

quantities by capitalists who should take up the land available for settlement?—Yes, it was, both then and before, because immigrants could not be introduced with sufficient rapidity, and because, should the seaboard agricultural land be sold to capitalists, the inducements to the ordinary immigrant would be greatly diminished.

38. Is it the case that in the hundreds north of Waikouaiti, especially these at Oamaru, the effect of proclaiming them has been to place large estates in the hands of capitalists?—I think it has, owing to circumstances which could not be controlled, but still there are a large number of well-to-do settlers of small and moderate means.

39. Do you remember the clause inserted (at Mr. Whitaker's suggestion) in the Land Act making it compulsory on Wardens to levy an assessment on cattle in every hundred?—A clause was introduced directing the Wardens to levy assessments on stock.

40. Have you examined the return now on the table showing how that duty has been performed, and what amount has been raised by way of assessment in each hundred?—I have not examined the return in question. If the Wardens neglect their duty, it was then the duty of the Waste Land Board to act (see clause 115). One-half of the proceeds of the assessment went to the District Road Board for making, repairing, and improving roads and bridges. In many of the old hundreds the land is sold, though unenclosed, and there is little or no Crown Land to depasture stock on.

41. If in one hundred the law is complied with and an assessment raised, while in another the Wardens take no steps to compel assessment, is the effect not to make the law work with inequality and injustice to those who are made to pay the tax?—Yes; but the Waste Lands Board can remedy the inequality by itself taking action, a duty which is imposed on it by law.

42. Do you remember a number of questions sent out by a Committee of the Otago Provincial Council last Session which was appointed to consider the question of the declaration of hundreds?—Yes, I do.

43. Did one of those questions refer to the proclamation of land into hundreds which was only fit for pasture?—Yes.

44. Will you state what answer you gave to that question?—The questions bearing on the subject were two in number; the answers I gave were as follows:—"I do not think it would be legal, nor do I think it would be politic, to declare country "fit only for grazing purposes" into a hundred for the purpose specified. By the 84th clause of "The Waste Lands Act, 1866," the Government had ample power "to refuse to grant leases for pastoral purposes of any Waste Lands which it may deem it inexpedient to lease." It did not avail itself of this purposely-given power by reserving any lands under license from leasing, and therefore the lessees are entitled to look for the full benefits of the Act. The land might have had on the expiry of the original licenses, which in many cases are dropping in, and might have been wisely applied to increasing existing hundreds. I have confined my reply to the limit fixed by the question as to land "fit only for grazing purposes." And again: "I do not think it would now be right or politic to declare 'purely pastoral land' into hundreds, as leases have been granted under an Act which did not contemplate and does not provide for such a proclamation."

45. Generally, will you inform the Committee whether you think that the objects of the hundreds system can be attained unless the existence of good agricultural land suitable for settlement is a condition of any hundred?—The existence of fair agricultural land I regard as a necessary element in the settlement of an agricultural population under the system of hundreds.

46. In any new hundreds should this not be insisted upon?—I think it should, unless in special cases, such as where an injustice has been done to the settlers in old hundreds, as I hold to have been the case under the 10s. clause, where the refuse of the hundreds were constantly advertised for auction sale.

47. Have you thought of any proportion that might fairly be established between agricultural and pastoral land in a new hundred?—Where circumstances will admit, I think that about two-thirds of fair agricultural land would be a desirable proportion. But the price of any portion should not be under 20s. an acre.

48. Was it not generally the spirit of the Council resolutions that land which was purely pastoral should not be proclaimed into hundreds?—Undoubtedly, as a general rule it was the spirit of the resolutions that hundreds should not consist of purely pastoral land. There might have been small pastoral freeholds or leasehold pastoral farms before the present leases were given, for there was a power to decline exchanging pastoral licenses for leases on the former terminating; but that power has now passed away, and cannot be exercised where leases have been given.

49. Would this interpretation of the Act be reasonable to be taken as a rule of action by the Executive Government?—I think it would, but it is a matter of opinion.

50. Are you aware what amount of land in Otago, not being within Gold Fields, is open to be proclaimed into new hundreds?—I cannot form any definite idea.

51. Do you remember the Joint Gold Fields Bill Committee of 1866, and were you not for some time its Chairman?—I do. I was for some time Chairman on the resignation of Mr. Haughton.

52. Are you aware that one of the principal subjects before that Committee was the repeal or amendment of the 28th clause of the then Gold Fields Act of 1862?—Yes. The Select Committee of the Legislative Council declined to deal with that clause only, as was desired in an Interim Report, at any conference between the Select Committees of the two Houses on the Gold Fields Act.

53. Will you describe what the effect of that clause was?—It enabled a runholder, on the proclamation of a Gold Field over his run to demand that his lease or license should be cancelled or suspended over a part of the whole of the land so included, and thereupon to demand compensation, as provided for in the Act.

54. Why was there so much objection to it?—Because of the amount of compensation claimed.

55. Was it a question of compensating runholders whose runs might be wanted which made an amendment of the 28th clause so material?—I believe it was.

56. Would it have been consistent with public faith to evade the operation of the 28th clause by