

PETITION.

To the Honourable the Speaker and to the Honourable the Members of the House of Representatives in Parliament assembled: Greeting.

THE humble petition of the undersigned sawmillers and settlers in the District of Southland sheweth—

1. That a petition, dated the 1st October, 1910, addressed to the Honourable the Speaker and to the Honourable the members of the House of Representatives in Parliament assembled, was duly presented to your honourable House and was reported upon by the Lands Committee on or about the 29th day of November, 1910.

2. That the said petition was signed by some eighty-three sawmillers and settlers of the District of Southland, including amongst them your present petitioners.

3. That a number of your petitioners attended at Wellington and gave evidence before the Lands Committee on the matter in question.

4. That your petitioners gathered, from newspaper reports which appeared at the time, that the Lands Committee had recommended the prayer of their petition to the Government for favourable consideration, and also recommended that a full inquiry be instituted into the legality or otherwise of the sawmilling licenses situated in the District of Southland.

5. That your petitioners have received no official answer to their petition, nor have they heard of any inquiry having been held into the matters arising out of their petition.

6. That by the New Zealand State Forests Act, 1885, it was provided that the State Forests of New Zealand should be under the control and management of the Commissioner of State Forests, who should have power to grant licenses to cut timber in any State forest; every such license to be subject to the regulations made by the Governor in Council under the authority of the Act and for the time being in force regulating the cutting of such timber.

7. That regulations have been made from time to time governing the said licenses, and in particular regulations were made by the Governor in Council in 1886 and 1900. Under the regulations of 1886 numerous sawmill licenses were granted, and extensive forest-areas have been locked up and unused ever since.

8. The said regulations provide, *inter alia*, as follows regarding sawmill licenses:—

“The area of a sawmill license shall not exceed 200 acres, but the holder may claim to have three additional areas adjoining the first reserved for his exclusive use for a period not exceeding two years for each 100 acres from the date of appropriation.”

9. That your petitioners claim, and are advised by counsel, that the effect of the said regulations quoted above is:—

(a.) That with regard to the duration of the original license, the very nature of the subject-matter of such a license negatives the idea of perpetual continuance, and that therefore, although there is nothing in the regulations of 1886 fixing the period of continuance, it must be limited to such a time as would be reasonably necessary to enable the licensee to obtain the full benefit of the right in respect of which the license was granted. The regulations of 1886 show that according to the nature of the grant in this case four years would be a reasonable time for the original area of 200 acres, because two years is the time limited for each additional area of 100 acres.

(b.) That as regards the reserves, the period of continuance is fixed at two years for each 100 acres from the date of appropriation.

(c.) That no person should hold more than one license and set of reserves at one time.

10. That the sawmill licenses granted under the regulations of 1886 comprised, with the reserves attached thereto, several thousands of acres (certainly more than 15,000); and nearly the whole of this extensive area, and the most accessible and valuable part of it, was originally granted, or has since been transferred, to one Horatio A. Massey, of Invercargill.

11. That the majority of the licenses referred to above were granted, and the reserves attached thereto appropriated, prior to the 3rd March, 1890, that being the date upon which the regulations of the 1st September, 1886, were repealed by Order in Council; and some of them were granted after the regulations were repealed.

12. That of the lands thus held by H. A. Massey, at least 5,000 acres have not so far been worked by him, but have been retained by him as virgin forest, and owing to this fact the sawmilling industry in Southland has been retarded, and settlement in bush areas prevented.

13. That at the time the said licenses were granted and the said reserves set apart, much of the land embraced within them was remote and comparatively useless, but the progress of the Dominion has altered the condition of things, and the expenditure of public money has not alone greatly enhanced their timber-value, but has likewise rendered what was difficult of access readily available, since railways and roads, then unmade, either run in close proximity to or actually intersect these original holdings, thus enabling the present holder to obtain the benefit of the unearned increment in timber-values created by public enterprise and expenditure.

14. A further result of this action of the Commissioner has been that a kind of monopoly or trust in sawmilling has been created in favour of Mr. H. A. Massey, and this is accentuated by the fact that he now holds all the areas most easily accessible and most valuable under royalties provided for by the regulations of 1886, whereas all his competitors in sawmilling are restricted to working the more distant areas under the higher royalties of subsequent regulations.