

Survey fees.

69. The fees for survey should, in our opinion, be on the lowest scale commensurate with the due remuneration of the Surveyors. From the large number of claims which would doubtless require to be surveyed, we venture to believe that, without the necessity for the payment of any fee that would unduly press upon the miner, an adequate reward would be guaranteed for the services of competent officers.

[While agreeing with my colleagues as to the evils attending forfeiture, I think still greater evils would result from the remedy they propose. There is a strong and natural dislike on the part of the miners to become informers against their neighbours where the penalty inflicted is a money fine for non-working; and as the miner can hold any number of claims under his miner's right, large areas would be occupied and held without working, unless Inspectors were appointed on each field to superintend the mining, and prosecute parties for non-working. As this latter plan could not be adopted—and it is certainly not desirable to allow the gold lands of the Colony granted to the miner on the condition that he works them, to be held unworked—I have reluctantly come to the conclusion that forfeiture should be enforced for non-working or non-payment of calls or liens. But I think most of the objections to the present system would be met if, for a first and second offence, the miner was allowed to redeem his forfeited property by the payment of the costs and a fixed sum to the complainant, in lieu of the share or claim. For any subsequent offence forfeiture should ensue, unless it could be shown to the satisfaction of the Warden that the claim had been generally fairly worked, when a large sum (say £50) might be fixed as the redemption. No forfeiture should be incurred if the claim-holders had commenced work forty-eight hours before proceedings were begun in any competent Court.—H. A. T.]

LEASES.

Security of tenure offered by leases.

70. In order to encourage the embarkation of capital in gold-mining enterprise, it is obvious that fair security of tenure must be offered. The tenure by miners' rights, although well adapted for miners who reside upon the Gold Fields, and who may personally exercise a constant supervision over the workings in which they are interested, is clearly not sufficient for the interests of those who may be necessarily resident away from the Gold Fields, but who may have capital which they are willing to invest in reasonably secure and legitimate enterprise. Unless, therefore, some such system of tenure as that secured by a lease is permitted, there would be virtually an exclusion of outside capital—a result certainly not to be desired by any but a few persons representing an extreme and narrow-minded view of Gold Fields legislation, and who are borne down by an unreasoning and unreasonable dread of the great bugbear monopoly. But it is by no means merely with a view to attract capital from persons not themselves resident on a Gold Field that we think leasing should be permitted. The encouragement afforded by leases would operate more generally, and with at least equal benefit upon the interests of the miners themselves, and would tend largely to the introduction of an improved system of mining, combining the two great desiderata—efficiency and economy. The privilege of being able to convert his holding under the miner's right into a holding under lease would also be a great advantage to the miner who might have proved his claim to be remunerative, but was unable to expend the amount required to develop the claim without calling in the aid of capital, which he would have difficulty in procuring if the tenure depended on the miner's right. There, no doubt, exists a considerable amount of feeling against the leasing of new alluvial gold deposits, on the ground that it tends to a monopoly, and interferes with the just rights of the individual miner. We do not desire by any means to treat these objections with disrespect, but we are unanimously of opinion that, provided proper safeguards are established to prevent an injury to the interests of individual labour, it would be a mistaken policy to shut up new alluvial ground entirely from lease. We would recommend, therefore, that, in the first place, all ground should be open for lease; but, in order to prevent any abuse of this privilege to the detriment of the interests of the poorer miner, we at the same time recommend that no leases should be granted unless, after due inquiry has been made, the Minister is of opinion that no injury to those interests will arise by the issuing of such lease. With exclusive reference to the case of new alluvial ground, we propose at the outset the establishment of a provision likely to nip in the bud the pernicious practice which has been represented to your Commissioners to be only too common, of applying for a lease of ground where there is no prospect of such lease being granted, merely for the purpose of impeding the occupation of the land by the miner. To prevent this, we recommend that, where application for leases are really opposed to the beneficial interests of the individual miner, as, for instance in the case of a new rush or newly-opened alluvial ground, the Warden on the spot, without reference to the Minister, should be empowered absolutely and at once to refuse such applications. We also think that the Warden might be empowered to grant an application for a lease of any ground already held by the applicants under miners' rights, without reference to the Minister. In other cases, the provisions with reference to the applying for, considering, granting, or refusing leases, apply equally in principle to all kinds of ground, and will, we think, establish the necessary safeguards for the interests of all parties concerned.

Objections to present system.

Delay and want of precision in surveys.

71. Before recommending a change in the Leasing Regulations, your Commissioners would desire to point out a few of the objections urged against the present system.

72. The survey is not made previous to the granting of the lease, although the survey fee is deposited when the application is made, and in many instances months elapse before the lessee can get his lease surveyed and boundaries fixed; while occasionally the ground is worked out and the lease abandoned before it is surveyed. In fact, the gold-mining leases at present issued describe the position of the ground leased so vaguely, that it would be impossible by their aid to identify the blocks leased, so that their boundaries could be fixed. To remedy this evil, we think that in all cases the survey should immediately follow the application for a lease, and that a copy of such survey, together with a plan of the ground leased, should be endorsed on the lease.