

## SESSION II.

1912.

## NEW ZEALAND

## CASE OF MR. JOHN MAHER:

REPORT OF THE COMMISSIONER OF CROWN LANDS, NEW PLYMOUTH, UPON  
SECTION 3, BLOCK XV, OHURA.

*Laid on the Table of the House of Representatives by Leave.*

## REPORT FROM COMMISSIONER OF CROWN LANDS, NEW PLYMOUTH.

26th July, 1912.

*Section 3, Block XV, Ohura.*

As instructed by your telegram of to-day, I beg to report as follows on the dealings with Section 3, Block XV, Ohura, as disclosed by the papers on our file 5155.

This section was originally taken up by Mr. John Penny, who was successful at a ballot held on the 17th May, 1906. There were eighty-six eligible applicants in the ballot. Residence was not required for four years from the 26th June, 1906, under the Bush and Swamp Crown Lands Settlement Act. An advance of £200 was made by the Government Advances Office on the 6th January, 1909. On the 23rd March, 1909, Penny applied to transfer to John and Robert Morris, and also to have transferred to him from Mr. A. H. Lee, Section 14, Block XIV, Ohura, on the ground of getting near a school for the benefit of his children. The memorandum of dealing recommending the transfer was signed by the late Mr. Simpson on the 21st April, 1909. The improvements done were £139 10s., the Government value of the land £447 10s., and the consideration paid £700. On the 8th August, 1910, Crown Lands Ranger Tolme reported that the improvements were well ahead of present requirements, but that the selectors were not residing just then, and that no stock was on the section, and stated that it was reported that John Morris had absconded with all the money he could raise on the section and stock, and that the other brother was too ill to do any work.

On the 7th September, 1910, Messrs. Spence and Stanford, solicitors, wrote to the Commissioner of Crown Lands, New Plymouth, that, acting for the second mortgagee, they intended to sell, and asked for delay in any forfeiture proceedings till they could sell to a suitable man; and on the 20th September, 1910, the Land Board resolved to defer consideration for the present.

The sale was held at Stratford on Saturday, the 17th December, 1910, and the section was purchased by Joshua Harris, of Taumarunui, and the Board and Minister in due course passed the transfer. Mr. Joshua Harris, on the 27th April, 1911, was informed that residence was required till October, 1912, which would take about eighteen months only of residence required. On the 5th May, 1911, Messrs. Marshall and Hutton, solicitors, Wanganui, wrote asking that Mr. Harris, on account of its being inconvenient for him to take up his residence, be permitted to transfer to Mr. J. E. Deadman for £1,000. The price Mr. Harris paid at auction was £570, and to this must be added the £200 Government mortgage, for which he was financed by Mr. Hatrick. Nothing had been done to the section by Harris in the meantime, as far as I can trace. Mr. Armstrong, in reply, referred them to section 84 of the Land Act. However, Mr. Harris went on with his application, which was refused later on.

On the 29th May Ranger Tolme reported, in answer to a requisition requiring him to ascertain if Harris were residing, that Mr. Deadman having, as he thought, purchased it, was in possession. Mr. Deadman stated that he had been assured by Mr. Hatrick that there was nothing to prevent his taking possession. Mr. Tolme stated that in his opinion it was a case for inquiry, and stated that it was common talk that Harris was only acting as a dummy for Hatrick, and apparently had had no intention of residing, as from the first he had been doing his best to sell. Mr. Harris was manager at Taumarunui for Mr. Hatrick.