

24. Do you think that the Legislature in passing the Land Act intended that all land open for settlement and sale should first be proclaimed into hundreds?—I think that although the Act states nothing to prevent hundreds being declared, its whole tenor is in opposition to the hundred system.

25. You proposed an amendment to the Waste Land Act which was not carried?—Yes; several.

26. Under these covenants do you not practically carry out the object you had in view when proposing your amendment?—I wished to see the principle of free selection carried out; but I do not think that I am now carrying this out, as there is not under the system referred to as much free selection as under the hundred system.

The Hon. Major Richardson was examined, and gave the following evidence:—

With regard to the first paragraph of the petition before me, I say that the whole spirit and scope of the Act is unmistakably in support of the affirmation of the petition, viz., that settlement should proceed in the usual way of first declaring land into hundreds, and not by the sale of land outside of hundreds. With regard to the second paragraph of the petition, I have no means of ascertaining what the course pursued by the Provincial Council was on the occasion referred to, as I am not a member of the Council, but I am strongly of opinion that the sale of these lands is illegal on two grounds: 1st. Because the opinion of the Council should have been elicited by Ordinance confirmed or not by the Superintendent, and subject to confirmation or otherwise by the Governor; and, 2ndly, because a portion of the land sold has not been open for seven years for selection and sale; and I refer to the Proclamation of the 25th November, 1862, by which the proclamation of the old hundreds was annulled, and several new hundreds constituted from that date. These hundreds were, Waikouaiti, 40 square miles; Hawkesbury, 11 square miles; Moeraki, 103 square miles; Otepopo, 84 square miles, and Oamaru, 36 square miles.

27. *Hon. Mr. Domett.*] Do you mean that the non-fulfilment of the condition of the land being open seven years for selection and sale was caused by the annulment of the old Proclamation?—Partly so; because I have no means at present of learning whether the land which has been sold is in the original hundreds or in the amended hundreds. The policy of the Government with which I was associated as Superintendent was to preserve the land for settlement, and we did all we could legitimately do to effect this object.

28. Have you any observation to make relative to the pastoral leases?—I think the way in which they were granted is decidedly contrary to law. The Government had no power under the Act except that of granting or refusing leases. There was no power to insist on any conditions outside of the Act. Such conditions have, however, been made by covenant, and therefore I hold that the leases are invalid in point of law and should at once be covered by an Act of the Assembly without any reference to the covenants. The runholders pay 7d. per sheep for their stock, and are therefore entitled to leases. I hand in a return of reserves made when granting the leases. The total amount of reserves made by the covenants is, for sale 198,000 acres, and for agricultural leases within Gold Fields 107,000 acres. These are the approximate figures as given in a Provincial Council Paper, dated 8th May, 1868.

29. Do you not consider this a large quantity of land for settlement?—No; it will never answer that purpose, but will, on the contrary, utterly defeat it, because these lands are not declared into hundreds and are therefore without the advantages which would entice purchasers, and moreover each is a very small reserve. The result will be that the whole of these lands will fall into the hands of either capitalists or runholders—a result highly injurious to the public revenue, detrimental to the pastoral estate, and a grievous wrong to those runholders who are not in a position to purchase. Moreover it will materially interfere with the legitimate expansion of the occupation of land under agricultural leases. I have one other objection to the reserve of these lands. They have not been defined and have not therefore been submitted for approval to the Provincial Council as is always the case with new hundreds. The note appended to the return I have handed in will show this.

30. *Mr. Reynolds.*] Do you consider that if a runholder or capitalist cultivates these lands that the Province does not reap an equal advantage as if they fell into other hands?—Yes; but there is another consideration. If all the agricultural land is picked out when there are no emigrants to compete for it and no rights of pasturage attached to it, as in the case of hundreds to invite settlement, you really destroy your object, to say nothing of the depreciation in the value of the remainder of the run when the present leases fall in and a decreased rental in the meantime.

31. Do you consider that runholders and capitalists are not settlers then?—Yes, they are; but the backbone of settlement is a large population tilling the ground and yielding a revenue to the State.

32. Would not capitalists and runholders require to employ labour to cultivate their ground?—If the Committee desire it I will take this question home and answer it at length in writing.

33. *Mr. Jollie.*] Referring to the second paragraph of the petition, am I to understand that the Provincial Council has the power of determining what land shall be sold at 10s. per acre?—Yes; but I have already said that in my opinion this can only be done by Ordinance and not by resolution.

34. *Mr. Reynolds.*] What has been the custom heretofore?—The Act has only been in operation since the 8th October, 1866, since which time I hold all the action taken to have been illegal. Sales have taken place, but I hold those sales to have been illegal as they were made under resolution instead of Ordinance, and for other reasons.

35. *Mr. Bell.*] Do you remember the discussions in the Otago Provincial Council, while you were Speaker, of the resolutions upon which the Land Act of 1866 was ultimately founded?—In some measure.

36. Are you of opinion that the general intention of the Council was to continue the system of proclaiming hundreds before opening land for sale?—I have no doubt whatever that such was the intention and decision of the Provincial Council.

37. Was it your opinion then, and had it been so before, that in order to give fair scope to the system of hundreds, it would be necessary to discourage as far as possible the purchase of land in large