of Maungatawhiri, Auckland, and that he had fenced his land to the boundary-pegs corresponding to the measurement set forth in his Crown grant. He received notice from the Paparata Road Board that his said fence

encroached upon a public road, and upon investigating the matter it appeared that the plan in the Land Office, Auckland, did not agree with that upon his Crown grant. He had to move his fence, and by so doing lost ten acres of the best of his land, and incurred an expense of £51 10s. for fencing and surveys. He prays for relief.

I am directed to report that the Committee are of opinion that the petitioner has a just claim to compensation, and recommend that the petition be referred to the Government with a view to such payment being made as may be found equitable.

25th August, 1885.

No. 49.—Petition of WILLIAM DEAN (Report No. 2).

THE petitioner alleges that he has improved Government land by draining. He prays that the amount of money he has expended may be refunded.

I am directed to report that the Committee see no reason to alter their former decision on this case.

8th September, 1885.

Petitions of OLD SOLDIERS and VOLUNTEERS.

THE petitioners apply for grants of land for military services.

I am directed to report that, as there is not sufficient time at this period of the session to consider each petition on its merits, the consideration of the petitions from old soldiers and Volunteers is postponed till next session.

9th September, 1885.

No. 371.—Petition of JOHN WEBSTER and Others.

THE petitioners, deferred-payment settlers, pray for alteration in the Land Act.

I am directed to report that the subject-matter of this petition is one which has been under the consideration of the Committee in dealing with the Land Bill, and therefore the Committee have no further recommendation to make.

9th September, 1885.

No. 315.—Petition of RETREAT TAPSELL and Others (No. 2).

THE petitioners allege that their father purchased certain lands known as Maketu and Kohekohe from the Natives, and that Sir Donald McLean, then Native Minister, promised them other lands in recognition and in lieu of their claim to the said blocks. That promise has never been fulfilled, and they pray for relief.

I am directed to report that, in the opinion of this Committee, the subject-matter of this petition is one for the consideration of the Government.

9th September, 1885.

No. 413.—Petition of JOHN P. WARD.

THE petitioner prays for a grant of land for military services.

I am directed to report that, as there is not sufficient time at this period of the session to consider each petition on its merits, the consideration of petitions from old soldiers and Volunteers is postponed till next session.

11th September, 1885.

No. 416.—Petition of HONORA OAKES.

THE petitioner prays that a Crown grant may be issued to her for thirty-three acres of land purchased by her late husband in 1845.

I am directed to report that the Committee are of opinion that the Crown grant for the thirty-three acres referred to by the petitioner should be issued in her favour without delay.

11th September, 1885.

THE SPECIAL POWERS AND CONTRACTS BILL.

THE Waste Lands Committee, to whom was referred the Bill intituled "The Special Powers and Contracts Act, 1885," have the honour to report that they have carefully gone through the Bill, and recommend that it be allowed to proceed, with the amendments as shown on the copy hereto attached.

15th September, 1885.

No. 427.—Petition of REBECCA BRINKLEY.

THE petitioner alleges that in 1872 she acquired an allotment in Westport; that subsequently the said allotment was taken by the Government for railway purposes. She received no compensation for section taken, and prays for relief.

I am directed to report that the Committee are of opinion that the petitioner has no well-founded claim.

17th September, 1885.

No. 327.—Petition of MADELINE BAIN.

THE petitioner alleges that in 1865 a Crown grant was issued to her late husband for an allotment in the City of Auckland having a frontage to Howe Street of 115 links; that the Land Registrar has refused her application for a Land Transfer title for the full amount of the frontage, praying that there is not sufficient measurement actually on the ground to justify him. She prays for compensation, or else that the full frontage may be awarded to her.

I am directed to report that the Committee are of opinion that a substantial grievance exists; but, as it involves a large question of policy, the Committee think it is not within their functions to make any recommendation on the subject, therefore prefer to leave the matter for the consideration of the Executive.

17th September, 1885.

No. 340.—Petition of GEORGE WILLIAM PHILLIPS.

THE petitioner states that he arrived in the colony in 1865, with his parents, brothers, and sisters; that his father possessed land orders, which he gave in part payment for certain land at Waiparera. Petitioner, with his father and brothers, worked on the land till 1869, when his father suddenly left the colony. He prays that a grant may be issued to him for the land.

I am directed to report that the Committee are of opinion that a Crown grant should be issued to petitioner's father, and recommend the Government accordingly.

17th September, 1885.

No. 426.—Petition of DAVID CURTIN and Others.

THE petitioners, inhabitants of Cook County, pray that the House will empower the Government to cause the waste lands of their district to be made available for special settlement upon the co-operative principle, by a company, and to assist the satisfactory settlement of people already in the colony, the immigration of skilled labour, and the investment of British capital.

I am directed to report that the Committee are of opinion that every facility should be afforded by the Government, under the existing land law, to co-operative associations; but they do not feel justified in making any recommendation to the Government to deal with such bodies in any exceptional manner.

17th September, 1885.

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