

Small Grazing-run 43: R. G. Black, lessee: Mr. Black, sen., waited upon the Board on behalf of the lessee (his son), and after hearing him the Board decided to recommend for the favourable consideration of the Hon. the Minister of Lands that, under the circumstances disclosed, the former resolution be rescinded, and that the lessee be now offered a renewal of his lease, as was done in the case of Small Grazing-run 42, adjoining, held by Mr. Hall.

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HENRY TRENT,
Commissioner of Crown Lands.

The Hon. the Minister of Lands.—For your consideration. The papers were before you on previous occasion. I believe the matter came before you at Gisborne.—WM. C. KENSINGTON, U.-S. 24/6/1908.

Under-Secretary.—*Re* Run 42: Does this relate to Lot 1 and Lot 2 of 43, which were reported as capable of subdivision into six allotments.—R. McNAB. 25/6/1908.

The Hon. the Minister of Lands.—Yes, it does. See marked papers attached.—WM. C. KENSINGTON, U.-S. 27/6/1908.

Under-Secretary.—Write Board asking for an explanation of the seeming inconsistency. Do they now say it will not subdivide?—R. McNAB. 27/6/1908.

2459/143, S.G.R. L. 57766. L.B. 228/772.

Department of Lands, Wellington, 29th June, 1908.

The Commissioner of Crown Lands, Napier.

Small Grazing-run No. 43, Waingaromia Survey District (R. G. Black, lessee).

In reply to you memo. No. 2459/142, of the 20th instant, I have to inform you that your statement and report of the meeting of the Land Board (as published in the *Hawke's Bay Herald*) were duly laid before the Hon. the Minister of Lands, who wishes to know if it is a fact that the Board, which, according to your previous memorandum of the 18th February last, passed a resolution that Lots 1 and 2 of Run No. 43 were suitable for subdivision, and recommended the report of the Ranger thereon for the favourable consideration of the Minister, now recommends that the lessee should be granted a new lease of the whole area, and consequently cancels its former resolution.

The Minister has so far expressed *no* opinion on the subject of how the run should be dealt with, beyond agreeing to the Board's resolution of February last that the land should be subdivided and disposed of under the optional system (see my memo. of the 5th March).

This being the case, the Minister is at a loss to know why (according to the printed account of the Board's meeting) you allowed the statements made by Messrs. Lane and Bartram that it was the *Minister* who differentiated in the cases of Runs 42 and 43, and should be called upon for an explanation, to go uncontradicted, as your memo. of the 18th February distinctly states that the *Board* adopted the reports of the Ranger and decided to recommend them for the favourable consideration of the Minister. The reports alluded to were that Run 42 was *not* suitable for subdivision, whilst Run 43 was, and all the Minister did was to agree to the Board's recommendation, in consequence of which Mr. Hall has been offered a new lease of Run 42, and Run 43 was to be cut up for closer settlement.

If your reply is correctly reported in the newspaper, it shows an astonishing weakness in dealing with the statements by Messrs. Lane and Bartram, as it was in your power to have pointed these facts out, and to show that the Minister has merely approved the Board's action, and not gone contrary to it, as would appear from reading the report. Incidents such as these are very regrettable, and place the Minister in a false position entirely, through the negligence of the departmental officers in not giving the true facts of the case.

So far as can be gathered from the correspondence, there does not appear to be any valid reason why Lots 1 and 2 and Run 43 should not be subdivided, beyond the fact that the present lessee is very much opposed to such a course. The Board apparently do not controvert the Ranger's report that the land is suitable for closer settlement, nor does your covering memo. of the 20th June throw any light on this subject. As you are aware, the Government's policy is to settle as many persons on Crown lands as can profitably occupy and utilise the same, and, although it would seem that Run 43 is capable of being subdivided into three separate areas, yet I now understand that the Board and yourself consider that the claims of settlement are adequately met by allowing the present lessee to retain the whole area in one run.

Before the Minister gives any decision on the subject it is essential that you should set forth the full circumstances of the case, which so far you have not done, and give adequate reasons for the Board's change of front and desire to cast the onus of refusing to agree thereto upon the Minister.

WM. C. KENSINGTON.

Under-Secretary.

2459/144, S.G.R.

Department of Lands and Survey, District Office, Napier, 2nd July, 1908.

The Under-Secretary for Lands, Wellington.

Small Grazing-run No. 43, Waingaromia Survey District (R. G. Black, lessee).

In answer to yours, quoted above, I have to state that at the last meeting of the Land Board, on the 12th ultimo, an application of the lessee for a rehearing under the provisions of section 79 of "The Land Act, 1885" (under which the lease is held), was heard, and the Board was of opinion that the justice of the case warranted a recommendation for a reversal of its former decision, it