

# PETITIONS PRESENTED TO THE HOUSE OF REPRESENTATIVES.

ORDERED TO BE PRINTED.

## No. 1.

### PETITION OF JOHN MACLEAN, OF OTAGO.

To the Honorable the House of Representatives of the Colony of New Zealand,

*The Humble Petition of John Maclean, of Dunedin, in the Province of Otago, Runholder,*

HUMBLY SHEWETH,—

1. That on and for some time previous to the 5th day of July, 1867, I held under license from the Crown an interest in run number one hundred and thirty-seven in the Province of Otago.

2. That shortly after the coming into operation of "The Otago Waste Lands Act, 1866," I became by purchase the sole tenant of the said run, at a cost of upwards of six thousand six hundred pounds, exclusive of the cost of the stock thereon.

3. That I accepted a lease under the new Act thereby agreeing to pay the very heavy and oppressive assessments imposed thereby, and have (in addition to my original outlay of upwards of six thousand six hundred pounds for the said run) since expended upwards of one thousand four hundred pounds in improvements thereon.

4. That I purchased the said run and carried on improvements thereon, upon the faith and belief that I should not be disturbed in its occupation until the expiration of the lease, or at least until some portion of it might be urgently required for *bonâ fide* settlement.

5. That your petitioner was fortified in such belief by the assurance of the New Zealand Government as contained in a letter dated the 5th day of March, 1862, from the Colonial Secretary to the Hon. Major Richardson, the then Superintendent of Otago, also by the assurance of good faith towards the lessees from the Crown expressed by His Honor the present Superintendent of Otago on the prorogation of the Provincial Council on the 5th day of June, 1867, and by the unshaken conviction that any breach of good faith towards Crown tenants would never be permitted by Her Majesty's representative, or by the Government of the Colony.

6. That the Provincial Council of the Province of Otago has, during its recent Session, adopted a Resolution (*inter alia*)—That there is a necessity for a new Hundred, of fifteen thousand acres, at the Beaumont, of which it is proposed to take ten thousand acres out of the run number one hundred and thirty-seven so leased as aforesaid by your petitioner.

7. That within the boundaries of the ten thousand acres so proposed to be taken from your petitioner, a very small proportion of land is adapted for agricultural purposes, a fact which is clearly established by the evidence taken before a Select Committee of the Provincial Council.

8. That there already exists, adjoining to the proposed new Hundred, a tract of commonage containing about ninety thousand acres.

9. That such commonage is in the heart of the Tuapeka Gold Field, and is nearer and more accessible to Dunedin than your petitioner's run, and contains many thousands of acres of land lying idle, which are quite equal in every respect, if not superior, to any of the land proposed to be taken from your petitioner.

10. That the total population within the limits of the Tuapeka Commonage District does not exceed three thousand eight hundred and eighty-four souls, of whom about one thousand reside in the townships of Lawrence, Wetherstone, Waitahuna, and Waipori.

11. That the supply of land now in the market suited for agriculture is far in excess of the demand, and that the only purpose for which land would be purchased within the limits of the proposed Hundred would be to ensure to the purchasers the opportunity of depasturing stock over the whole of the adjacent country, and thus your petitioner, as the *bonâ fide* lessee under the Crown, after expending upwards of eight thousand pounds in purchase money and improvements, would have his interests sacrificed and be ousted to make room for a few small purchasers of freeholds, who would, for a nominal outlay, and without being possessed of any existing vested rights, acquire those rights which belong to him, and for which he has so dearly paid.

12. That the circumstances of your petitioner's case are aggravated in a peculiar degree by the mode in which it is proposed to select the land for the purpose of a new Hundred on his run, for, as will plainly appear by reference to the plan in the margin thereof, it could not have been possible, by exercising the utmost ingenuity, to have devised any other plan so well calculated to render the remainder of the run utterly useless to him as lessee. The run contains in the whole about thirty thousand acres. The portion coloured red indicates the ten thousand acres proposed to be taken as a Hundred, and the portions coloured blue indicate the positions of the remaining portions of the run. Those portions would thus become completely isolated, and, from the character of the country, would, without the centre portion, be rendered almost valueless to your petitioner.

13. That your petitioner's statements are substantially corroborated by various persons of respectable standing in this Province.

Your petitioner prays that your Honorable House will be pleased to take such steps as may be necessary to prevent so great a wrong being done to him as that which the Provincial Council of Otago have sanctioned and approved.

And your petitioner will ever pray, &c.

JOHN MACLEAN.