

pose, and added it to West Taieri Hundred; another of 13,000 acres adjoining Waitahuna Hundred. But most or all of the land outside the gold fields in the vicinity of the coast and of settlements having long ago been made into Hundreds, there only remains open for this purpose the land in the interior at a distance from the old settlements, and that within the gold fields. The former would at present be useless for the occupants of the old Hundreds, because what they want is commonage available from their present holdings, which land at a distance would not be. The question of taking Hundreds out of gold fields introduces the second class of complaints.

## II.—WANT OF LAND WITHIN GOLD FIELDS.

Lands within gold fields are expressly excepted from the operation of the Waste Lands Act, and cannot be sold; consequently they cannot, while in the gold fields, be made Hundreds of,—which would open them for sale. This gives the holders of runs within gold fields a security of tenure not possessed by those outside them—and in respect of which the latter, indeed, consider themselves unjustly or at least unequally treated. Those who possess it, however, advance it as having offered them another inducement to outlay which would render unjust its removal.

The Gold Fields Act, which gives this privilege, provides that the Government may take out of any run in a gold field blocks to be leased to agricultural settlers, which blocks are not to exceed two in number nor 5,000 acres in the aggregate on each run, except with the consent of the runholder; compensation being given to the lessee by agreement or arbitration as before, and the option of retaining in his depasturing lease all land in these blocks so long as it shall be unoccupied under agricultural leases. These provisions were agreed upon between representatives of the General Assembly on one side and members representing the mining interests on the other, after very considerable discussion and altercation,—were looked upon in the light of a compromise between the parties concerned,—and were supposed, by the runholders at least, to be intended when made to be final. For this reason the runholders in the gold fields think a declaration of their runs into Hundreds would be a breach of public faith.

But they rely also upon a certain set of covenants entered into by the Superintendent with themselves when the other set of covenants above considered were made with the runholders outside the gold fields.

### (a.) *Covenants between the Superintendent and Runholders within Gold Fields.*

Under these covenants the runholders agree that if certain specified varying amounts of land (generally the 5,000 acres authorized to be taken arbitrarily by the Government) shall be taken by Government for the purposes of the Act or Acts, they will not demand compensation in respect of any longer period than that for which their original license had to run when it was exchanged for a lease—*i.e.*, for none at all in respect of the lease.

A clause word for word the same is added, saving the powers of the Superintendent (only), with a limitation upon the saving in the same words precisely as in the former covenant.

All the arguments as to the effect of this last clause are of course used in this case as in the other, and the conclusion would be the same. The conclusion your Commissioners came to on this point is, that the legal right to take the runs out of the gold fields does not appear to have been surrendered by the Provincial Government, though undoubtedly a very decided understanding seems to have prevailed that it would not be necessary to exercise the right, and that the lessees had compounded with the public for absolute security by consenting to give up the blocks specified in the covenants for the limited compensation only therein agreed to.

### (b.) *What Persons are demanding Land.*

This being the state of the law and the powers possessed by the Government for the acquisition of land on the gold fields, it may now be considered what are the wants and wishes of the gold fields residents with respect to such land.