

1889.

NEW ZEALAND.

THE LEASING OF OTEKAIKE RUNS

(CORRESPONDENCE RELATIVE TO).

Return to an Order of the House of Representatives dated the 10th July, 1889.

Ordered, "That there be laid upon the table of this House all correspondence and telegrams that have passed between the Minister of Lands and the Land Board or Commissioner of Lands in the Otago District relative to the leasing of Runs 28 and 28A, known as the Otekaike Runs, in Waitaki County; and all telegrams to the auctioneer and Campbell and Sons, or Campbell and Sons' agents, referring to said sale."—(MR. DUNCAN.)

The COMMISSIONER of CROWN LANDS, Dunedin, to the Hon. the MINISTER of LANDS, Wellington.

Sir,— Crown Lands Department, Dunedin, 5th January, 1889.
I have the honour to forward herewith report of Commissioners appointed by His Excellency the Governor to report to him under the 9th section of "The Land Acts Amendment Act, 1888," upon certain lands in the Otago Land District. I have, &c.,
The Hon. the Minister of Lands, Wellington. J. P. MAITLAND,
Commissioner, Crown Lands.

EXTRACT FROM COMMISSIONERS' REPORT.

To His Excellency Sir WILLIAM FRANCIS DRUMMOND JERVOIS, Governor of the Colony of New Zealand.

MAY IT PLEASE YOUR EXCELLENCY,—

We, being appointed Commissioners by your Excellency under the 9th section of "The Land Acts Amendment Act, 1888," to classify and report to you upon the undermentioned rural lands in the Land District of Otago, being runs numbered 28, 28A . . . , have now the honour to report to your Excellency that we have classified the same in the manner prescribed by the said 9th section of "The Land Acts Amendment Act, 1888," and as particularised in the attached schedule showing the classification and describing the boundaries of the said lands.

Given under our hands, at Dunedin, this fifth day of January, one thousand eight hundred and eighty-nine.

J. P. MAITLAND, }
C. W. ADAMS, } Commissioners.
HENRY CLARK, }

EXTRACT FROM SCHEDULE TO COMMISSIONERS' REPORT.

CLASS I.—Pastoral lands, being lands suitable exclusively for pasturage, and not capable of being used with profit in areas of less than five thousand acres.

Description.—Run 28, 20,000 acres, situated in Domett and Maruwhenua Survey District. Bounded on the north-west by Otiake River, on the north-east by surveyed land, on the south-east by Otekaike River, and on the west by right lines from Trig. F cone north to Mount Domett and south to Trig. Y, Domett Survey District, and produced to saddle of Maruwhenua Pass. Run 28A, 11,880 acres, situated in Domett and Kurow Survey Districts. Bounded on the north-west by Kurow River, on the north-east by surveyed land, on the south-east by Otiake River, and on the west by right lines from Mount Domett, running north towards Mount Kurow and south to Trig. F cone.

MEMORANDUM from COMMISSIONER of CROWN LANDS, Dunedin, to the UNDER-SECRETARY for CROWN LANDS.

Crown Lands Department, Dunedin, 30th January, 1889.

I HAVE to transmit a resolution adopted by the Land Board at a meeting held on the 29th instant, fixing new terms and upset rentals at which runs the leases of which expire in March, 1890, &c., shall be offered.

J. P. MAITLAND,
Commissioner of Crown Lands.

The Under-Secretary, Crown Lands, Wellington.

Extract from Resolution referred to.—The Land Board having been requested to fix new terms and rentals for the following runs, the leases of which expire in March, 1890, the following terms and rentals were adopted:—

Run.	Acreage.	Term of Years.	Upset Rental.
28	20,000	21	£200
28A	11,880	21	£125

PETITION.

Kurow, 19th January, 1889.

THE petition of the undersigned settlers in the County of Waitaki humbly sheweth,—

1. That the leases of Runs 28 and 28A, Otekaieke, expire on or about 28th February, 1889.
2. That, with a view to a more effectual settlement of the people on the lands, your petitioners respectfully pray that Runs 28 and 28A be cut up into small grazing-runs.
3. That the same be sold by public auction under the perpetual-lease system.
4. That, should such a course be pursued, your petitioners have no hesitation in saying that all the aforesaid land will be taken up at a fair and reasonable rental.

And your petitioners will, as in duty bound, ever pray.

R. P. Sharp.	Michael McHenry.
C. Shine.	John Meagher.
L. Daster.	John Palmer.
John Grant.	W. J. Cain.
James Gibbins.	Andrew Gray.
Thomas Milne.	John Smith.
William Robinson.	W. McAughten.
A. Griffin.	W. Fraser.
John Godsell.	

The Hon. G. F. Richardson, Minister of Lands, Wellington.

The UNDER-SECRETARY for CROWN LANDS to MESSRS. R. P. SHARP and C. SHINE, KUROW.

GENTLEMEN,—

General Crown Lands Office, Wellington, 11th February, 1889.

I have the honour, by direction of the Hon. the Minister of Lands, to acknowledge the receipt of a petition dated the 19th January, but which only reached this office on the 16th instant, signed by yourself and fifteen other settlers in the County of Waitaki, praying that Runs 28 and 28A, to be offered on the 28th instant for pastoral leases, may be disposed of on the small grazing-run system.

In reply, I am to point out that, owing to the altitude of the country in question, ranging as it does from 4,000ft. to 6,000ft., much of it must be covered with snow during a great part of the year, which would make it unsuitable for subdivision into small areas for settlement. This fact evidently was taken into consideration by the Classification Commissioners, who classified these runs as purely pastoral country suitable to be held in large areas only, and by the Land Board when it decided upon offering the runs with a fixed tenure of twenty-one years at small upset rentals.

As, however, the Government is desirous of meeting the wishes of the settlers in the locality as far as possible, the Minister of Lands would suggest that such of the petitioners as are anxious to acquire the runs should bid for them at the approaching sale, when, if they are secured by persons who wish to hold them in smaller areas than at present proposed, they can, with the sanction of the Land Board, be subdivided into five runs, as shown on the lithograph forwarded herewith, the rent being apportioned to each subdivision as provided by section 182 of "The Land Act, 1885." I am to add that, as the runs are to be offered on a fixed tenure for twenty-one years, this proposal would probably suit such of the settlers who signed the petition as are desirous of acquiring further lands for pastoral purposes. A copy of this correspondence will be forwarded to the Land Board at Dunedin, with a request that it will concur in these proposals.

I have, &c.,

H. J. H. ELLIOTT,
Under-Secretary.

MEMORANDUM from the COMMISSIONER of CROWN LANDS, Dunedin, to the UNDER-SECRETARY for CROWN LANDS.

Crown Lands Department, Dunedin, 13th February, 1889.

IN terms of resolution of the Land Board, I have to transmit to Government for consideration a telegram received from Mr. Thomas Duncan, M.H.R., intimating that a large number of persons are desirous of having Runs 28 and 28A, Otekaieke, opened under the small grazing-run system. These runs are advertised for leasing on the 28th instant.

The Under-Secretary, Crown Lands, Wellington.

J. P. MAITLAND.

THOMAS DUNCAN, M.H.R., Pukeuri, to the CHIEF COMMISSIONER, Waste Lands, Dunedin.
(Telegram.)

13th February, 1889.

LARGE number of people wanting Otekaieke under small grazing-run system.

THOMAS DUNCAN, M.H.R.

MEMORANDUM from the UNDER-SECRETARY for CROWN LANDS to the COMMISSIONER of CROWN LANDS, Dunedin.

General Crown Lands Office, Wellington, 18th February, 1889.

REFERRING to your memorandum of the 13th instant, forwarding a telegram from Mr. Duncan, M.H.R., intimating the desire to have Runs 28 and 28A opened under the small grazing-run system,

I transmit herewith copy of a petition from certain settlers upon the same subject, and the reply sent thereto. Will you be good enough to bring the correspondence before the Land Board, and obtain its concurrence to the wishes of the Minister as conveyed to Messrs. Sharp and Shine.

H. J. H. ELIOTT.

The UNDER-SECRETARY for CROWN LANDS to the COMMISSIONER of CROWN LANDS, Dunedin.
(Telegram.) 27th February, 1889.

THE Government desires Runs 228 and 228A withdrawn from land sale to-morrow, pending obtaining a report as to their suitability for smaller division.

James Maitland, Commissioner of Crown Lands, Dunedin.

H. J. H. ELIOTT.

The UNDER-SECRETARY for CROWN LANDS to the COMMISSIONER of CROWN LANDS, Dunedin.
(Telegram. Urgent.) 28th February, 1889.

TELEGRAM last night should have referred to Runs 28 and 28A, Otekaieke, not 228 and 228A.

The Commissioner of Crown Lands, Dunedin.

H. J. H. ELIOTT.

DALGETY and Co. (for G. F. Dalgety) to the Hon. the MINISTER of LANDS.

(Telegram. Urgent.)

Dunedin, 28th February, 1889.

Re Runs 228 and 228A: Have just received notice that it is not intended to proceed with sale of these runs to-day. We are advised that this is a violation of our rights; that the determination to relet under section 180 can only be made once for all, and is final, and the gazettement gives us a right to claim that the auction shall proceed. Unless our rights are respected we shall proceed to move for a *mandamus*.

DALGETY AND Co. (for G. F. Dalgety).

The Hon. the Minister of Lands, Wellington.

The Hon. G. F. RICHARDSON to Messrs. DALGETY and Co.

(Telegram. Urgent. Take precedence.)

Wellington, 28th February, 1889.

THERE appears to have been a mistake. It is not intended to withdraw 228 and 228A. Have wired Maitland urgent to this effect.

Dalgety and Co., Dunedin.

G. F. RICHARDSON.

The Hon. G. F. RICHARDSON to THOMAS DUNCAN, Esq., M.H.R.

Wellington, 28th February, 1889.

THE Government has withdrawn the Otekaieke Runs from immediate sale, until further information is obtained as to their suitability for smaller division.

Thomas Duncan, M.H.R., Pukeuri, near Oamaru.

G. F. RICHARDSON.

The COMMISSIONER of CROWN LANDS, Dunedin, to the UNDER-SECRETARY for CROWN LANDS.
(Telegram.) Dunedin, 28th February, 1889.

Re your telegram this day: Runs 28 and 28A were sold prior to receipt of your telegram intimating that you intended to withdraw them, not 228 and 228A.

J. P. MAITLAND,

The Under-Secretary, Crown Lands, Wellington.

Commissioner of Crown Lands.

The Hon. G. F. RICHARDSON to THOMAS DUNCAN, Esq., M.H.R.

(Telegram.)

Wellington, 1st March, 1889.

REGRET, owing to error in telegram to Commissioner night before sale, Runs 28 and 28A were not withdrawn from sale.

Thomas Duncan, Esq., M.H.R., Pukeuri.

G. F. RICHARDSON.

J. P. MAITLAND, Commissioner of Crown Lands, Dunedin, to the UNDER-SECRETARY for CROWN LANDS.

(Telegram.)

Dunedin, 1st March, 1889.

ROBERT CAMPBELL and Sons purchased Runs 28 and 28A.

J. P. MAITLAND,

The Under-Secretary, Crown Lands, Wellington.

Commissioner of Crown Lands.

EXTRACT from MEMORANDUM from the COMMISSIONER of CROWN LANDS, Dunedin, to the UNDER-SECRETARY for CROWN LANDS, Wellington, dated 1st March, 1889, on the Result of Sale of Otago Runs.

WITH reference to Runs 28 and 28A your telegram notifying that it was the intention to withdraw them from sale, and not Runs 228 and 228A as previously telegraphed, was not received until after 12 o'clock, by which time the runs in question, being the first on the list, had been knocked down to Messrs. R. Campbell and Sons (Limited). Runs 228 and 228A were at first withdrawn; but, on receipt of your telegram explaining the error, were again put up, and sold to Mr. F. G. Dalgety, the present tenant, at the upset prices.

EXTRACT from Results of Sale of Licenses of Otago Runs held at Dunedin on Thursday, the 28th February, 1889. (Forwarded with above Memorandum.)

Runs with Possession on the 1st March, 1890.

Run.	Area in Acres.	Term of Years.	Upset Rental.	Rental realised.	Purchaser.
28	20,000	21	£ 200	£ 301	R. Campbell and Sons (Limited)
28A	11,880	21	125	251	" "

Mr. THOMAS DUNCAN, M.H.R., to the Hon. G. F. RICHARDSON.

DEAR SIR,—

Pukeuri, 16th March, 1889.

I now write to ask you to be good enough to explain how the Otekaikē bungle has occurred, and why you did not stop the sale of this swindle in time. I also wish you to forward plans of the Canterbury runs as formerly held, and also the new plans as proposed by the Commissioners.

I think a great mistake is being made in hurrying this sale, as proposed by you, in April. There should be at least three months' notice, and also several weeks for the residents to look into the classification and see if this is done in a manner suitable to the localities and wants of the people in each district. Most of the sales heretofore have been so hurried that there was not sufficient time to look into the matter properly; and their insufficient local publicity has caused a deal of grumbling and lost time. It is now six years since the Hon. W. Rolleston promised me, in the House of Representatives, that all land-sales in Waitaki should be locally advertised in the Oamaru papers, and that all such land-sales should be held in Oamaru. I hope this will be given effect to in future.

I hear of several complaints about the water-frontage being cut off the sections that are being prepared for sale in the last of the Kurow Block, and the delay in having them sold. I have not got a plan of this yet, so I cannot say how the sections are being cut up; but I think there has been unnecessary delay in this matter. Is the land company paying rent and keeping down rabbits upon this land? if rent, how much? Is the company (Campbell and Sons) paying rent for the islands in the Waitaki? if so, how much? Is John McLean paying rent for the islands opposite his property on the Waitaki?

I hope you can answer these few questions soon. I am anxious to know how the Canterbury Commissioners have dealt with the Canterbury runs as to areas and classification. I hope this will be satisfactory. I hope you will reply soon.

Yours, &c.,

THOS. DUNCAN.

The Hon. the MINISTER of LANDS to Mr. THOMAS DUNCAN, M.H.R.

SIR,—

General Crown Lands Office, Wellington, 1st April, 1889.

I have the honour to acknowledge the receipt of your letter of the 16th ultimo, in which you ask for information concerning the Canterbury runs, and also to explain how the Otekaikē bungle occurred; and why I did not stop the sale and this swindle in time.

What you term the "Otekaikē bungle" occurred through my writing 228 and 228A in error for 28 and 28A in a telegram sent to the Commissioner of Crown Lands, Dunedin. The sale of Runs 28 and 28A was not stopped because it had actually taken place before I had any knowledge that a mistake had been made.

As the expression "this swindle" cannot be applied to the sale of these runs at public auction and under keen competition, and as I feel sure you did not intend to apply it to the concerted action taken to obtain 28 and 28A for small grazing-runs, this portion of your question must remain unanswered until your meaning is made clear.

Your remaining questions I will reply to seriatim.

In regard to the date of the sale of the Canterbury runs, I have to state that ample time will now be given for publicity, as it is intended to offer the country south of Rangitata by auction at Timaru on the 30th May, and the remaining land at Christchurch on the 4th June.

As to the New Zealand and Australian Land Company paying rent and keeping down rabbits on unoccupied lands at Kurow, I have to state that until you asked the question I was not aware that there was any arrangement for the occupation of the land by the company. I find, however, that on the 23rd May last the Land Board granted temporary permission, terminable at any time, to the company to occupy 2,200 acres, being Run I of 23, Kurow (reserved for settlement, and the survey of which has just been completed), on condition of keeping the same clear of rabbits to the satisfaction of the Rabbit Inspector. I am also informed that on the 4th April, 1888, similar authority was given by the Board to Messrs. Campbell and Sons to occupy islands between the Otiakē and Maruwhenua tributaries of the Waitaki River.

Messrs. J. and A. McLean had a license for an island in the Waitaki (90 acres), Section 49, Block VIII., Papakaio, at a rental of £1 per annum; but it lapsed on the 31st December, 1873.

I have, &c.,

G. F. RICHARDSON,
Minister of Lands.

MEMORANDUM from Inspector DOUGLASS to the Hon. the MINISTER of LANDS.

Dunedin, 18th April, 1889.

IN accordance with your instructions I have inspected Runs 28 and 28A, Otekaieke, and have the honour to report on their suitability for smaller subdivision, as follows:—

With the exception of some very small valleys in the south-east corner of Run 28, there is hardly an acre of arable land in the two runs, the country being all high, very stony, and much broken with deep gullies. A glance at the map shows the general elevation to be from 2,000ft. to 6,000ft. above the sea-level. At the time of my inspection snow was lying on the higher mountains and extending downwards 1,000ft. to 1,500ft. No doubt four or five blocks of, say, two thousand acres each along the northern boundary could be worked with advantage in connection with adjoining low freehold country, being well grassed and with good aspect, but this would render all the back and higher country quite useless; if, on the other hand, it was attempted to make boundaries of subdivisions run right back to main range, the cost of fencing would be very heavy, and there are no natural boundaries. The dotted track shown on map along the eastern boundary frequently crosses and recrosses the Otekaieke River, and there are no flats suitable for homesteads. The back boundary of Robert Campbell and Sons' freehold and perpetual-lease sections run well up the hills.

The area of arable land being so very limited and the country so high, I think smaller subdivision into either pastoral or small grazing-runs would be a great mistake.

ALFRED DOUGLASS.

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