

Cadman you said you did not know of any except from hearsay. Can you produce any instances?—I can tell you of one block—Waihi West—in which a prospector pegged out for me 200 acres, fifteen months ago, on which the money was lodged in the Warden's Court, and it is still there.

159. *Hon. Mr. Cadman.*] You mean Vesey Stewart's land?—Yes.

160. *Mr. Allen.*] I do not think you have got hold of my question. You say the Natives have retained their mineral rights?—There are instances of their having sold the land and retained their mineral rights—this Waihi West is one. I believe the Crown has since bought the mineral rights from them, although a private individual has bought the land in the meanwhile.

161. Can you produce any evidence of that?—No, sir.

162. *The Chairman.*] You know there is such a thing as a miner's right?—Yes.

163. Are you aware that a miner's right gives no title to the surface of the land?—It gives a right to mines only, I take it.

164. Do you know anything about the origin of that right to search for minerals?—No. The Natives conceded the mineral rights on certain conditions.

165. What is the right issued for?—It was issued to pay the Natives for the right to the minerals originally at the Thames.

166. You require a grant to mine where the Natives have no land, do you not?—Yes.

167. Why do you require it?—Because the law makes it necessary.

168. What is the implication if the law makes it necessary that a miner must have a miners' right to search for minerals?—I hardly know. My recollections go back to about 1869, when I understood the original miners' right on the Thames was for the purpose of paying the Natives.

169. I am talking about Crown lands?—I could not say, unless it was another way of raising revenue.

170. I think you understand the question—If the Crown did not maintain their rights to the royal minerals, why should they issue a right to search for them?—I could not tell you.

171. *Mr. R. McKenzie.*] What percentage of the mining ventures placed on the market from Auckland do you consider likely to be profitable?—I could not say. I believe there are four or five thousand claims altogether. If they get one good one in ten it will be a wonderful proportion. The whole thing is due to the cyanide process, by which reefs that would not otherwise pay will pay, and there will be a great number of them that will. I reckon 10 per cent. an enormous number.

172. *Mr. Fraser.*] With regard to this right to mine. Is your syndicate asking for any concession, or do they simply object to the Bill?—All we ask is to be let alone.

173. Suppose it turns out afterwards that the opinion of the purchasers as to their right to mine is not sound, what would be their position then?—I cannot say. They have their lawyers to look into the titles, and they are satisfied.

174. You are not asking to have any invalidity of your title made valid?—We are asking nothing at all, sir, only to be left alone.

175. Your objection is that what you consider to be a valid title is to be taken from you?—That is our objection.

HENRY ANDREW GORDON, sworn.

176. *The Chairman.*] What is your profession?—Civil, also mining, engineer.

177. Do you appear before the Committee as one personally interested in this Bill, or at the request of others?—The reason I am here is because of several cables that I have received from people supplying capital for mining purposes stating that the present Mining Bill, which they had just received in England, would be the cause of people withdrawing their capital, and asking me to represent that to the Government.

178. Why should it be the means of withdrawing capital?—There is a deal of freehold land which people believe could not be resumed, for the simple reason that it was purchased prior to 1873.

179. I suppose you know that the Royal minerals are the property of the Crown?—I do not know anything of the sort. It is purely a legal question, that I cannot take up.

180. Well, you can give us your opinion?—No; it would be a matter, that, for a higher Court than any one in the colony.

181. You know there is such a thing as a miner's right?—Yes.

182. Does it not give him a surface right?—Yes.

183. Can he not also build?—He can take up a residence-site.

184. It gives him the right to extract minerals?—Yes.

185. Is not that a recognition of the ownership of the Crown by these miners?—It means that on Crown lands, but not on lands held in fee-simple.

186. On Crown lands it is so?—Most undoubtedly.

187. Are you aware of any instances in which the Crown has ever relinquished its rights to the Royal minerals?—I do not know of an instance, and could not quote one.

188. Do you know the Kauri Freehold Gold Estates Company?—I do.

189. Are you interested in that?—We are interested to a certain extent in that company.

190. Have you held any shares in it?—I could not tell.

191. Yourself, personally?—No.

192. Do you think your company has any shares?—Personally, I cannot tell whether the syndicate has any shares.

193. Have you received any valuable consideration from them for any shares?—No.

*The Chairman:* You had now better make your statement in the ordinary way.

*Witness:* The objections I have to the present Mining Bill are these: There were certain lands which people supplying capital for the purpose of developing the goldfields of the colony thought they could make arrangements with the owners of the Kauri Timber Company to purchase.