

PAPERS IN REFERENCE TO THE CROWN WAIVING ITS RIGHT TO MINERALS ON CERTAIN LANDS IN THE COROMANDEL DISTRICT.

No. 1.

His Honor the SUPERINTENDENT of AUCKLAND to the Hon. COLONIAL SECRETARY, Wellington.

Superintendent's Office,
Auckland, 15th May, 1872.

SIR,—

I have the honor to transmit herewith, for the consideration of the General Government, copy of an application made to me by Messrs. Hesketh and Richmond, Solicitors, on behalf of a client, with reference to the Crown waiving its rights to minerals on certain lands in the Coromandel district. I beg to express my decided conviction that in this and all other cases in which Crown Grants are issued, the Crown rights to the precious metals should be waived. Much ill-feeling and agitation will be thereby prevented, and I believe great encouragement and permanence be given to the important industry of gold mining.

May I request the favour of an early attention to this matter, as I have no doubt many similar applications will be made, and the subject is one of importance.

I have, &c.,

T. B. GILLIES,
Superintendent.

Enclosure in No. 1.

From Messrs. HESKETH & RICHMOND, Solicitors, Auckland, to His Honor the SUPERINTENDENT of AUCKLAND.

SIR,—

Auckland, 14th May, 1872.

We have the honor to request your early reply to our queries in the following matters:—

Our client is the owner in fee of a large block of land in the Coromandel District, held under a Crown Grant dated, December, 1865, and issued under the "Native Lands Act, 1865."

This block is believed to be auriferous, and at the present time several prospecting parties are at work on the land.

We are not aware that the Crown claims any right over this land, beyond that of the Crown's Common Law Right, to the precious minerals, and we now wish to know whether the Crown will waive this right in respect of this land, or on what terms the Crown will grant him a license to mine on it. Our client intends to dispose of this land to an English Company, to be formed for mining purposes, and it will be apparent to you that it is of the highest importance that the rights of the company should be definitely ascertained and known.

We have, &c.,

HESKETH & RICHMOND.

No. 2.

The Hon. COLONIAL SECRETARY to His Honor the SUPERINTENDENT of AUCKLAND.

Colonial Secretary's Office,
Wellington, 3rd June, 1872.

SIR,—

I have to acknowledge the receipt of your honor's letter of the 15th ultimo., transmitting copy of an application from Messrs. Hesketh and Richmond, Solicitors, on behalf of a client, for the waiver by the Crown of its rights to minerals in certain lands in the Coromandel district, and expressing your own conviction that in this and all other cases in which Crown Grants are issued, the Crown rights to the precious metals should be waived.

The Government cannot concur with your Honor on the advisability of the unconditional surrender by the Crown of its rights to precious metals in private lands. They conceive that such a course would be productive of great public evils, and would injuriously restrict the due development of auriferous deposits and the spread of population. The proper course to be adopted would appear to be to open mines for precious metals on private property to public enterprise on such conditions and under such regulations as would, without sacrifice of private legal rights, most conduce to public advantage.

I have, &c.,
W. GISBORNE.