

1883.
NEW ZEALAND.

GOLD FIELDS AND MINES COMMITTEE
(REPORTS OF).

Presented to the House of Representatives, and ordered to be printed.

ORDERS OF REFERENCE.

Extracts from the Journals of the House of Representatives.

TUESDAY, THE 19TH DAY OF JUNE, 1883.

Ordered, "That a Select Committee be appointed to consider all Bills and petitions that may be introduced into this House affecting gold fields and mines, and to report generally upon the principles and provisions which any such Bills or petitions may contain, with power to confer or sit together with any similar Committee which may be appointed by the Legislative Council, and to agree to a joint or a separate report; to consist of ten members, three to be a quorum. The Committee to consist of Mr. J. C. Brown, Mr. Cadman, Mr. De Lautour, Mr. FitzGerald, Captain Morris, Mr. Munro, Mr. Pyke, Mr. Seddon, Mr. Shaw, and the mover."—(*Hon. Mr. Rolleston.*)

FRIDAY, THE 13TH DAY OF JULY, 1883.

Ordered, "That the Gold Fields and Mines Committee have power to report to the House generally its opinion upon all matters in connection with gold fields legislation, special taxation, and the principles upon which State aid should be extended to mining enterprise."—(*Mr. De Lautour.*)

(MR. DE LAUTOUR, CHAIRMAN.)

INTERIM REPORT.

THE Gold Fields and Mines Committee have the honour to report: That, at a meeting held yesterday, they passed the following resolution: That the Chairman be instructed to ask the House for an enlargement of the Committee's order of reference, in order that the Gold Fields Committee may have power to report to the House generally its opinion upon all matters in connection with gold fields legislation—special taxation, and the principles upon which State aid should be extended to mining enterprise.

13th July, 1883.

MINING COMPANIES ACT 1872 AMENDMENT BILL, 1883.

I AM directed to report the above Bill amended as herewith.

17th July, 1883.

GOLD DUTIES ABOLITION BILL, 1883.

THE Gold Fields Committee, to whom was referred the above Bill, have the honour to report: That, after careful consideration, they recommend that the Bill be allowed to proceed, with the amendments as shown upon the copy of the Bill hereto attached.

18th July, 1883.

No. 63.—Petition of M. N. COOPER.

THE Gold Fields Committee, to whom was referred the petition of M. N. Cooper, have the honour to report: That the petitioner alleges that the damage sustained was in consequence of the construction by the Government of the Mount Ida Water-race, the construction of which has depreciated the value of water carried by a water-race owned by the petitioner and another, running into the Naseby Gold Field at nearly the same level. That the Committee admit all the facts of damage alleged by the petitioner, but are unable to recognize any principle which imposes a duty upon the Government to grant compensation.

18th July, 1883.

Nos. 250 and 284.—Petitions of ALFRED BURTON and 2 Others, and FREDERICK MARSHALL and Others.

THE petitioners pray for the abolition of the gold duty.

Your Committee have the honour to recommend the above petitions to the favourable consideration of the House.

31st July, 1883.

No. 251.—Petition of ARCHIBALD McLOGHEY and 2 Others.

THE petitioners state that they hold certain lands in the Ohinemuri Riding under the Agricultural Leasing Regulations, 1875, and they pray that the Government may complete the purchase of that block to enable them to obtain freehold thereof without advance upon the original cost.

Your Committee have the honour to report: That, the Government having now obtained the freehold of the ground occupied by the petitioners and others, under regulations for occupation under agricultural leases issued in or about the year 1875, more permanent tenure should be offered to the occupiers, provided the mining interests of the district are not prejudiced thereby, and a freehold granted to them at a price not being more than the upset price charged for lands of the same class in the Auckland Provincial District.

2nd August, 1883.

DRAINAGE OF MINES BILL, 1883.

THE Gold Fields Committee report the Bill, and recommend that, if it be further proceeded with, it be therein provided that it may be brought into force by Proclamation in such mining districts in which the Governor shall be satisfied, upon petition from the miners, that it is generally desired.

2nd August, 1883.

No. 110.—Petition of the CHAIRMAN and COUNCILLORS of the THAMES COUNTY COUNCIL.

Your Committee have to report upon the petition of the Chairman and Councillors of the Thames County Council. The petitioners allege:—

1. That the Government has acquired valid titles to the Ohinemuri Gold Field by purchase.
2. That, under and by virtue of section 20 of "The Financial Arrangements Act, 1876," all gold fields revenue (other than revenue payable to the Native owners) was directed to be paid to the county in which such revenue accrued.
3. That £5,000 or, thereabouts, gold-fields revenue, accrued between January, 1877, and the 14th day of June, 1882, which has not been paid to the Natives or to the petitioners.

The Committee have taken the evidence of Mr. Judge Puckey, Mr. A. Porter, and Mr. Gill (Land Purchase Department), and find,—

1. That the purchase by the Government of the gold field was completed in or about the month of July, 1882.
2. That all gold fields revenue accrued from the date when the freehold vested in the Crown (July, 1882) has been paid to the county.
3. That all gold-fields revenue, which accrued prior to July, 1882, has been credited to the Natives, as against a sum of £15,000 paid to them by the Government.
4. That the sum of £15,000 was not paid on account of the purchase, Mr. Gill stating that the Commissioner would have been justified under instructions in giving £30,000 for the acquirement of the right to proclaim and occupy the gold field.
5. That the balance of the £15,000, less the amount of gold revenue credited to the Natives, appears to have been treated as part of the purchase-money agreed upon by the Government, which purchase was concluded in 1882.

The Committee are of opinion that it is quite clear that the petitioners have no claim.

It has been contended that the Government was actually the purchaser from the moment it first paid any sum of money to the Natives, which might by law have been assessed at any time in land to the value thereof by the Land Court.

This contention, whatever it may be worth, appears to be untenable, as the evidence before the Committee is that the sum of £15,000 was not paid on account of purchase, but was really a payment for the right to proclaim, and perhaps occupy, the gold fields. The fact, if it be one, that the Government subsequently succeeded in inducing the Natives to allow this sum to be treated as an advance of purchase-money, does not alter the position.

The Committee are informed that the County Council has endeavoured to obtain the consent of the Crown to allow a suit to be instituted in the Supreme Court, but that the necessary consent was refused.

The Committee are of opinion that no claim exists; yet it considers that, if the Council is advised it has a legal claim, no technical barrier should be interposed by the Government to prevent the Council endeavouring to establish such claim; provided that, whatever the result may be, no further claim shall hereafter be made against the Crown, by petition or otherwise, to repay the costs of litigation should the Council's claim be rejected.

7th August, 1883.

Nos. 344, 343, and 356.—Petitions of MICHAEL GIFFNEY and 55 Others, CHARLES STEWART and 148 Others, and JOHN PARKIN and 131 Others.

THE petitioners pray for the abolition of the gold duty.

Your Committee recommend that the gold duty be abolished in accordance with the prayer of the petitioners.

3rd August, 1883.

Nos. 394, 391, 392, and 393.—Petitions of THOMAS MALONY and Others, JOHN LIVINGSTONE and Others, JAMES KEITH, and Others, and JOHN McKERSIE and Another.

THE House having now dealt with the Bill the subject-matter of the petition, your Committee have no recommendation to make.

9th August, 1883.

No. 144.—Petition of ANDREW MCKENNA.

Your Committee are unable to refer the petition to the favourable consideration of the Government.
9th August, 1883.

No. 333.—Petition of JOHN O'DONNELL and Others.

Your Committee are unable to refer the petition to the favourable consideration of the Government.
16th August, 1883.

REPORT under ORDER of REFERENCE of 13th JULY, 1883.

I AM directed by the Gold Fields and Mines Committee to report the following resolution to the House:—

That the Government be urgently requested to introduce forthwith a short Act, providing that hereafter no person, body, or authority shall, by means of any channel, fluming, or other works of any nature, divert the whole or any part of the water which, under the provisions of "The Mines Act, 1877," or any amendment thereof, or any regulations now or hereafter in force thereunder respectively, may be allowed, required, or directed to flow in the natural bed of any stream or watercourse for general use.

And if any person shall divert such water or any part thereof in any manner hereby prohibited, or in contravention of any order made under the said Acts or any regulation as aforesaid, he shall be guilty of an offence, and on conviction shall be liable to a penalty not exceeding twenty pounds.

23rd August, 1883.

REPORT under ORDER of REFERENCE of 13th JULY, 1883.

I AM directed by the Gold Fields and Mines Committee to report the following resolution to the House:—

That, as a further inducement to prospecting, a reward of £2,500 should be offered for the discovery of new gold fields in any portion of the colony (except in such districts in the North Island as may be specially excepted therefrom by notice published under the hand of a Minister in the Government *Gazette*), on the following conditions:—

1. That the discovery be situate not less than ten miles in alluvial, and five miles in quartz, from any existing mines.

2. That no grant be paid upon an application until it be proven that not less than 20,000 ounces of gold have been extracted within two years from the time of the registration of the discovery and three years if in quartz working.

3. That there shall be appointed by the Governor from time to time, as may be required, in any mining district a Board, consisting of three members, one of whom shall be a Gold Fields Warden or Resident Magistrate, to consider any application by persons claiming to have made a discovery the decision of a majority of the Board to be final.

4. That any person discovering new gold-workings, and being desirous of obtaining a reward, shall immediately report such discovery, with full particulars, to the Warden or Resident Magistrate of the district within which such discovery shall be situated; and the Warden or Resident Magistrate shall forthwith register the same as an application for reward.

5. That £500 be given for a proven discovery, but, if the sum so to be given in any one year be in excess of the vote, the amount available be divided equally.

23rd August, 1883.

REPORT under ORDER of REFERENCE of 13th JULY, 1883.

I AM directed by the Gold Fields and Mines Committee to report the following resolution to the House:—

That the Government be requested to take up the Drainage of Mines Bill, in order to enable it to pass during the present session, with a permissive clause added thereto.

23rd August, 1883.

No. 520.—Petition of J. F. CHRISTIAN and 42 Others.

THE Gold Fields and Mines Committee, to whom the petition was referred, have the honour to report as follows: That Mr. McCready be allowed to purchase a homestead of not more than 50 acres; reserves for outlets being first laid off as water-race and tail-race reserves, to enable land adjoining or at the back to be worked for mining, such reserves to be laid off after public inquiry and recommendation of the Warden. That no further freehold should be granted.

30th August, 1883.

No. 508.—Petition of JOHN EWING and 88 Others.

THE Gold Fields and Mines Committee, to whom the petition was referred, have the honour to report: That reservation of Crown lands be made for mining outlets as suggested by the Surveyor-General, in the valley referred to by the petitioners, for its whole length, and that the Warden be directed to communicate with the owners of Sections 13 and 9, Block VII., Blackstone District, with the view of ascertaining what arrangement is possible in order to carry out the wishes of the petitioners.

31st August, 1883.

Appendix.

SIR,—

General Survey Office, Wellington, 31st August, 1883.

Referring to the memorial of the residents in St. Bathans, Mount Ida District, requesting that arrangements be made with the occupiers of Sections 9 and 13, Block VII., Blackstone Survey District, to allow tailings to run through, I have to remark that the statement in clause 8 of memorial, to the effect that no reservation was made along the stream or gully for tailings, is quite correct, nor was any deemed necessary at the time; for, as stated in clause 6, the land and gully in question were declared open for settlement, as desired by the memorialists, the principal of whom are well acquainted with the district, and who would not have been parties to declaring auriferous ground open for settlement had there been any belief at the time that the ground was payably auriferous. But, as the settlement of the land did not proceed as anticipated by the memorialists when urging the Government to compensate the runholder and open the land in 1878, there still remains the opportunity of reserving the strip of land desired along the bottom of the gully for the whole length of its course, with the exception of that part, viz., about one and a quarter miles, through Sections 9 and 13, Block VII., Blackstone Survey District. I do not suppose the Gold Fields Committee desire me to advise what should be done in this particular case; but I may state generally that the surveyors are instructed to be most careful in leaving reserves for tailings through all Crown lands coming under survey within the gold fields.

C. De Lautour, Esq.,
Chairman, Gold Fields and Mines Committee.

I have, &c.,
JAMES MCKERROW,
Surveyor-General.

No. 510.—Petition of JAMES ISDELL and Others.

THE petitioners pray for the abolition of the gold duty.

Your Committee are of opinion that the petition should be referred to the favourable consideration of the Government.

REPORT under ORDER of REFERENCE of the 13th July, 1883.

I AM directed by the Gold Fields and Mines Committee to report the following resolution to the House:—

That a vote of £2,500 in aid of prospecting should be provided on the supplementary estimates during the present session.

That the allocation of the vote recommended be based on the following conditions: (1.) That no claim for assistance out of any vote in aid of prospecting for gold or other minerals shall be recognized unless the work for which such assistance is applied for shall have been sanctioned prior to the commencement thereof by the Council of the county in or surrounding which the works are situated. (2.) That in any district where the Counties Act is not brought into operation the sanction of the Minister must be obtained to the proposed work. Payments upon works so sanctioned shall be made at the recommendation of such officer as the Minister may appoint. (3.) That the amount payable shall be 10s. in the pound upon the amounts actually expended. (4.) That the certificates for the amount payable shall be signed by the Chairman of the County Council of the district wherein such prospecting is being carried on.

31st August, 1883.

REPORT under ORDER of REFERENCE of the 13th July, 1883.

I AM directed by the Gold Fields and Mines Committee to report the following resolution to the House:—

That, the mining industry of the colony having now become so important, this Committee would suggest that in future the Minister of Mines should make an annual statement to the House, similar to that made by the Minister for Public Works.

31st August, 1883.

REPORT under ORDER of REFERENCE of the 13th July, 1883.

I AM directed by the Gold Fields and Mines Committee to report the following resolution to the House:—

That an Act providing for mining for minerals other than gold should be prepared during the recess, to apply to the North Island in the same manner as is provided in the case of "The Mines Act, 1877," for the South Island.

31st August, 1883.