

worked, if, indeed, it can be worked at all, without the application of extensive capital, a condition which, to some extent, mitigates the error of the Board in having sold it.

I have, &c.,
J. MACANDREW,
Superintendent.

The Hon. the Colonial Secretary, Wellington.

Enclosure 1 in No. 17.

MEMORANDUM for his Honor the SUPERINTENDENT. *In re* sale of Fifty Acres of Land at Switzers, to one Allan McDonald.

I BEG to prefatorily remark that I make no mention as to the legal part of the question as to the sale of this land. That should be left to the Law Officer of the Crown, to whom, no doubt, the Hon. the Colonial Secretary has submitted the case.

From papers your Honor has been pleased to refer to me, I take it for granted,—

1. That fifty (50) acres of land has been sold to Mr. McDonald by the Waste Lands Board.
2. That the sum realized is the upset one, viz., £1 per acre.
3. That the land is situated within a proclaimed gold field, and that the area sold is auriferous.

I find, also, that the Chief Commissioner of the Waste Lands Board (Mr. Thomson), in a telegram to the Under Secretary for the Colony, is made to say "that no recent report was obtained from the Warden of the district that such a report is not obligatory, and that the same Warden was favourable to the sale in 1868."

I infer from these remarks that application was made to the Waste Lands Board to purchase the land in 1868, and that the sale was declined, although the Warden was then favourable to the sale.

I would, under the circumstances, respectfully suggest to your Honor the advisability of ascertaining from the Chief Commissioner why the sale of the said fifty acres, which was not granted in 1868, was granted three years after, namely, on the 4th May, 1871.

Mr. John Hughes, who was then, and is now, a member of the Board, can, I believe, throw some light on the matter, if your Honor would consult him.

Mr. Warden Wood, who is now in Dunedin, could inform your Honor as to the character of the land, its situation, and whether he was favourable to the sale in 1868, and is still of that opinion.

The policy of the Gold Fields Acts is to prevent monopoly, to encourage the expenditure of capital, by fostering legitimate mining enterprises, and preserve for ordinary mining all auriferous lands which can be worked by *bonâ fide* miners. If, however, the fee-simple of this land has been obtained for less by half than the price which would have to be paid to the Province annually in terms of the leasing regulations, a great wrong has been done. Under the leasing system, and also under the ordinary mode of working in virtue of the possession of a miner's right, the land must be constantly in work. Now, the land is tabooed against the mining community, and may remain undeveloped for years.

I have, &c.,
J. B. BRADSHAW,
Secretary for Gold Fields.

Dunedin, 4th April, 1872.

Enclosure 2 in No. 17.

Mr. J. W. WOOD to the PROVINCIAL SECRETARY, Gold Fields.

SIR,—

Dunedin, 5th April, 1872.

In accordance with the instructions contained in the memorandum of His Honor the Superintendent, I have the honor to inform you, *in re* the fifty acres of land to Mr. Allan McDonald, that I am not aware of any report having been made on Mr. William Acton's application, made in 1867 or 1868, previous to my being Warden of the Switzers Gold Field. At the request of some one, I presume on a memorandum of the Government to Mr. Acton, or his agent, Mr. M. Hay, I forwarded my letter No. 120-68, 2nd September, 1867, with Mr. Swanston's receipt, dated the 4th May, 1868, for his interest as runholder, and gave Acton a certified copy of the same, and, at his request, asked the Government to get the survey proceeded with, as a Government Surveyor was in the neighbourhood. I was never called on for a report, but in October or November, 1868, when in Dunedin, I refused to recommend the sale of the fifty acres lest it should hereafter prove payable auriferous. At that time I was not of opinion that it was payable, as Acton had been working on the ground for two or three years, and was on the verge of insolvency. Since that time the ground has been worked, and proved *highly auriferous*.

I have, &c.,
J. W. WOOD,
Warden.

The Provincial Secretary for Gold Fields.

Enclosure 3 in No. 17.

WILL Commissioner of Crown Lands be good enough to explain the position of the matter in 1868? The Waste Lands Board seems to have declined an application to purchase, although the Warden was favourable to the sale. In 1871 the sale is effected, the Warden being of opinion that it was payable auriferous.

J. MACANDREW,
Superintendent.

4th June, 1872.