

SESS. II.—1891.
NEW ZEALAND.

NAVAL AND MILITARY CLAIMS COMMITTEE.

(GENERAL REPORT OF THE)

Brought up 13th August, 1891, and ordered to be printed.

THE Select Committee appointed on the 26th June, 1891, to consider and report upon the claims of old soldiers and Volunteers, have the honour to report—

That the claims rejected by the several Commissioners of Crown Lands—many petitions and communications of less formal shape, in considerable numbers—were referred to your Committee; and it would appear that there are claims, amounting in numbers to about one thousand, still unsatisfied.

Most of these claims have been reported on by the various Commissioners and Committees appointed from time to time to inquire into the claims of those who have served the colony in the various branches of the military and naval services; and, as the claimants are living in all parts of New Zealand, from the Bay of Islands to the Bluff, and on the east and west coasts of the colony, it became evident that it was quite impossible for your Committee to examine into each particular claim, and they therefore determined to report on what seemed to them the general nature of the claims.

At the very first, a difficult question had to be considered—viz., whether or not any claims rejected by the Commissioners of Crown Lands, under the provisions of “The Naval and Military Settlers’ and Volunteers’ Land Act, 1889,” ought to be reopened, as tending to prevent that finality so much to be desired; but, as the reports from the various Commissioners in the different districts bear on the face of them evidence that each Commissioner interpreted the provisions of that Act somewhat differently—viz., some appearing to have only recommended claims they considered undoubted, while others seemed to have questioned their powers to waive technical objections. The result has been that in Auckland more than two-thirds of the claims were rejected; while in Southland and Westland (where, however, the claims were very few) all were recommended. Again, in Canterbury, the recommendations were only five, and the number rejected twenty-three; while in Otago the recommendations were twenty-two, and the rejected only four. And, as a further illustration, it appears the claim of David Dunlop, private, 43rd Regiment, was rejected by the Commissioner of Crown Lands in Taranaki, and that of D. Dunlop, private, 43rd Regiment (the same man) was recommended by the Commissioner in Nelson.

The date—31st December, 1868—after which no discharged soldier or sailor was allowed to claim land under the provisions of “The Naval and Military Settlers’ and Volunteers’ Land Act, 1889,” was presumably fixed because the last statute granting land to naval and military settlers was repealed by “The Auckland Waste Lands Act, 1867,” having effect from the 10th October in that year; and the Committee, which was appointed in 1889, on whose report “The Naval and Military Settlers’ and Volunteers’ Land Act, 1889,” was prepared, evidently considered that by extending the date to which applications for grants of land would be received—viz., to the 31st December, 1868, more than fourteen months afterwards—ample time was given to all soldiers and sailors who had served in New Zealand to become aware of the repeal of the laws under which they were entitled to select land, and to decide accordingly whether or not to settle in the colony. Of course, many men who served in the same regiments or ships, under identical circumstances with those whose claims have been recognised owing to their arrival in New Zealand before the 31st December, 1868, feel hardly used, because the terms of their enlistment prevented them from returning to this colony until after that date; and, as there are comparatively few affected by the provision, and as the date was purely arbitrary, and as no deviation from principle will be involved by including all soldiers and sailors who served in New Zealand and returned to settle in the colony so soon as their retirement from the service permitted them, your Committee recommend these claims for favourable consideration.

Petitions have been before this Committee from men who received injuries during the time of their active service, which prevented them from completing the actual term of service for which they were enrolled. And, in some instances, this has been held to be fatal to their claims for land; but, as a soldier cannot give more than his life or strength in fulfilment of his engagement, your Committee recommend that such claims should be recognised and dealt with in the most liberal manner.