

positively say. I think there have been some connected with the pastoral deferred-payment areas. There was the Silver Peak case: the Land Board differed from me in regard to that case; but from what is known since I think it is abundantly proved that I was right.

164. Does that apply to other cases?—I can only speak as to what came before me when I was a member of the Land Board: the Silver Peak cases—I believe they were dummied—and the land called the Cotterbrook land. In that case the Board found unanimously that they had been dummied. In the Silver Peak cases the majority of the Board disagreed with me. I am told that one or two cases have happened lately. There have been cases at Macrae's, I am told. I know that people do apply for land for other persons, but I cannot say to what extent it is taking place. I think you will have to give the same powers to the Land Board which they had under the Inquiry Act. You know I hold strong views that the State should be the owner of the land, and insist upon residence or substituted residence. If you allow land to be sold at all, unless you limit the area, I cannot see how you are to stop dummyism. There is, however, some very valuable settlement taking place down in Otago. When I was down in the Wakawa Valley the other day I was exceedingly pleased at what was taking place there. They are all good settlers. I should not think there was much dummyism there; they appeared to be all good settlers, working hard. It is a very lovely valley. If there was a little aid given to them that would soon be a magnificent settlement.

MR. BAKER, Crown Lands Commissioner for the Provincial District of Canterbury, examined.

165. *The Chairman.*] Will you be good enough to give the Committee all the information you can with respect to the supposed existence of dummyism in your district: perhaps you would prefer making a statement first; then allowing members of the Committee an opportunity of putting any question to you they may think necessary?—The alleged cases of dummyism all come under the Land Act Amendment Act of 1887, under which land is open for sale or selection upon three conditions—viz., cash, deferred payment, or perpetual lease. Under the 11th clause of that Act any person—that is to say, any man, woman, or child—is allowed to take only 640 acres of first-class land and 2,000 acres of second-class land upon first making a declaration before the Land Board that the land applied for is for the applicant's own use and benefit. The 12th clause of the Act provides a penalty if the declaration should prove to be false. But there is no power in the Act anywhere to allow the Board to make inquiry into the *bona fides* of the applicant: they can only proceed in the Supreme Court after the application is granted. Although they may in certain cases suspect that the land is not for the use and benefit of the person applying they can do nothing. The only case in which I could clearly see my way to call the attention of the Minister of Lands to was the case of the Australian Land Company's applications for land that had been open for sale or selection at Timaru. And even there, although the persons applying might be suspected of not applying "for their own use and benefit," still, having applied for the lands for themselves, the Board had no power to throw their applications out. We could not know in every case who the parties were, so we were obliged to accept them, the applicants having made the necessary declaration.

166. Then, they did make a declaration?—Yes; in every case that is done. In this case it appeared to me, seeing the way the applications had been put in, that the persons making them were applying on behalf of the company. I called the attention of the Land Board to this before the applications came on for hearing—before the balloting for them I called attention to the penalty for making a false declaration—but the Board decided they had no power under the Act to exclude them except in the case of Mr. Brydone. He applied as attorney for the company. In that case we threw the application out. I had previously communicated with the Minister of Lands to know if the Board would be right in doing so, putting the question whether an attorney could really make the declaration. It had been held by Mr. Haggitt, a well-known lawyer in Dunedin, that an attorney could do so. That opinion had been sent to the Board. But, notwithstanding that, we threw out his applications. The company gave notice of appeal, which they have since withdrawn. There may be other cases, but, of course, I am not in a position to say definitely that there are. I shall be happy to give the Committee any information I can in any case that may be brought up here, as far as I know.

167. Is that the conclusion of your statement—all that you have to say?—I think that is all.

168. *Mr. McKenzie.*] The Australian Land Company are large landowners in South Canterbury, are they not?—Yes.

169. Would you give the Committee the names of the other applicants beside Mr. Brydone?—Yes, there is Mr. C. Norbell.

170. He is in the service of the company?—He is manager at the Levels; and G. Patello.

171. Is he a servant of the company?—I have reason to believe so. I cannot positively say that he is, but I have reason to believe so. Then there is T. McQueen; he is clerk at the Levels.

172. On the company's station?—Yes. Then there is George Lyall, station-manager at Cave.

173. That is also a company's place?—Yes. Then there is F. Dixon, a shepherd; and W. T. Hook. I believe that the following gentlemen also put in applications in connection with the company.

174. Those you have mentioned you believe to be all servants of the company?—Yes.

175. *Mr. Smith.*] Including Mr. Dixon?—In the case of Dixon and the two last men, I do not know for certain. I only judge so from the applications.

176. *Mr. McKenzie.*] But is it a fact that they were all employés?—Yes, I think so.

177. *Mr. Cowan.*] Did each man make a separate declaration?—Yes. The following made applications which appeared to me to be put in on behalf of the land company—I cannot say so positively, it is only a surmise, but the area applied for tallies with that applied for by the company—T. McLean, F. A. Gracie—they are auctioneers at Timaru, I believe—and G. F. Cluny, agent.

178. *The Chairman.*] About what amount of land did these men apply for?—The first three