

R E P O R T

OF

THE GOLD FIELDS COMMITTEE;

TOGETHER WITH

MINUTES OF PROCEEDINGS AND EVIDENCE.

REPORT BROUGHT UP 19TH OCTOBER, 1872, AND ORDERED TO BE PRINTED.

WELLINGTON.

—
1872.

ORDERS OF REFERENCE.

Extracts from the Journals of the House of Representatives.

THURSDAY, THE 18TH DAY OF JULY, 1872.

Ordered, That a Select Committee, to consist of thirteen Members, be appointed to consider all Bills and Petitions that may be introduced into this House affecting Gold Fields, and to report generally upon the provisions and principles which any such Bills or Petitions may contain; five to be the quorum; with power to confer or sit together with any similar Committee which may be appointed by the Legislative Council, and to make a separate Report. And that such Committee consist of Mr. Bradshaw, Mr. Curtis, Mr. Gillies, Mr. Hallenstein, Mr. Harrison, Mr. Mervyn, Mr. T. L. Shepherd, Mr. O'Neill, Mr. Tribe, Mr. White, Mr. Sheehan, Mr. J. C. Brown, and the Mover.

THURSDAY, THE 1ST DAY OF AUGUST, 1872.

Ordered, That the Petitions of certain Hokitika Miners, and the Chamber of Commerce, Auckland, be referred to the Gold Fields Committee.

FRIDAY, THE 9TH DAY OF AUGUST, 1872.

Ordered, That the application of the Beaumont Water Race Company, all correspondence relating thereto, together with Surveyor's Report and cost of the same, be referred to the Gold Fields Committee; also, any other applications which have been received by the Government for the construction of works on the Gold Fields in terms of sections 50 to 53 inclusive, Part VIII., "Immigration and Public Works Act, 1871."

Ordered, That the Gold Mining Bill be referred to the Gold Fields Committee.

Ordered, That the Papers laid on the table of this House on the 2nd instant by command, relative to the alleged sale of auriferous land at Switzers by the Waste Lands Board of the Province of Otago to Mr. Allan McDonald, be referred to the Gold Fields Committee.

TUESDAY, THE 13TH DAY OF AUGUST, 1872.

Ordered, That it be an instruction to the Gold Fields Committee to report how the sum of £300,000, raised or to be raised under "The Public Works and Immigration Act, 1870," for supply of water on the Gold Fields, be allocated and divided between the various Provinces and County of Westland, upon a basis of the population actually engaged in mining operations; and that a Bill be introduced during the present Session making provision therefor."

THURSDAY, THE 17TH DAY OF OCTOBER, 1872.

Ordered, That the Gold Fields Act Amendment Bill be referred to the Gold Fields Committee.

WEDNESDAY, THE 28TH DAY OF AUGUST, 1872.

Ordered, That the following Paper, laid upon the Table of the House this day, be referred to the Gold Fields Committee:—

Resolution of the County Council of Westland recommending the construction of High Level Race from Kawhaka Creek to Ballarat Hill and Tunnel Creek.

REPORT OF THE GOLD FIELDS COMMITTEE.

I AM directed to report that the Committee has had under its consideration a vast amount of correspondence and documents relative to the supply of water on various Gold Fields, and also the proposed new Gold Fields Act.

With respect to the former, the Committee is of opinion that the question which has been submitted to it comes more properly within the functions of, and ought, in the first instance at least, to be dealt with by the Executive Government, to whose special consideration the Committee recommends the various applications on this subject.

As regards the proposed new Gold Fields Bill, the Committee approve of its having been withdrawn, inasmuch as it seems to have been framed more for quartz mining than alluvial diggings. They recommend that a Bill adapted to the Colony as a whole be carefully framed and extensively circulated throughout the Gold Fields, say three months prior to the next Session of the General Assembly.

In framing such Bill, the Committee recommend that due regard should be paid to the valuable practical suggestions contained in the Report of the late Mining Conference in the Province of Otago, and that any provision for mining on private property should be a separate and distinct Bill.

With respect to the sale of auriferous land at Switzers, having carefully perused the voluminous papers submitted to it and taken such evidence as was available, the Committee recommends that the Provincial Government of Otago be requested to institute on the spot a full and searching inquiry into the whole circumstances of the case.

The Committee is of opinion that the papers connected with this case, together with the evidence taken thereon, should be printed.

I am further desired to report, that, in the opinion of the Committee, it is desirable that the mining industry should be represented in the Government by the appointment of a Minister of Mines, such an appointment not to supersede the local administration of mining affairs.

J. MACANDREW,
Chairman.

19th October, 1872.

MINUTES OF PROCEEDINGS.

TUESDAY, 23RD JULY, 1872.

The Committee met pursuant to notice.

PRESENT :

Mr. J. C. Brown,
Mr. Curtis,
Mr. Harrison,
Mr. Mervyn,
Mr. O'Neill,

Mr. Sheehan,
Mr. T. L. Shepherd,
Mr. Tribe,
Mr. White.

Mr. Macandrew in the chair.

Moved by Mr. Sheehan and seconded by Mr. Tribe, That Mr. Macandrew do take the chair.

Carried.

Moved by Mr. Shepherd and seconded by Mr. Harrison, That the business of the Committee be conducted as in Committee of the whole House.

Carried.

The Committee adjourned until further notice.

TUESDAY, 13TH AUGUST, 1872.

The Committee met pursuant to notice.

PRESENT :

Mr. J. C. Brown,
Mr. Hallenstein,
Mr. Mervyn,

Mr. O'Neill,
Mr. T. L. Shepherd,
Mr. Tribe.

Mr. Macandrew in the chair.

The minutes of the previous meeting were read and confirmed.
Order of reference of the 1st and 9th of August read.

On the motion of Mr. Macandrew it was *Resolved*, That the Government be requested to furnish the documents referred to in the order of reference of the 9th August, 1872.

Carried.

Moved by Mr. Mervyn, That the consideration of the Gold Mining Bill be postponed for one week. Motion *negatived*.

Resolved, That the Gold Mining Bill be considered on Thursday.

Carried.

The petition of certain Hokitika miners for the reduction of the gold duty was read by the Chairman.

On the motion of Mr. J. C. Brown, *Resolved*, That the House be recommended to give effect to the prayer of the petitioners, and that an interim report be presented accordingly.

On the motion of Mr. J. C. Brown, it was *Resolved*, That the papers relative to the sale of auriferous land at Switzers be considered on Tuesday next.

Carried.

The Committee adjourned until Thursday next, at 10.30 a.m.

THURSDAY, 15TH AUGUST, 1872.

The Committee met pursuant to adjournment.

PRESENT :

Mr. Mervyn,
Mr. O'Neill,

Mr. T. L. Shepherd,
Mr. Tribe.

Mr. Macandrew in the chair.

The minutes of the previous meeting were read and confirmed.

In consequence of there not being a quorum, the Committee adjourned until Friday next, at 10.30 a.m.

FRIDAY, 16TH AUGUST, 1872.

The Committee met pursuant to notice.

PRESENT :

Mr. Bradshaw,
Mr. J. C. Brown,
Mr. Gillies,
Mr. Hallenstein,
Mr. Mervyn,

Mr. O'Neill,
Mr. T. L. Shepherd,
Mr. Tribe,
Mr. White.

Mr. Macandrew in the chair.

The minutes of the last meeting were read and confirmed.

The following papers were laid on the table, viz., Correspondence relative to Beaumont Water Race, with other papers relative to the construction of Gold Fields Works. Also, a telegram from Mr. Wilson Gray, District Judge, to Mr. Haughton.

The Gold Mining Bill was then taken under consideration.

Preamble was then read and postponed.

Clauses 1 and 2 read and agreed to.

Clause 3 read and postponed.

Clauses 4 to 9 read and agreed to.

Clause 10 read. Amendment proposed, That in the third line, between the words "garden orchard" the word "or" be put; that the words "or fenced and cultivated field" be struck out; and that after the word "Act," in the fifth line, the words "without the express consent of the owner or owners thereof" be added.

Clause amended read and agreed to.

Clause 11 read and agreed to.

Clause 12 read. Amendment proposed, That, in the last two lines, the reading should be thus—"exploration, occupation, and mining."

The Question having been put, the Committee divided, and the names were taken down as follows:—

Ayes, 3.

Mr. Bradshaw,
Mr. T. L. Shepherd,
Mr. Tribe.

Noes, 2.

Mr. Mervyn,
Mr. White.

So it passed in the affirmative.

Clause amended read and agreed to.

On the motion of Mr. Mervyn, *Resolved*, That Part III. is not suitable for the requirements of shallow alluvial mining districts.

On the motion of Mr. Shepherd, *Resolved*, That the Chairman, Mr. Shepherd, and Mr. Tribe be requested to communicate with the Government and Attorney-General, with a view of ascertaining as to whether or not the Act can be so remedied as to meet the foregoing objection.

Committee then adjourned till 10.30 a.m. on Tuesday.

TUESDAY, 20TH AUGUST, 1872.

The Committee met pursuant to notice.

PRESENT :

Mr. Bradshaw,
Mr. J. C. Brown,
Mr. Curtis,
Mr. Gillies,
Mr. Hallenstein,
Mr. Harrison,

Mr. Macandrew,
Mr. Mervyn,
Mr. T. L. Shepherd,
Mr. Tribe,
Mr. White.

Mr. O'Neill in the Chair.

On the motion of Mr. Harrison, Mr. O'Neill was appointed Chairman.

Minutes of last meeting read and confirmed.

The papers relating to an alleged sale of auriferous land to Mr. Allan McDonald, at Switzers, were laid before the Committee.

Mr. Bradshaw explained the papers to the Committee, and will bring forward a resolution next meeting.

On motion of Mr. Mervyn, seconded by Mr. Bradshaw, *Resolved*, That in the opinion of the Committee, it is desirable that the papers connected with the sale of land to one Allan McDonald, at Switzers, be printed; and that the Chairman be requested to convey the resolution to the Printing Committee, with a view of having effect given to it.On motion of Mr. Bradshaw, seconded by Mr. White, *Resolved*, That the Committee do recommend that the Government should be requested to give effect to the prayer of the petitioners of the Auckland Chamber of Commerce and mining machinery.

The papers relative to the Beaumont Water Race, with other papers relative to the construction of Gold Fields Works, were laid before the Committee.

Mr. J. C. Brown moved, That this Committee are of opinion that in all cases, where practicable, the services of the Provincial Road Engineers should be availed of by the General Government, where surveys and reports of the various applications are required for assistance for the construction of water races and other works on the gold fields, under "The Public Works Act, 1871."

Mr. Mervyn moved, as an amendment, to omit all the words after the word "That," with a view to insert the following in lieu thereof:—"in the opinion of this Committee, it is desirable that the cost of the preliminary surveys required under the Regulations, before assistance is rendered to the miners for the construction of water races, should be borne by the Government; and that, in the case of assistance being rendered by the Government, the Wardens be instructed to report in reference to periodical payments."

Question put, That the words proposed to be omitted stand part of the question.

It was resolved in the affirmative.

Original question put and agreed to.

Mr. Macandrew then took the chair, and explained to the Committee the interview of the deputation with the Attorney-General on the Gold Fields Act.

On motion of Mr. T. L. Shepherd, *Resolved*, That a separate Bill be introduced during the present Session, providing for mining on private property; and that the clauses providing for mining on private property be eliminated from the Gold Fields Bill.On motion of Mr. T. L. Shepherd, *Resolved*—

1. That the duties to be performed by the Inspector under the Gold Fields Bill be performed when required by the Warden.

Ayes, 5.

Mr. Bradshaw,
Mr. J. C. Brown,
Mr. Macandrew,
Mr. Mervyn,
Mr. T. L. Shepherd.

Noes, 4.

Mr. Hallenstein,
Mr. O'Neill,
Mr. Tribe,
Mr. White.

2. That "The Gold Fields Mining District Act, 1871," be not repealed.

Moved by Mr. Shepherd, That the resolution be forwarded to the Attorney-General, with a copy of the Bill.

Agreed to.

The Committee then adjourned till Thursday, at 10.30 a.m.

THURSDAY, 22ND AUGUST, 1872.

The Committee met pursuant to notice.

PRESENT :

Mr. Bradshaw,
Mr. J. C. Brown,
Mr. Mervyn,

Mr. O'Neill,
Mr. Tribe.

Mr. Macandrew in the chair.

The minutes of the former meeting were read and confirmed.

The Committee then adjourned.

WEDNESDAY, 2ND OCTOBER, 1872.

There being no quorum, the meeting lapsed.

PRESENT :

Mr. Mervyn,		Mr. O'Neill.
		Mr. Macandrew.

THURSDAY, 17TH OCTOBER, 1872.

There being no quorum, the meeting lapsed at about 11.20 o'clock.

PRESENT :

Mr. Bradshaw,		Mr. O'Neill.
		Mr. Macandrew.

FRIDAY, 18TH OCTOBER, 1872.

The Committee met pursuant to notice.

PRESENT :

Mr. Bradshaw,		Mr. Sheehan,
Mr. J. C. Brown,		Mr. T. L. Shepherd,
Mr. Mervyn,		Mr. Tribe,
Mr. O'Neill,		Mr. White.

Mr. Macandrew in the chair.

The order of reference concerning the Gold Fields Act Amendment Bill was read.

The Committee considered the Bill, and passed it without amendments.

To report accordingly.

The Committee then proceeded to consider the sale of auriferous land at Switzers to Allan McDonald.

Mr. Brown, member of the Committee, gave evidence, which is hereto attached.

Proposed by Mr. Shepherd, seconded by Mr. Bradshaw, That this Committee recommend that His Honor the Superintendent of Otago should cause strict inquiry to be made on the spot, as circumstances of a grave character, connected with the case, have been brought to light, which require clearing up.

The Chairman to report accordingly. (*Vide ante.*)

The Committee then adjourned.

MINUTES OF EVIDENCE.

FRIDAY, 18TH OCTOBER, 1872.

J. C. BROWN, Esq., M.H.R., in attendance and examined.

1. I am acquainted with the 50 acres of land referred to. I am aware that a considerable portion of it has been in work by miners for the last eight years. Mr. Acton was in possession of it until about two years ago, and has taken considerable quantities of gold from the ground. Two years ago it was sold at auction, at the instance of Acton's creditors. The auctioneers were Messrs. McLandress Hepburn, and Co., the purchaser being Mr. Warden Woods. Acton endeavoured to secure a lease or freehold of the property, and in that endeavour went to considerable trouble and expense; but up to the time of the sale he did not succeed. At this time the only title to the ground was a permissive occupation from the runholder, a business license, and miners' rights. The auctioneers sold the property subject to these rights. The property comprised not only the claim, but also a useful garden, store, and licensed house, and many other improvements were upon it. Mr. Wood's purchase comprised only the same rights as had been enjoyed previously by Acton.

2. *Mr. Macandrew.*] What did he pay for the purchase?—I believe about £200. Mr. Woods immediately afterwards let the property on a lease with a purchasing clause to Mr. H. W. Simpson, who I believe subsequently purchased the property from Mr. Woods, and afterwards sold his right and title to it to Allan McDonald. Simpson subsequently left the district. Allan McDonald afterwards sold his right to Mr. Bastings. This took place before the freehold had been acquired from the Waste Land Board. A short time after the sale to Bastings, McDonald became purchaser of the freehold to the land. I understand Bastings had to give a bonus of £200 before he got the land transferred to him. During all this time the claim had been wrought to advantage, as many as ten, twenty, and thirty men at various times being at work on the ground. These men sometimes worked the claim upon tribute, receiving a proportion of the gold excavated from the ground.

3. *Mr. Shepherd.*] Who was the first purchaser of the right from Acton—Woods or McDonald?—Woods.

4. What was the extent of that purchase?—He purchased all the buildings on the ground,—the hotel, the store, the garden, and the stockyard; also, Acton's right.

5. He purchased the interest in the land, did he not?—Yes. It was held on a business license, and a sort of permissive right from the runholder to cultivate a garden.

6. Then it was not held under an agricultural lease?—No.

7. Was the large quantity of gold to which you have referred got by Acton, McDonald, or Bastings?—Acton got a quantity of gold for many years. It has also been wrought profitably by Bastings and by Simpson.

8. Was the ground wrought by any one between the time Acton ceased to work it and the time that Bastings and Simpson took it?—Yes; it was let to Acton and some Chinamen at a rental of so much per week. I forget particularly about it. It may have been a royalty.

9. Did the Chinamen work it successfully?—It appears that the works were flooded out the time the Chinamen had the ground.

10. How long did the workings remain idle at that time?—Not many weeks.

11. With whom did Bastings work the land?—He was connected with Simpson, who resides on the ground, and Hare manages the claim.

12. Have they been at work since then?—I understand they have been at work continuously.

13. How many men do they employ?—I cannot say. The average is, I believe, fifteen or twenty.

14. Has the ground been purchased by Bastings, or has he got it merely on lease?—The ground has been transferred to Simpson and Bastings by McDonald.

15. I have heard that Bastings has lost money by it. Is that the case?—I do not know.

16. Is not Mr. Bastings desirous of surrendering the land upon receiving compensation?—I do not think he is.
