

"1st.—The mining legislation of Victoria differs so essentially, both in principle and detail, from that of New South Wales, that it seems to us of great importance to ascertain, with the certainty only attainable by personal investigation upon the spot, how far the superior mining prosperity of that Colony is due to her legislation. It has been asserted that if an Act and a code of Regulations similar to those of New South Wales were in operation in Victoria, three-fourths of the profitable mining now carried on in that Colony would never have been entered on.

"2nd.—We desire to inquire into the working and details of the Victorian Department of Mines, the general administration of the Gold Fields of that Colony, and the framing of their Mining Regulations.

"3rd.—We hope to obtain valuable information upon the Water Supply question. A Water Supply scheme, intended to be self-supporting, has been partially brought into operation in Victoria, and it is most desirable that we should know how far the expectations formed of that scheme have been realised, particularly with a view to the consideration of whether a similar plan, or any adaptation of it, would be suitable to the Gold Fields of this Colony."

Circumstances, however, did not appear to permit of your Commissioners being authorized to proceed to Victoria.

Mode of taking evidence.

5. It will be seen that, in taking the evidence, your Commissioners have not adopted the plan generally followed of taking down at full length question and answer. The course which we have preferred is one which we venture to think is an improvement upon the more usual plan. Doubtless, if the object of your Commissioners had been to swell the bulk of the volume of evidence, that object would have been more effectually attained by putting down in full all the questions and the answers. But, in the first place, the services of a Short-hand Writer were not at our disposal, and had they been we should not have availed ourselves of those services for this purpose; for a very cursory perusal of printed "Minutes of Evidence," as generally presented to Parliament, will show that nine-tenths of the evidence, so called, of witnesses, are but echoes of leading questions put by the persons examining; so that in truth it too often happens that the result attained is not the opinion of the witnesses, but of the examiners. Your Commissioners have anxiously guarded against the possibility of any such miscarriage of the functions committed to them, and have been careful to ensure that the views and opinions subscribed by the various witnesses before them were the veritable views and opinions of the witnesses themselves, and not of your Commissioners. In some few instances, where it has been desirable to follow out, somewhat argumentatively, the bearings of particular views, the questions and answers have both been specifically set down. And by a careful side-noting of the evidence, with regard to the particular heads of inquiry, your Commissioners hope that every reasonable facility in reference will be found to be furnished.

Commissioners not responsible for delay in presentation of Report.

6. Our labours in taking evidence and preparing the Report were brought to a close in Sydney, on the 29th December of last year, and we regret that there has been an interruption for so lengthened a period of the concluding work of your Commissioners in drawing up our Report. We feel that, in justice to ourselves, we must take leave to say that for the delay which has taken place in presenting this Report we are in no wise responsible; for had not our labours in that direction been interrupted at the close of last year, our Report would have been laid before your Excellency in the early part of January.

PRINCIPLES UPON WHICH MINING LEGISLATION SHOULD BE BASED.

Fundamental principles.

7. We think that at the outset of a Report which is in itself to contain suggestions and recommendations upon so important a subject as that of mining legislation, we may be expected to state shortly the opinion entertained by us as to the fundamental principles upon which such legislation should be based.

Gold Fields property of entire community.

8. In the first place, then, we consider it almost as a self-evident proposition that the Gold Fields of the Colony—at all events, upon the unalienated lands of the Colony—are the property of the entire community, and should be legislated for with a view to the general prosperity, and not for the exclusive or even special benefit of any particular class. A very little consideration of the views frequently enunciated by many who profess to be the leaders of public opinion will show that, axiomatic as this proposition is, it is not seldom practically ignored. Therefore it is that, at the risk of being charged with uttering something very like a mere truism, we think it well to place this principle prominently on record.

Should be made a source of attraction to valuable immigration.

9. Secondly, we think it should be borne in mind that the auriferous deposits of the Colony contain in themselves an element of great attraction to labour and enterprise, and that laws with reference to such deposits should be so framed as to render them really and practically a means of attracting to the Colony a large influx of desirable immigrants. The advantages to be derived by the Colony generally from such immigration are too obvious to need specific mention; but the course which legislation upon gold-mining affairs has hitherto taken in New South Wales seems to indicate that it has by no means been thought by the framers of our laws that our Gold Fields should be regarded as an inducement to people of other countries to come amongst us. We hope that even at this late period this error will be acknowledged, and in future avoided.

Economy and efficiency in working.

10. Lastly, population for the working of our Gold Fields being supposed, the grand end and aim of mining legislation should be *the thorough development of the mineral wealth of the Colony, with*