

dated the 22nd February. This latter memo. was sent for the express purpose of drawing attention to the special proposals embodied in the reports upon Runs 42, 43, and 46, and the final portion of that memo. discloses my reason for so doing, which I considered was necessary in face of the agitation that existed as evidenced by correspondence appearing in the Poverty Bay papers. The Minister's decisions, as conveyed in your memo. of the 5th March, were announced to the Land Board on the 13th idem, and in drawing up the several notices it was found that certain matters required further explanation, and in the case of No. 43 the subdivision for closer settlement was understood to refer to the six portions as proposed by the Valuer and recommended by the Land Board; but in order to make sure that such was the intention, I made a note upon the letter to the following effect: "With regard to Small Grazing-run 43 I intended bringing this point to the notice of the Under-Secretary for Lands on his expected visit on the 11th instant, so that notice had better be held in abeyance meanwhile." I brought this matter before you accordingly, explaining my reason for so doing, and you remarked that I was right in my opinion, and you then noted against that portion of the Valuer's report bearing upon that particular proviso the words "Yes. Do this," and initialled same, meaning that the Valuer's proposals were approved as stated. I then left instructions for the notice to go forward accordingly (as I left for Waikare at daylight the next morning), and that explains how it was that my signature was not attached to the letter. These particulars were given in my letter of the 1st instant.

With reference to your remarks that the above notice was cancelled by the subsequent action of the Board, these are correct, Mr. Black having made formal application for a rehearing, at which he adduced reasons which the Board considered sufficient to warrant the recommendation conveyed to you in my memo. No. 2459/142 of the 20th June last.

As you say, Mr. Black, in asking for a reconsideration of the case, induced the Board to rescind the previous resolution, consequently the notice first given was thereby cancelled. I have, however, stated the facts relating thereto.

I enclose a copy of Mr. R. G. Black's last letter to me upon the subject.

HENRY TRENT,

Commissioner of Crown Lands.

Gisborne, 3rd September, 1908.

DEAR SIR,—

*Small Grazing-run No. 43, Waingaromia.*

I have to acknowledge your letter of the 19th August, informing me that "it has been finally decided that a renewal of the lease cannot be granted to you."

I have also your previous letter of the 14th May, 1908, in which you were good enough to inform me of the Board's earlier determination, and in terms thereof to offer me part (900 acres) of the run for renewal. This letter and offer I understood, and still claim, to be a determination by the Board—an offer made within its jurisdiction conferred by section 209 of the Act of 1885.

My time for election to accept or refuse the offer does not, I think, lapse until the term of my original lease is within three months of expiry. I prefer to take further time for consideration before exercising my election, as I am not without hope that an approved method of dealing with run more equitable to me as tenant may yet be found by your Board which would justify me in waiving any rights I may have under the determination and offer intimated to me in May.

Yours, &c.,

ROBERT G. BLACK.

The Commissioner of Crown Lands, Napier.

Department of Lands, Wellington, 14th September, 1908.

The Hon. the Minister of Lands.

*Small Grazing-run No. 43, Waingaromia Survey District (R. G. Black).*

In compliance with the instructions contained in your memorandum of the 8th instant, the Commissioner of Crown Lands, Napier, has been requested to explain the circumstances under which Mr. Black was notified of the approval of the Board and yourself, and the accompanying letter of the 10th instant gives the Commissioner's statement.

The explanation is an excessively lame one, as the Commissioner had no authority to make the statement contained in his letter of the 14th May to Mr. Black that you had "approved the recommendation of the Land Board that a lease of portion of the above holding, containing about 900 acres, be offered to you for a further term of twenty-one years," &c.

As I stated in my memorandum to you of the 4th instant, your approval of the first resolution of the Board was to the effect that Run 43 was to be subdivided for close settlement, and disposed of under the optional system. The Commissioner appears to have ignored, and continues to ignore, the fact that the Land Board rescinded its resolution of February, 1908, and verbally advised Mr. Black's father that his son would be recommended for a renewal of the whole area of his lease. No written notice was ever sent to Mr. Black of the rescinding of the former resolution of the Board, or of the fact that your approval was only as regards the subdivision of the run for closer settlement until apparently by the Commissioner's letter of the 19th August. The Commissioner contends that the verbal notice given to Mr. Black's father at the Land Board meeting was sufficient notice to the son.

WM. C. KENSINGTON, Under-Secretary.

Under-Secretary.—In view of the mistaken meaning given to my memo. of 4/3/1908, and Mr. Black's application for preference over one of the three subdivisions, ascertain whether one of the areas of about 900 acres or thereabouts could be given him as a small grazing-run, and the other two put up on the optional tenure.—R. McNAB. 14/9/1908.