

election a direct and immediate power for good or evil over the purses and property of those whose votes they depend upon, are eager to obtain, and must be disgusted at losing—whom they scarcely can avoid desiring to reward if adherents, or punish if opponents,—to give such a power, under such circumstances, does seem about the most injudicious and impolitic proceeding it ever entered the brain of lawmakers or statesmen to devise or give countenance to. And, as if the amount of irregular or unconstitutional interference with the exercise of political rights and privileges rendered possible in the administration of public lands by the more ordinary Land-laws of the Colony for other Provinces were not enough, those of Otago are exceptionally noticeable and peculiar in the extraordinary amount of discretionary power they confer upon the Waste Lands Board. One simple instance will suffice. The Board can, by one provision of the Act of 1866, withdraw from sale at their pleasure any lands “the sale or disposal of which may appear to them to be, or likely to be, prejudicial to the public interests;” and the land withdrawn may at any time be put up for sale again, and this without giving or recording any reason for the withdrawal from sale or subsequent permission to sell, or any public notification, whether of a month or a day, of the proceeding. Could any provision afford better opportunities and facilities for favouritism or vindictiveness? And it is especially to be remembered, that these powers are given to *local* administrators,—those whose very position as neighbours, fellow-townsmen, or fellow-provincialists, subjects them necessarily to relations of either friendship or hostility to the purchasers or other dealers in the public lands of the Province.

The Commissioners are far from asserting that these extraordinary powers have been abused by the Waste Lands Board (also the Executive) of Otago: because no such abuse or mal-administration from political or personal motives has been brought in evidence before them. But it is easy to conceive what great abuses might be perpetrated under such laws, were the possessors of such powers either unscrupulous in character or subjected to circumstances of unusual political temptation and excitement.

The remedy for this great evil rests with the Legislature, and is not one for the Commissioners to suggest, except in so far as it might be found in an alteration of the present position of the Commissioner of Crown Lands, who might be made actually and practically, as he is nominally, an officer of the General Government, by charging the general revenue with his salary. This could not but put him in a position of greater independence of local interests, and the political leanings or prejudices of the Government of the Province he is connected with.

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The Commissioners, in conclusion, strongly recommend a perusal of the valuable evidence attached to this Report, as it contains information on some points not touched upon therein, and many explanatory details which could not be introduced without extending it to too great a length.

ALFRED DOMETT,

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