

1892.  
NEW ZEALAND.

NAVAL AND MILITARY CLAIMS COMMITTEE  
(REPORT OF THE).

*Brought up 23rd September, 1892, and ordered to be printed.*

Your Committee are of opinion that the result of the working of the Naval and Military Settlers' and Volunteers' Land Acts of 1889 and 1891 has proved, on the whole, satisfactory; and had all the recommendations of the Select Committee on Naval and Military Claims which reported on the 13th August, 1891, been given effect to by the provisions of "The Naval and Military Settlers' and Volunteers' Land Act, 1891," every equitable claim could have been dealt with and the long outstanding grievances finally settled.

About 85 petitions have been presented this session, and have been referred to your Committee, some putting forward claims which cannot by the most liberal construction be considered as coming within the intention of "The Naval and Military Settlers' and Volunteers' Land Act, 1889."

Your Committee decided that an inquiry into each separate petition would be an impossibility, because evidence could not be produced before your Committee necessary to establish the claims, nor would it be possible to inquire into all the claims in time to present any report during the session.

Further, such a course would be at variance with the intention of Parliament, which, under the provisions of the third and following clauses of "The Naval and Military Settlers' and Volunteers' Land Act, 1889," decided that the Commissioners of Crown Lands should inquire into all petitioners' cases and "report on the claim as he thinks just and equitable."

"The Naval and Military Settlers' and Volunteers' Land Act, 1891," extended the time during which claims for land could be received by the Commissioners of Crown Lands from the 31st December, 1890, to the 30th June, 1892, a period of eighteen months. Your Committee are of opinion that by this extension of time all claimants have been afforded an opportunity of establishing their claims, but there are petitioners who plead that owing to the fact that they reside in remote districts, and from other causes, they have been unaware of the opportunities granted them. The Committee recommend that, as an act of special consideration, but by no means as a right, a still further extension of time should be granted, and that the Crown Lands Commissioners should be authorised further to receive claims up to the 31st March, 1893, and have authority to reconsider any claims presented to them before the 30th June, 1892, wherein additional proofs may be tendered in support thereof, all of which claims should be examined into and reported upon in time to be dealt with by the present Parliament in its next session, and so absolutely and finally close the whole question.

Petitions have been received praying for consideration from men who have received grants of land for services in the Imperial forces, and who subsequently enrolled in the colonial troops on the understanding that by so doing they would become entitled to a grant of land for such further services.

Your Committee find that the Select Committee on the Naval and Military Settlers' Claims, which reported on the 13th August, 1891, recommended that such claims should be recognised; but the 10th clause of "The Naval and Military Settlers' and Volunteers' Land Act, 1889," which was not repealed by the amending Act of 1891, precludes two grants of land being allowed to the same person.

Your Committee, however, are of opinion that when services entitling to a grant of land have been rendered, and subsequently other services have been rendered of an entirely separate enrolment also entitling to a grant of land, the petitioner should, on proving these facts, be equitably entitled to grants of land for each separate service.

The claims of men who received grants of land for military services, but who were unable to remain on their land owing to the proximity of hostile Natives or to the disturbed condition of the country, should be recognised, as such men were, through no fault of their own, compelled to relinquish their allotments, and lost the benefit of any improvements they may have made; and if any petitioners prove that they were compelled to abandon their farms and thereby forfeited their land they should be allowed the same consideration as though a land-order had not been issued to them.

Your Committee would draw attention to the hardship involved in the 8th clause of "The Naval and Military Settlers' and Volunteers' Land Act, 1891," compelling petitioners who have established their claim to select land in localities specially set apart for "occupation by naval and military settlers and Volunteers." Most of the petitioners are old and infirm, or already settled in business, and would, in either case, be unable to occupy profitably the small areas of land to which they have become entitled.

The returns before Parliament show that many persons whose claims have been admitted have received cash in lieu of scrip, whilst others have received land-orders only. Your Committee are of opinion that it is desirable that some uniform course should be adopted, and that debentures of the value of the award should be issued to each petitioner proving his claim, such debenture to be negotiable when used in lieu of cash on account of any payments due for rent on perpetual lease, or as cash on account of deferred payment, or for actual purchase for cash.

Petitions have also been received from men who did good service against the enemy, but who were not enrolled in corps entitled to grants of land for those services. Parliament evidently has not contemplated the creation of fresh claims, but merely the settlement of those which have been in existence, but have hitherto remained unsettled. Your Committee therefore have no recommendation to make on this class of petitions.

The case of the 18th Royal Irish Regiment and a few soldiers discharged from other regiments of Her Majesty's service has been under the consideration of the Committee, and it would appear that many soldiers of that, the last regiment of the Imperial Army which served in New Zealand, have been practically prevented from receiving land-grants owing to the fact that the exigencies of Her Majesty's service prevented their discharge prior to the 31st December, 1868; and, consequently, men who served for many years in the colony, and subsequently settled therein, have seen their fellow-soldiers discharged from other regiments (in some instances with less service) benefiting by land-grants from which they have been debarred. Their number is but few; and as there is no departure from principle (the date, 31st December, 1868, having been fixed arbitrarily), your Committee recommend that all soldiers who have served in New Zealand should be entitled to land-grants, if otherwise qualified, no matter when discharged, on proof being produced that they returned to and settled in the colony within twelve months from the date they obtained their discharge.

The Committee recommend that a copy of the clauses of any Act dealing with the recommendations of this report should be forwarded to each of the persons who have petitioned Parliament during the present session, either by formal petition or letter, and that a placard, containing instructions to all intending claimants to prove their claims before the Lands Commissioner not later than the 31st March, 1893, should be printed in large type and pasted on the walls of each post-office throughout the colony.

23rd September, 1892.

W. R. RUSSELL, Chairman.

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