

This restriction of tenures is primarily occasioned by the provisions of section 133 of the Land Act, 1908, but even were this removed the difficulty would only to a limited extent be overcome, as a very large area is within the national endowment, and section 259 of the Land Act, 1908, provides that such lands may not be alienated in fee-simple nor disposed of by way of occupation with the right of purchase.

As a result of our inquiry we are convinced that mining interests are of paramount importance only in certain localities, and that the restriction of settlement tenures on account of mining to the extent at present provided is not justified. This opinion is shared by the Goldfields Wardens for the districts concerned, and also by witnesses actually engaged and financially interested in mining.

Instances that have been brought under our notice of valuable agricultural land that has been rendered practically valueless as a result of mining operations force us to the opinion that, in dealing with applications for mining privileges that will result in the destruction of surface soil, due consideration should be given to the productive possibilities of the land if utilized for agricultural or pastoral purposes, and that, unless evidence is forthcoming that the land is payably auriferous, the destruction of the surface soil should in the public interest not be permitted.

The granting of residence-site licenses to men not directly connected with the mining industry was not, in our opinion, contemplated by the Mining Act, but it has been ascertained that these licenses, in some instances over land in and adjacent to towns, are held by persons who are not in any way associated with mining. With rare exceptions the boundaries of these sites have not been accurately defined by survey, and it is almost impossible from the indefinite sketch-plans on which they were granted to locate them on the ground with any degree of accuracy. Disputes as to boundaries are not uncommon, and serious complications are likely to arise when lands in these localities are dealt with. Considering the term for which these licenses are granted we consider that a survey should be required. Clause 153 of the regulations under the Mining Act provides that the holder of a miner's right may occupy a small area as a tent or hut ground, and this right has been exercised by persons not engaged in mining, while in some cases the land occupied is either adjacent to towns or in localities many miles distant from any gold workings. We consider that this right should be available only to *bona fide* miners.

It has come to our knowledge that there are at present in existence a very large number of mining privileges not recorded on any official plans and on which no operations are taking place, and as these are generally not marked on the ground it is probable that some lands so held have already been dealt with for settlement purposes. With a view to avoiding claims for compensation that may later arise we would strongly urge that action be at once taken to extinguish all such rights. Provision for eliminating these titles is provided in sections 185 *et seq.* of the Mining Act, 1908, but we submit that the process provided is somewhat cumbersome and should be simplified.

The necessity for the grassing of areas of worked-out bush land over which fires pass from time to time was brought prominently under our notice on the occasion of our inspection of the bush workings of several sawmills. Unless these areas are sown immediately after the fire the second growth and weeds spring up, with the result that the land depreciates in value very materially. We would recommend that authority be given to the Commissioner of Crown Lands to have such areas sown with suitable grasses, as we are convinced that the expense involved would be fully justified by the increase in the value of the land.

The increasing growth of blackberry presents a very serious menace to settlement, and it is of the utmost importance that steps should be taken without delay to cope with this pest. The special inducements offered by section 194 of the Land Act, 1908, to persons to acquire land that will not be immediately reproductive should be freely applied to land infested with blackberry, and we are recommending an amendment of the section mentioned to provide for its extension to all settlement tenures.

The possibility of the profitable utilization of pakihi lands has received very full consideration, but no satisfactory process has been discovered whereby these lands can be rendered suitable for agricultural, pastoral, or afforestation purposes.