

1908.
NEW ZEALAND.

LANDS COMMITTEE

(REPORTS OF THE).

(HON. MR. DUNCAN, CHAIRMAN.)

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

ORDERS OF REFERENCE.

Extract from the Journals of the House of Representatives.

FRIDAY, THE 3RD DAY OF JULY, 1908.

Ordered, "That Standing Orders Nos. 219 and 339 be suspended, and a Committee be appointed, consisting of fifteen members, to whom shall stand referred after their first reading all Bills affecting or in any way relating to the lands of the Crown or educational or other public reserves; the Committee shall have power to make such amendments therein as they think proper, and to report generally when necessary upon the principles and provisions of the Bill; the Committee to have power to call for persons, papers, and records; three to be a quorum: the Committee to consist of Hon. Mr. Duncan, Mr. Ell, Mr. W. Fraser, Mr. Greenslade, Mr. Hall, Mr. Hogan, Mr. Lang, Mr. Lawry, Mr. Rhodes, Mr. Macpherson, Hon. Mr. Mills, Mr. Remington, Mr. Symes, Mr. Witty, and the mover."—(Hon. Mr. McNAB.)

Ordered, "That Paper No. 135, 'Correspondence, Plans, &c., relative to an Exchange of Land at Woodward Street and Wellington Terrace between the Government, the Wellington City Council, and the Company of T. K. Macdonald Limited)' be referred to the Lands Committee."—(MR. FISHER.)

INDEX.

No.	Name.	Page.	No.	Name.	Page.
	Auckland University College Land Bill ..	6		Otago Heads Native Reserve Road Bill ..	5
402	Brodie, John Ross	5		Paper No. 48	2
614	Brown, A., and 13 others	5		Paper No. 81 C	2
554	Bruce County Council	6		Paper No. 99 C	2
	Carterton Borough Council Vesting and En- abling Bill	6		Paper No. 100 C	3
28	Dallas, A. A., and 153 others	5		Paper No. 101 C	3
124	Doney, W. F.	5		Paper No. 104 C	3
	Education Reserves Leases Validation and Empowering Bill	6		Paper No. 122 C	3
	Foxton Harbour Board Bill	6		Paper No. 152 C	3
547	Forrest and Clarke	7		Proposals to withdraw certain lands from reservation (Report on)	3
	Final Report	7		Public Bodies' Leases Bill	3
565	Gilchrist, Thomas, and 13 others	5		Paper No. 135 (Woodward Street exchange of land: <i>vide</i> Appendices C.—13 and L.—5A)	4
	Gore Public Library Vesting Bill	6		Palmerston North Dairy School Reserve Bill ..	7
18	Hansen, C. M.	2	103	Rowe, John, and 813 others	2
	Hawera Technical School Site Exchange Bill ..	5	32	Reynolds, F. G., and 12 others	5
	Hauraki Plains Bill	6	55	Sim, James	3
31	Moriarty, Timothy	2		Taupo No. 2 Block Bill	2
	Mental Hospitals Reserves Bill	6	48	Tabor, Mary Theresa	2
491	Milne, Margaret	6	422	Tizard, Edward F.	7
311	McKenzie, A. G.	6		Whakatane Foreshore Reclamation Bill ..	4
				Whangarei Abattoir Site Bill	3
				Waipuka Block Road Revesting Bill	4
			497	Wade, C. W., and 19 others	5
				Wellington (City) Town Belt Reserves Bill ..	7

REPORTS.

PAPER No. 48.

Run No. 32, Block VII, Tiriraukawa.

THE Lands Committee, to whom was referred Paper No. 48, relating to the renewal of lease of Run No. 32, having carefully considered the same, has the honour to report that a sub-committee of last year's Lands Committee visited the run in question during last session of Parliament, and, though no formal report was handed in, the members of such sub-committee expressed their opinion that a renewal of the lease to Dr. Anson should be granted.

7th July, 1908.

TAUPO No. 2 BLOCK BILL.

THE Lands Committee, to whom was referred the Taupo No. 2 Block Bill, having carefully considered the same, has the honour to report the Bill without amendment.

10th July, 1908.

No. 31.—Petition of TIMOTHY MORIARTY, of Greymouth.

PETITIONER prays for redress for loss of land at Greymouth.

I am directed to report that the Committee is of opinion that this petition should be referred to the Goldfields and Mines Committee.

4th August, 1908.

No. 103.—Petition of JOHN ROWE and 813 Others, of Onehunga.

PETITIONERS pray that certain land in the Mangere district be set aside as an endowment for the Mangere Bridge.

I am directed to report that the Committee recommends that the petition be referred to the Government for consideration.

4th August, 1908.

No. 18.—Petition of C. M. HANSEN, of Lyttelton.

PETITIONER prays for the refund of certain moneys, or possession of a section of Crown land at Whakatane.

I am directed to report that the Committee recommends that the petitioner be refunded the deposit paid by him, less the Department's expenses.

4th August, 1908.

No. 48.—Petition of MARY THERESA TABOR, of Wellington.

PETITIONER prays that a certificate of title to certain land in the Karori district may be issued to her.

I am directed to report that the Committee recommends that the petition be referred to the Government, in order that, when legislation is under consideration of the House, the application of the petitioner for a title to the land in question should be dealt with in a manner similar to the plan adopted with the derelict land of the New Zealand Company.

4th August, 1908.

PAPER No. 81 C.

PROPOSAL to withdraw 200 acres in Block 10, Longwood Survey District, and Block 17, Jacob's River Hundred, from reservation under "The New Zealand State Forests Act, 1885."

The Lands Committee, to whom was referred the above paper, has the honour to report that it has carefully considered the same, and recommends that the reservation be lifted.

8th September, 1908.

PAPER No. 99 C.

PROPOSAL to withdraw 165 acres, part of Section 184, Waipareira Parish, from reservation under "The New Zealand State Forests Act, 1885."

The Lands Committee, to whom was referred the above paper, has the honour to report that it has carefully considered the same, and recommends that the reservation be lifted.

8th September, 1908.

PAPER No. 100 C.

PROPOSAL to withdraw 2,703 acres 3 roods 13 perches, situated in Blocks III, VII, X, and XI, Wai-iti Survey District, Nelson Land District, from reservation under "The New Zealand State Forests Act, 1885."

The Lands Committee, to whom was referred the above paper, has the honour to report that it has carefully considered the same, and recommends that the reservation be lifted.

8th September, 1908.

PAPER No. 101 C.

PROPOSAL to withdraw 5,150 acres, part of Mangoirā State Forest Reserve, situated in Blocks XIII and XIV, Ruahine Survey District, and Blocks I and II, Umutoi Survey District, Wellington Land District, from reservation under "The New Zealand State Forests Act, 1885."

The Lands Committee, to whom was referred the above paper, has the honour to report that it has carefully considered the same, and recommends that the reservation be not lifted pending further information on the subject.

8th September, 1908.

PAPER No. 104 C.

PROPOSAL to withdraw Section 92B, Block XIII, Apiti Survey District, Wellington Land District, from reservation under "The New Zealand State Forests Act, 1885."

The Lands Committee, to whom was referred the above paper, has the honour to report that it has carefully considered the same, and recommends that the reservation be lifted.

8th September, 1908.

PAPER No. 122 C.

PROPOSAL to withdraw 4,430 acres, part of Puhipuhi State Forest Reserve, situated in Blocks III and VII, Hukerenui Survey District, Auckland Land District, from reservation under "The New Zealand State Forests Act, 1885."

The Lands Committee, to whom was referred the above paper, has the honour to report that it has carefully considered the same, and recommends that the reservation be lifted.

8th September, 1908.

PAPER No. 152 C.

PROPOSAL to withdraw part of Section No. 8, Block 11, Omona Survey District, from reservation under "The State Forests Act, 1908."

The Lands Committee, to whom was referred the above paper, has the honour to report that it has carefully considered the same, and recommends that the reservation be lifted.

8th September, 1908.

PROPOSALS TO WITHDRAW CERTAIN LANDS FROM RESERVATION.

I AM directed to report that the Committee recommends that in future, when it is proposed to lift any reservation off forest lands, a report be laid before the Lands Committee giving particulars of the value, altitude, the quality and the approximate quantity of trees on the land, its suitability for settlement and water-conservation, and the accessibility of the land.

8th September, 1908.

WHANGAREI ABATTOIR SITE BILL.

THE Lands Committee, to whom was referred the Whangarei Abattoir Site Bill, has the honour to report that it has carefully considered the same, and recommends that it be allowed to proceed as amended by the Local Bills Committee.

10th September, 1908.

PUBLIC BODIES' LEASES BILL.

THE Lands Committee, to whom was referred the Public Bodies' Leases Bill, has the honour to report that it has carefully considered the same, and recommends that it be allowed to proceed with the amendments shown on the copy attached hereto.

10th September, 1908.

No. 55.—Petition of JAMES SIM, of Johnsonville.

PETITIONER prays for a title to lands at Johnsonville devised to petitioner under certain Native wills.

I am directed to report that in the opinion of the Committee this petition should be referred to the Native Affairs Committee.

16th September, 1908.

WAIPUKA BLOCK ROAD REVESTING BILL.

THE Lands Committee, to whom was referred the Waipuka Block Road Revesting Bill, has the honour to report that it has carefully considered the same, and recommends that it be allowed to proceed.

16th September, 1908.

THE WHAKATANE FORESHORE RECLAMATION BILL.

THE Lands Committee, to whom was referred the Whakatane Foreshore Reclamation Bill, has the honour to report that it has carefully considered the same, and recommends that it be allowed to proceed as amended by the Local Bills Committee.

16th September, 1908.

PAPER No. 135.

Exchange of Land at Woodward Street and Wellington Terrace—Correspondence, &c., relating to.

THE Lands Committee, to whom was referred Paper No. 135, "Correspondence, Plans, &c., relative to an Exchange of Land at Woodward Street and Wellington Terrace between the Government, the Wellington City Council, and the Company of T. K. Macdonald (Limited)," has the honour to report that your Committee has taken evidence on and exhaustively inquired into the following statements which have been referred to it for investigation:—

First, that the Crown had sold either to Mr. T. K. Macdonald or the Wellington City Council a certain area, to wit, 6.55 perches of derelict land situate on Wellington Terrace, near Woodward Street.

Second, that said sale had been effected without competition and outside the provisions of the statute, whereas it was claimed that said land should have been disposed of by public competition.

Third, that the price obtained for said 6.55 perches was considerably less than its real value.

Fourth, that the strip of land conveyed to the City Council by Mr. Macdonald was only 0.47 of a perch, and not 4 perches as stated by Macdonald, Wilson, and Co. in their letter addressed to the Under-Secretary for Crown Lands, dated 2nd May, 1907.

Fifth, that there was something irregular in the bargain made between the City Council and Mr. Macdonald in regard to the erection of certain concrete walls, to be used by Mr. Macdonald as foundations for the building to be erected by him later on.

Your Committee examined the following witnesses: W. C. Kensington, Under-Secretary for Lands; R. A. Patterson, Chief Accountant, Lands Department; Paul Verschaffelt, Record Clerk, Lands Department; R. Letham, messenger, Lands and Survey Department; F. H. Martin, Government Valuer; E. B. Brown, barrister, Wellington; Hon. T. W. Hislop, Mayor of Wellington; Hon. T. K. Macdonald, M.L.C.; W. H. Morton, City Engineer, Wellington; J. O'Shea, City Solicitor, Wellington; J. R. Palmer, Town Clerk, Wellington; F. T. O'Neill, Chief Clerk, Lands and Survey Department; Hon. R. McNab; F. M. B. Fisher, M.P., Wellington.

Your Committee is satisfied that no one reading Messrs. Macdonald, Wilson, and Co.'s letter of the 2nd May, 1907, can come to any other conclusion than that it was written on behalf of the Wellington City Council.

The Minister of Lands agreed to sell to the Wellington City Council the 6.55 perches under section 117 of "The Land Act, 1892," solely in order to facilitate the carrying-out of an agreement entered into by the City Council with the owner of part Section 487, whereby the grade of Woodward Street could be greatly improved.

The Lands Department adopted the proper and constitutional course of arriving at the value of the said 6.55 perches—viz., by employing the services of the official Valuer of the Valuation Department, who valued the land in question at £652. The evidence of the said Valuer, Mr. Martin, satisfied your Committee that a fair value was placed on the land.

It is a matter for regret that Macdonald, Wilson, and Co. should not have been more careful when stating the area of the strip of land intended to be conveyed to the City Council. Their letter of the 2nd May, 1907, describes this area as being 4 perches, and further on refers to it as being of "about equal size and value as the 6.55 perches," whereas, as a matter of fact, it only consisted of 0.47 of a perch. Mr. Macdonald, when giving evidence on this point, declares that on the 2nd May, 1907, he was firmly of the opinion that he was to concede 4 perches of his own section to the City Council, and that, later on, when he discovered that it was only 0.47 that was required, he gave the latter piece for nothing. Still, this does not exonerate Mr. Macdonald from blame in not making himself acquainted with the real facts of the case before writing to the Under-Secretary for Lands. There is little doubt that this mistake has given rise to much of the public comment on the whole subject.

Your Committee is, however, satisfied by the evidence on this point: that the area of this strip, as stated in said letter of the 2nd May, 1907, was not a determining factor with the Hon. the Minister of Lands in deciding to agree to sell to the City Council the 6.55 perches under section 117 of "The Land Act, 1892."

Your Committee has no opinion to express in regard to the cost of erecting the concrete wall and foundations, that being a matter with which the City Council is solely concerned.

In conclusion, your Committee has to report as follows:—

1. That the Hon. the Minister of Lands was justified by the circumstances of the case in selling to the City Council, under section 117 of "The Land Act, 1892," the 6.55 perches of derelict land.

2. That the Hon. the Minister of Lands only consented to transfer the land direct to Mr. Macdonald on condition that the City Council should pay the sum of £652 to the Receiver of Land Revenue to the credit of the Hon. T. K. Macdonald, and only after being assured that if the said land were conveyed to the City Council that body would be unable to transfer it to Mr. Macdonald, in which case the whole scheme of improvement to Woodward Street might have had to be abandoned.

3. That the price obtained by the Crown for said 6.55 perches was a fair and reasonable one.
18th September, 1908.

[*Vide* also Appendix I.—5A and C.—13.]

HAWERA TECHNICAL SCHOOL SITE EXCHANGE BILL.

THE Lands Committee, to whom was referred the Hawera Technical School Site Exchange Bill, has the honour to report that it has carefully considered the same, and recommends that it be allowed to proceed.

23rd September, 1908.

OTAGO HEADS NATIVE RESERVE ROAD BILL.

THE Lands Committee, to whom was referred the Otago Heads Native Reserve Road Bill, has the honour to report that it has carefully considered the same, and recommends that it be allowed to proceed.

23rd September, 1908.

No. 32.—Petition of F. G. REYNOLDS and 12 Others, of Waiorongomai.

PETITIONERS pray for an improvement in the tenure of the lands leased by them at Waiorongomai from the Thames High School Board of Governors.

I am directed to report that in the opinion of the Committee this petition should be referred to the Education Committee.

23rd September, 1908.

No. 402.—Petition of JOHN ROSS BRODIE, of Rangitata, Canterbury.

PETITIONER prays for compensation on account of the insufficiency of notice to determine tenancy of certain lands.

I am directed to report that in the opinion of the Committee this petition should be referred to the Government for consideration.

23rd September, 1908.

No. 28.—Petition of A. A. DALLAS and 153 Others, of Taumarunui.

PETITIONERS pray that, as the tenure and law relating to the site of the Township of Taumarunui is unsatisfactory, the House afford such relief as it thinks fit.

I am directed to report that in the opinion of the Committee this petition should be referred to the Government for favourable consideration, with a view of steps being taken to introduce legislation this session.

23rd September, 1908.

No. 124.—Petition of W. F. DONEY, of Woodville.

PETITIONER prays for inquiry and compensation in connection with a lease of certain land.

I am directed to report that, owing to the length of time which elapsed after the application and before the completion of the survey, the Committee recommends that the deposit be returned to the petitioner.

23rd September, 1908.

Nos. 497, 565, and 614.—Petition of C. W. WADE and 19 Others, THOMAS GILCHRIST and 13 Others, and A. BROWN and 13 Others, of Blackstone, Otago.

PETITIONERS pray for the remission of a year's rent owing to loss suffered through a snowstorm in the Blackstone Survey District.

I am directed to report that, as the consideration of remissions of rent under the circumstances described in the petitions comes under the jurisdiction of the Otago Land Board, the petitioners be directed to apply direct to that body.

30th September, 1908.

No. 311.—Petition of ANNIE G. MCKENZIE and 4 Others, of Auckland.

PETITIONERS pray for an inquiry into the claims of the late John Lundon (the father of the petitioners) for compensation for losses sustained in inaugurating the village special-settlement scheme.

I am directed to report that in the opinion of the Committee this petition should be referred to the Government for further consideration and inquiry.

30th September, 1908.

AUCKLAND UNIVERSITY COLLEGE LAND BILL.

THE Lands Committee, to whom was referred the Auckland University College Land Bill, having carefully considered the Bill, has the honour to report the same without amendment.

30th September, 1908.

GORE PUBLIC LIBRARY VESTING BILL.

THE Lands Committee, to whom was referred the Gore Public Library Vesting Bill, has carefully considered the Bill, and has the honour to report the same without amendment.

5th October, 1908.

HAURAKI PLAINS BILL.

THE Lands Committee, to whom was referred the Hauraki Plains Bill, has carefully considered the Bill, and has the honour to report the same without amendment.

5th October, 1908.

FOXTON HARBOUR BOARD BILL.

THE Lands Committee, to whom was referred the Foxton Harbour Board Bill, having carefully considered the same, has the honour to report the Bill as amended by the Local Bills Committee.

5th October, 1908.

CARTERTON BOROUGH COUNCIL VESTING AND ENABLING BILL.

THE Lands Committee, to whom was referred the Carterton Borough Council Vesting and Enabling Bill, having carefully considered the same, has the honour to report the Bill as amended by the Local Bills Committee.

5th October, 1908.

MENTAL HOSPITALS RESERVES BILL.

THE Lands Committee, to whom was referred the Mental Hospitals Reserves Bill, having carefully considered the same, recommends that it be allowed to proceed, with the amendments shown on the attached copy.

5th October, 1908.

EDUCATION RESERVES LEASES VALIDATION AND EMPOWERING BILL.

THE Lands Committee, to whom was referred the Education Reserves Leases Validation and Empowering Bill, has carefully considered the Bill, and has the honour to report the same without amendment.

5th October, 1908.

No. 554.—Petition of the BRUCE COUNTY COUNCIL.

PETITIONERS pray that a sum of money be placed on the estimates to repay the Land Board for the rents received by the Bruce County Council.

I am directed to report that in the opinion of the Committee the Government be recommended to return half the money to the Bruce County Council, as the Committee considers that there was neglect on the part of both the Land Board and the Bruce County Council.

5th October, 1908.

No. 491.—Petition of MARGARET MILNE, of Christchurch.

PETITIONER prays for relief in connection with a lease in the Pourerere Survey District.

I am directed to report that in the opinion of the Committee this petition should be referred to the Government for consideration. The Committee is also of opinion that, had the Land Board taken advantage of the information at their disposal and declared the section forfeited, the section could have again been disposed of with a minimum loss to the petitioner.

5th October, 1908.

No. 422.—Petition of EDWARD F. TIZARD, of Birkenhead.

PETITIONER prays to be allowed to select an area of land for flax-growing purposes on the Piako River.

I am directed to report that the Committee has no recommendation to make on this petition.
5th October, 1908.

No. 547.—Petition of FORREST AND CLARKE, of Paeroa.

PETITIONERS pray for redress in connection with timber on Te Mata watershed.

I am directed to report that the Committee recommends that the petition be referred to the Government for consideration.
6th October, 1908.

PALMERSTON NORTH DAIRY SCHOOL RESERVE BILL.

THE Lands Committee, to whom was referred the Palmerston North Dairy School Reserve Bill, has carefully considered the Bill, and has the honour to report the same without amendment.

6th October, 1908.

WELLINGTON (CITY) TOWN BELT RESERVES LEASING BILL.

THE Lands Committee, to whom was referred the Wellington (City) Town Belt Reserves Leasing Bill, has the honour to report that it has carefully considered the same, and recommends that it be allowed to proceed, with the amendments shown on the attached copy.

7th October, 1908.

FINAL REPORT.

I HAVE the honour to report that the Lands Committee has during the session held nineteen meetings, with an average attendance of 11·02. The number of petitions referred to the Committee was 19, 17 of which were reported to the House and 2 held over until next session. Nine papers and 16 Bills were referred to the Committee, all of which have been reported to the House.

The Committee desires to place on record its appreciation of the courtesy and tact manifested by the Chairman (the Hon. Mr. T. Y. Duncan) in presiding over the deliberations of the Committee during the session.

7th October, 1908.

SCHEDULE OF PETITIONS HELD OVER FOR CONSIDERATION NEXT SESSION.

No. 175.—William C. W. McKellar.

„ 204.—William W. Mitchell.

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