

1883.
NEW ZEALAND.

REPORTS OF THE WASTE LANDS COMMITTEE.

(MR. FULTON, CHAIRMAN.)

Presented to the House of Representatives, and ordered to be printed.

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THE HISTORY OF THE UNITED STATES

BY CHARLES A. BEAMAN, D.D., LL.D.,

PROFESSOR OF HISTORY

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No. 12.—Petition of HEMANA WHITI.

PETITIONER states that his share of land was not included in some sold by his tribe to Mr. Fitz-Gerald. He prays for relief.

I am directed to recommend: That the petition be referred to the Native Affairs Committee.
4th July, 1883.

No. 37.—Petition of the MAYOR and COUNCILLORS of Auckland.

PETITIONERS protest against the alienation of any portion of the Government House Reserve at Auckland for a University.

I am directed to report: That, as the subject of the petition is a matter of public policy, the Committee have no recommendation to make.

4th July, 1883.

No. 59.—Petition of DAVID GRACE.

PETITIONER states that he landed with his regiment in 1860, and served for six years in the Province of Taranaki and in the Waikato country. He considers that he is entitled to a grant of land, and prays for relief.

I am directed to report: That, the case of the petitioner having been dealt with by the Naval and Military and Local Forces Land Claims Commission, the Committee see no reason to reopen the case.

4th July, 1883.

No. 4.—Petition of WILLIAM ALFRED SACKER.

PETITIONER states that he was on active service in New Zealand for two years and nine months from 1863. He considers he is entitled to a grant of land, and prays for relief.

I am directed to report: That the petitioner forfeited his claim through desertion.

4th July, 1883.

No. 64.—Petition of JAMES CAMPBELL.

PETITIONER states that he served in the Waikato campaign. He considers he is entitled to a grant of land, and prays for relief.

I am directed to report: That the petitioner has no claim.

4th July, 1883.

No. 2.—Petition of PATRICK McCABE, late 58th Regiment.

PETITIONER states that he was discharged from the 58th Regiment on the 30th September, 1857, and considers he has a claim to a land grant as a military settler. He prays for a favourable consideration of his case.

I am directed to report: That the petitioner has failed to substantiate any claim.

5th July, 1883.

No. 41.—Petition of SAMUEL CRICKETT.

PETITIONER prays for relief in consequence of loss of land taken up by his deceased son as an immigrant.

I am directed to recommend: That the petition be referred to the Public Petitions Committee.

5th July, 1883.

1—I. 4.

No. 10.—Petition of JOHN KINNEAR McDONALD.

PETITIONER prays for a reissue of remission certificate for £10, with power to exercise the same in the Province of Auckland. The original scrip was awarded for Volunteer service in Taranaki, and lost by a friend to whom it was forwarded.

I am directed to report: That, the petitioner having failed to comply with the conditions prescribed by the law on the several opportunities afforded for exercising the scrip, the Committee are unable to recommend the House to entertain the petition.

11th July, 1883.

No. 40.—Petition of JOHN McLEOD.

PETITIONER claims land for services rendered at Bay of Islands as a Volunteer in 1844–45.

I am directed to report: That, the petitioner having failed to comply with the conditions prescribed by the law on the several opportunities afforded for substantiating the claim, the Committee are unable to recommend the House to entertain it.

11th July, 1883.

No. 17.—Petition of MARIA DOBLE.

PETITIONER prays for relief in recognition of her late husband's services as a Volunteer, from 1860 to 1867.

I am directed to report: That, the petitioner having failed to comply with the conditions prescribed by the law on the several opportunities afforded for substantiating the claim, the Committee are unable to recommend the House to entertain it.

11th July, 1883.

No. 76.—Petition of R. PRENDERGRAST and 45 Others (Report No. 1).

PETITIONERS pray that the building and site of the old schoolhouse at Pokeno be made over to the settlement for the purposes of a public hall.

I am directed to report: That the prayer of the petition be recommended to the favourable consideration of the Government.

18th July, 1883.

No. 198.—Petition of JAMES GIBBONS.

PETITIONER served in the 18th Regiment, and was discharged in New Zealand. He prays for a grant of land as a military settler.

I am directed to report: That, the case of the petitioner having been dealt with by the Naval and Military and Local Forces Land Claims Commission, the Committee see no reason to reopen the case.

18th July, 1883.

No. 15.—Petition of WILLIAM ROBERTSON.

PETITIONER prays for rectification of Crown grant on the ground of irregularity.

I am directed to report: That it has been proved to the Committee that the grant referred to in the petition was incorrectly issued, inasmuch as it did not contain the words "with full power to lease and sell."

That the Government be recommended to take such steps as shall place the petitioner's grant in the same position as those issued on the recommendation of Mr. Turton at the same time.

27th July, 1883.

No. 11.—Petition of FREDERICK CARMICHAEL.

PETITIONER prays for relief on the ground that he has no access to the land purchased by him of the Government.

I am directed to recommend: That, the Government offer to take back the land at cost price, with interest at 8 per cent. per annum added.

27th July, 1883.

MASTERTON AND GREYTOWN LANDS MANAGEMENT ACT AMENDMENT BILL.

THE Waste Lands Committee, to whom was referred the Masterton and Greytown Lands Management Act Amendment Bill, having taken evidence upon the subject, have duly considered the Bill, and I am directed to report: That the Committee recommend the Bill to be passed as amended in the copy attached.

1st August, 1883.

LAND ACTS AMENDMENT BILL.

THE Waste Lands Committee, to whom was referred the Bill intituled "The Land Acts Amendment Act, 1883," have the honour to report that they have gone through the Bill, and recommend that it be allowed to proceed with the amendments shown on the copy annexed.

2nd August, 1883.

No. 30.—Petition of FRANCIS JOHN JOHNSON.

PETITIONER prays for grant of land to which he was entitled as an immigrant in 1855.

I am directed to report: That the Committee are unable to recommend the prayer of the petition.

3rd August, 1883.

No. 14.—Petition of BRIDGET DONELLY.

PETITIONER prays for grant of land to which she was entitled as an immigrant in 1864.

I am directed to report: That the Committee are unable to recommend the prayer of the petition.

3rd August, 1883.

No. 49.—Petition of WILLIAM HENRY TAEONA.

PETITIONER prays for a grant of land to which he was entitled as an immigrant in 1864.

I am directed to report: That the Committee are unable to recommend the prayer of the petition.

3rd August, 1883.

No. 218.—Petition of WILLIAM GEORGE GARRARD (No. 1).

PETITIONER prays for a grant of land for military services.

I am directed to report: That the petitioner has no claim.

3rd August, 1883.

No. 47.—Petition of STEPHEN EARL.

PETITIONER prays for Crown grant to be issued to him for land purchased of a military settler.

I am directed to recommend: That the attention of the Government be drawn to the memorandum signed by T. J. Waters (copy of which is attached), issued by the Crown Lands Department at Auckland, by which the petitioner seems to have been misled into purchasing the claim of one Whitney. That the Government be recommended to give effect to the prayer of the petition.

3rd August, 1883.

Copy.

James Whitney: Parts. of Lots 177 and 199 (sixty acres), Okahu Block, Kaipara District, Marsden. Entitled to grant, 20th October, 1869.

7th July, 1868.

T. J. WATERS.

No. 217.—Petition of WILLIAM ADAIR and 30 Others.

PETITIONERS state that they bought swamp land; that one of the conditions of sale was that Government would cause a drain to be made to drain it, and that the drain which was made has proved inadequate to carry off the surplus water.

I am directed to report: That the petitioners have failed to establish any further claim upon the Government.

8th August, 1883.

No. 28.—Petition of HENRY HENDERSON.

PETITIONER claims twenty acres of bush land in lieu of right of road reserved.

I am directed to report: That petitioner has no claim.

8th August, 1883.

No. 483, of 1882.—Petition of BENJAMIN SMART ALLEN.

PETITIONER bought Sections 16 and 18, Lower Moutere District, which were bounded on the east by a road. In 1866 the Provincial Government of Nelson took steps to close up the old road and form a new one, but, though the new road was constructed, it was not according to the plan, while the old road was not actually closed. Relying on the validity of the order given by the Provincial Council, he leased a portion of the land, and the tenant built a house on the old road. He now finds that he has no claim upon the said house, and that about an acre of land is rendered valueless to him. He prays for compensation, amounting to £25.

I am directed to recommend: That the prayer of the petition be granted.

15th August, 1883.

No. 165.—Petition of BENJAMIN NAYLOR and SON.

PETITIONERS pray that they may be put on the same footing as other deferred-payment selectors in the district, who took up land at 30s. an acre, on the ground that the Waste Lands Board, between the coming into operation of "The Land Act, 1877," and "The Land Act Amendment Act, 1879," increased the price of deferred-payment land to 60s. per acre, at which latter price petitioners took up their land.

Inasmuch as the action of the Waste Lands Board was in strict accordance with the provisions of the existing law, I am directed to report: That, in the opinion of the Committee, the petitioners have no claim.

15th August, 1883.

No. 19.—Petition of ALBERT H. RUSSELL.

PETITIONER served in the Waikato Regiment from 1863 to 1866, and was then transferred to the Colonial Defence. He claims a grant of land for his services.

I am directed to report: That, the claim of the petitioner having been disposed of by the Naval and Military and Local Forces Land Claims Commission, the Committee see no reason to reopen the case.

15th August, 1883.

No. 193.—Petition of GEORGE MCLEAN.

PETITIONER prays for issue of Crown grant for land purchased by Captain W. McDonnell, on the ground that he believed, from vendor being a Government officer, that he had power to sell.

I am directed to report: That, as the petitioner has failed to produce any evidence which would show that he has any valid title to the land, the Committee is unable to recommend the prayer of the petition. As, however, there seem to be exceptional circumstances connected with the case, the Committee are of opinion that the question should be referred to the Government, with the recommendation that the land should be offered for sale as of special value and weighted with improvements.

17th August, 1883.

No. 383.—Petition of MICHAEL O'DONOHUE and Others.

PETITIONERS are deferred-payment settlers. They pray for a reduction in the price of their land, and three years in extension before paying further instalments, on the ground that Government has not made good outfall drains which were promised by advertisement previous to the sale.

I am directed to report: That, inasmuch as the Government are now carrying out the objects sought by the petitioners, the Committee have no recommendation to make.

17th August, 1883.

No. 397.—Petition of GEORGE GALBRAITH and Others.

PETITIONERS protest against the transfer of Market Reserve at Tauranga for the purposes of a district school.

I am directed to report: That the question is one which can only properly be dealt with by the Legislature in a Bill promoted by the local authorities.

17th August, 1883.

No. 428.—Petition of ALFRED CHARLES KIMBELL.

PETITIONER bid for land in Strath-Taieri District, of which James Pearsall was declared the purchaser, the said James Pearsall, not being qualified as a resident, coming from Tasmania on the 20th February, and returning there on the 1st March, 1883.

Petitioner prays that he may be declared the purchaser of the sections in dispute, and that the mode of purchase may be extended from thirty² to sixty bi-annual payments, residence to be proportionately extended.

I am directed to report: 1. That the case of the petitioner is one of much hardship, and deserves special consideration at the hands of the Government, inasmuch as that, largely through his perseverance, the interests of the public have been conserved. 2. That, with a view to the petitioner being placed in possession of the land for which he was a *bona fide* bidder, special legislation, if necessary, should be had recourse to this session.

22nd August, 1883.

No. 247.—Petition of SAMUEL YATES (Report No. 1).

PETITIONER negotiated for a block of Native Land, situated near Whangape, called Rawhiriroa, and paid £200 on account, Government raising no objection to his acquiring it; he also paid the cost of survey, £56. The Government Land Purchase Agent in 1879 bought the land from the Natives, and prevented petitioner concluding the transaction, the survey of the petitioner being used for the purpose.

I am directed to report: That the Committee are of opinion that the claim of the petitioner is well founded, and that the Government be requested to give effect to the prayer of the petition.

22nd August, 1883.

No. 434.—Petition of ANDREW THOMPSON (No. 2).

PETITIONER bought land at Hawkesbury Town in 1861, on the understanding that a jetty should be built. This has not been done, and his land is therefore depreciated in value. Petitioner now prays for a few acres in the town that will grow potatoes.

I am directed to report: That your Committee have no recommendation to make in regard to this petition; but they desire to express their regret that the honourable member who presented it failed, no doubt from inadvertence, to comply with Standing Orders Nos. 275 and 276, which, had they been adhered to, would have saved your Committee's time, and prevented the necessity under which they now rest of pointedly observing on the impropriety of the petition, and the evidence it contains, on its face, of the condition of the petitioner's mind.

22nd August, 1883.

No. 493.—Petition of EDWARD BARTLEY, Chairman of the Devonport Domain Board.

PETITIONERS state that in 1879 they were constituted a Domain Board to take charge of 17 acres in Takapuna, Lots 36, 37, and 39, section 2.

In the Crown grant or deed of transfer, subsections 1, 2, 3, 4, 5, 6, 7, and 8 were accidentally omitted, and are still vested in the Auckland Education Commissioners, from whom they should have been conveyed to the Domain Board.

Thinking they had the whole of the sections, petitioners paid the lessee £150 for surrender of lease, and expended £153 9s. 1d. on drainage. But being personally responsible for payment they have been obliged to suspend operations, and have leased what land they have for grazing purposes. They pray for relief.

I am directed to recommend: That the matter be referred to the Government for their favourable consideration.

24th August, 1883.

No. 466.—Petition of HELEN HEDDAR and Others.

PETITIONERS protest against Market Reserve at Tauranga being applied to the purposes of a district school.

I am directed to report: That the question is one which can only be properly dealt with by the Legislature in a Bill to be promoted by the local authorities.

24th August, 1883.

No. 470.—Petition of ROBERT BISHOP.

PETITIONER states that he was discharged from 21st Hussars, 1860, in Calcutta, and came to New Zealand to settle two years after. He, however, had lost his papers, but afterwards obtained certified copies and claimed grant of land, but he has never been able to obtain it. He prays for relief.

I am directed to report: That, the claim of the petitioner having been considered by the Naval and Military and Local Forces Land Claims Commission, the Committee see no reason to reopen the case.

24th August, 1883.

MIDDLE ISLAND HALF-CASTE GRANTS BILL.

THE Waste Lands Committee, to whom was referred the Bill intituled "The Middle Island Half-Caste Grants Act, 1883," have the honour to report that they have gone through the Bill, and recommend that it be allowed to proceed without amendment.

29th August, 1883.

SPECIAL POWERS AND CONTRACTS BILL.

THE Waste Lands Committee, to whom was referred the Bill intituled "The Special Powers and Contracts Act, 1883," have the honour to report that they have gone through the Bill, and recommend that it be allowed to proceed with the amendments as shown on the copy.

29th August, 1883.

No. 454.—Petition of PETER POPE Fagg.

PETITIONER states that he bought a rural section of land, sold by public auction, in the Township of Palmerston, in 1873. He agreed with the Superintendent of Wellington to pay a portion of the purchase-money down, and the remainder within ten years. He has fulfilled his obligations and paid taxes, but the Government has refused to accept the balance of the purchase-money, notwithstanding that the Waste Lands Committee have already reported favourably. He prays for relief.

I am directed to report: That the question should be referred to the Government, with the recommendation that the land should be offered for sale as of special value, and weighted with improvements.

30th August, 1883.

No. 76.—Petition of R. PRENDERGRAST and 45 Others (Report No. 2).

PETITIONERS pray that the building and site of the old schoolhouse at Pokeno may be made over to the settlement for the purposes of a public hall.

I am directed to report: That, the Committee have reconsidered this petition, but, as the matter has been dealt with in the Special Powers and Contracts Bill, this Committee have no further recommendation to make.

30th August, 1883.

No. 472.—Petition of THOMAS MIGLEY and Others.

PETITIONERS pray that Lots 256, 263, 289, and the roadway, may be conveyed to the Auckland Education Board for increasing the school accommodation at Tauranga.

I am directed to report: That, as the question is one which can only be properly dealt with by the Legislature, in a Bill to be promoted by the local authorities, the Committee have no recommendation to make.

30th August, 1883.

No. 475.—Petition of J. S. RYAN.

PETITIONER states that he was discharged from the 57th Regiment in 1865, and sent his scrip to Wellington, claiming 60 acres of land in Taranaki or Auckland. His scrip was never returned, and he has had no land allotted to him. He prays for relief.

I am directed to report: That, the claim of the petitioner having been considered by the Naval and Military and Local Forces Land Claims Commission, the Committee see no reason to reopen the case.

30th August, 1883.

No. 495.—Petition of MICHAEL HARTNETT.

PETITIONER states that he was discharged from the 58th Regiment in 1848, and claims a grant of land as a military settler.

I am directed to report: That, as the claim of the petitioner was considered by the Naval and Military and Local Forces Land Claims Commission, the Committee see no reason to reopen the case.

30th August, 1883.

RUSSELL EXCHANGE OF LAND BILL.

YOUR Committee have had this Bill under their careful consideration, and have taken all available evidence on it. After full investigation, their opinion is that the Bill ought to be allowed to proceed, as the Government have received the full consideration stipulated in the agreement with Mr. Russell. The Committee therefore hold that Government is bound, in all fairness, to implement the engagement entered into, however irregular this transaction may have been, as at the date of its inception such dealings were quite common, and were not viewed with the same condemnation they would now evoke.

3rd September, 1883.

No. 408.—Petition of PETER GRANT and Others.

PETITIONERS protest against Reserves 394, 723, and 724, in the Canterbury District, set apart and hitherto used for camping and depasturing stock on the road, being leased.

I am directed to report: That, the Government having determined not to lease these reserves, the Committee have no recommendation to make.

3rd September, 1883.

No. 286.—Petition of JAMES H. KEITH.

PETITIONER states that in 1864 he and his family arrived in Auckland, and were entitled as immigrants to a grant of land. The land orders remained unknown to him in the office of the Provincial Government until the time of presentation to the proper office had lapsed one day. The Provincial Council on two occasions recommended that under the circumstances his claim should be recognized, but the recommendation was never carried out. He prays for relief.

I am directed to recommend: That the Government be requested to give effect to the prayer of the petition, and that the sum of £130 be awarded him.

3rd September, 1883.

No. 247.—Petition of SAMUEL YATES (Report No. 2).

I AM directed to report: That the Committee, having given further consideration to Mr. Yates's petition, and not having received any fresh evidence thereon, have no further recommendation to make.

3rd September, 1883.

No. 452.—Petition of WILLIAM WHEELER.

PETITIONER states that he was discharged from the 57th Regiment in 1866, in New Zealand, and settled on sixty acres granted to him, viz., Section 69, Ouratangi Block. He left his land with the permission of Superintendent Richmond in search of work, under promise that his land should not be forfeited in his absence. The land, however, was declared forfeited, and was gazetted as a county reserve. He prays for relief.

I am directed to report: That, the petitioner having failed to comply with the conditions of the land order, the Committee are unable to recommend the prayer of the petition.

4th September, 1883.

No. 297.—Petition of HONORA OAKES.

PETITIONER prays for the restoration of land purchased by her late husband in 1845.

I am directed to report: That, further evidence in this case being required from Auckland, which it has not been possible as yet to obtain, the Committee recommend that this petition should be referred to any Committee which may sit next session for the consideration of similar petitions.

4th September, 1883.