1913.

NEW ZEALAND

AGGREGATION OF LAND

(PAPERS REGARDING).

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

LAND-AGGREGATION.

Department of Lands and Survey, Wellington, 14th April, 1913.

The Under-Secretary for Lands, Wellington.

As instructed, I have looked into this matter, as disclosed by the attached papers, and have to report on the points mentioned in your note as follows :—

(1.) *Has there been aggregation or not?*

The term "aggregation" is, of course, both vague and elastic, but, allowing for this, I think it may fairly be said that the case of the Burlings, in Aohanga and Mount Cerberus Survey Districts, is a real case of aggregation. The Messrs. W. A. and R. R. Burling have, since the year 1883, acquired 16,190 acres of freehold land, and 1,475 acres of leasehold. If "aggregation" means the acquisition of a greater area than is necessary for the reasonable maintenance of the purchaser and his family, then the Burlings' case is doubtless one of aggregation, although it must be pointed out that there is nothing in the information supplied by the Commissioner of Crown Lands to indicate the class or quality of the land in question. Out of this 16,190 acres, the area purchased by the Burlings direct from the Crown amounts to only 805 acres, and no less than 12,562 acres were alienated from the Crown for cash prior to the year 1888. It is therefore absurd to charge either the present Government or the Department with maladministration.

The case of the Wilsons (Hautapu, &c.) cannot, I think, be placed in the same category as that of the Burlings. There are eight separate owners, who hold altogether an area of 6,658 acres, made up of 4,272 acres freehold and 2,386 acres leasehold. This gives an average of 832 acres for each holder. Whether or not this should be regarded as a case of aggregation largely depends, it seems to me, on the relationship, age, &c., of the various persons, and on these points I have no information.

The Gorringes (Hautapu district) hold a total area of 3,932 acres amongst four persons (average 983 acres), 3,252 acres being freehold and 680 acres leasehold. This cannot, I think, be considered a very glaring case of aggregation, although there is, of course, nothing to prevent it developing into such, unless more stringent legislation be passed.

The cases of the Stuckeys (Hautapu) and the Masons (Hautapu) do not call for any special remark, even the editor of the *Mangaweka Settler* admitting that the areas "aggregated" were only sufficiently large to provide a comfortable living, and that the holders were residing and working the land in a *bona fide* manner.

(2.) *Is the aggregation the result of the passing of the Land Laws Amendment Act, 1912.*

The answer to this is, certainly not. All the purchases of the Burlings were made between June, 1883, and May, 1912. The Wilsons' acquisitions range from 1904 to 1911, and the Gorringes' from 1907 to 1910. Stuckeys' and Masons' acquisitions were also all prior to the passing of the 1912 Act.

The Hon. the Minister of Lands.

THIS report is forwarded for your information, together with report from Ranger Lundius, and also schedules showing searches made in the District Land Registrar's Office, and I trust the position thereby disclosed may be found to be satisfactory in so far as the Land Board and Department are concerned.

9th April, 1913. JOHN STRAUCHON.

(3.) *At what time did aggregation begin and end?*

This is partly answered in the preceding paragraph, from which it will be seen that the aggregation referred to began as long ago as 1883. As to when they will end, of course, largely depends on legislation dealing with the matter being passed.

(4.) *Area held by the Gorringes.*

With regard to the discrepancy between the statement of Mr. Lundius—that the Gorringes "now hold between 6,000 and 7,000 acres of freehold land"—and Mr. Broderick's statement—that the Gorringes hold only 3,932 acres of freehold—I have to state that, upon inquiry, it appears that Mr. Lundius was merely using rough figures, and overestimated the actual area held. I understand from Mr. Broderick that the smaller area (viz., 3,932 acres) is the actual area held by the Gorringes as freehold, as revealed by a careful search of the Land Registry Office.

(5.) *Legal position.*

In regard to the last point raised in your note, I have to say that the statement in the reports of the Commissioner of Crown Lands, Wellington, regarding the law are, to the best of my knowledge, correct.

E. F. HAWTHORNE.

Rangitikei Aggregation.

Department of Lands.
From Commissioner of Lands Office, Wellington, 7th April, 1913.

The Under-Secretary for Lands, Wellington.

HEREWITH I forward you a copy of Mr. Lundius' report on the alleged aggregation of land in the vicinity of Mangaweka, from which, coupled with my remarks herein, you will learn that if any undue aggregation has taken place it has been achieved by the purchase of freeholds or converted occupation-with-right-of-purchase sections, over which the Land Board had no control at the time the aggregation took place. I say *if* any undue aggregation has taken place, because a careful search of the titles disclosed that there are many individual owners in each of the blocks that are said to be aggregated—for instance, in the Wilson aggregation of 6,658 acres there are eight separate owners named Wilson, viz.:—

	A.	R.	P.
T. B. Wilson	370	0	0
Amy L. Wilson	200	0	0
C. G. Wilson	1,480	0	0
Q. and J. Wilson	1,605	0	0
George H. Wilson	482	3	16
Robert A. Wilson	450	0	0
Niel D. Wilson	623	0	0
H. C. Wilson, jun.	1,111	0	0
	6,321	3	16
G. H. and N. D. Wilson (education lease)	336	0	0
	6,657	3	16
Gorringe, Mrs. H.	315	0	0
Gorringe, Mrs. M.	177	0	0
Gorringe, F. H. R.	1,943	0	0
Gorringe, H. E.	1,497	0	0
	3,932	0	0
Mason, J. L. (Probably the same person)	593	3	38
Mason, John (Probably the same person)	622	0	0
	1,215	3	36
Mason, J. L. (education lease)	517	0	0
	1,732	3	38
Stuckey, J. W. (lease in perpetuity)	600	0	0
Stuckey	511	3	29
	1,111	3	29

I am sending you schedules giving full particulars of the search-notes, from which you will be able to follow every detail of the various purchases and transfers, and so verify what I have said about them.

In my letter of the 6th ultimo I confined myself to refuting the charge that lease-in-perpetuity sections made freehold under the provisions of the Land Laws Amendment Act, 1912, had been aggregated near Mangaweka, but since I received your last communication I have examined every phase of aggregation in that locality, so that I think you may rely on it that the cases quoted are the only ones of any importance.

This agitation against aggregation partakes of the nature of "crying over spilt milk." It is a recrudescence of a similar one that led to the restrictions of Part XIII of the Land Act being placed on all titles to land sold after November, 1907; but, as all the land near Mangaweka was alienated prior to 1900, there is no power in the law to check the aggregation of it.

Large areas held on the occupation-with-right-of-purchase tenure near Mangaweka can be made freehold and aggregated at any time the owners choose to sell, without the Land Board being able to prevent it, but the Land Board always exercises the greatest care to prevent aggregation wherever it has jurisdiction.

Lease-in-perpetuity land purchased under the provisions of the Land Laws Amendment Act is subject to the same restrictions as occupation-with-right-of-purchase land alienated since November, 1907, but it is doubtful whether the restrictions of Part XIII of the 1908 Act are sufficient to prevent all undue aggregation, because much of the land originally classed as second class would now be considered first class; owing, however, to its original classification it can be held up to 2,000 acres by one person without any infringement of the law. It is also manifest that small holdings of first-class land can be aggregated up to 666 acres even in the vicinity of the towns, where from 10 to 50 acres would support a family.

It is extremely difficult to conceive any law that would restrict all undue aggregation by individuals and families without being too restrictive and irksome, but it may be deemed worthy of consideration whether it would not be equitable to burden the freehold of lease-in-perpetuity land with increased restrictions in return for the privilege the lessees have obtained by being allowed to purchase it.

I suggest that the area of converted lease-in-perpetuity that may be held by one person in the vicinity of towns should not exceed 300 acres without the Minister's consent, or, as an alternative, that the Minister's consent must be obtained before such land can be sold to any but landless persons.

T. N. Broderick,
Commissioner of Crown Lands and Chief Surveyor.

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