

Mr. WILLIAM BERRY in attendance, and sworn.

218. *The Chairman.*] What is your name?—William Berry.

219. Your profession?—Editor of the *New Zealand Herald*.

220. You are here to give what evidence you can with reference to this proposed Mining Act?—I am willing to give any evidence I can.

221. In your words state what you wish to say.—I know the Committee have obtained a great deal of evidence from individuals as to the influence this measure would have on the flow of capital from London. I can only speak on that subject from conversations I have had with gentlemen in Auckland who represent English capital, and their unanimous opinion is that it would be fatal to mining being aided by outside capital. If I might make a suggestion, the Government might satisfy themselves on that point by communicating with the late Agent-General and the present Agent-General, which would be better evidence than could be given by any one in the colony. That the measure would be injurious is the general opinion of all the persons in Auckland whom I know, and who are direct agents of English capital. They are strongly against this Bill. In the first place, there is the bare statement that it is confiscation of freehold land. That would, I think, be a very serious message to send Home; and then it would be also a blow at the security of all mining tenures, because people in London would reason that if the Government can confiscate freehold land, land on which mining operations have been begun, where ample preparations had been made for working and prospecting, they would not regard any title whatever. I am also of opinion that it would be a serious matter in connection with the Native interests. The Natives would say that if this land were resumed the Crown could resume Native lands also. The Natives hold still a large extent of land which they have not ceded for mining purposes, and they would say at once that under this Bill these lands could be taken possession of without any compensation, or practically none—only surface-value. The whole of the mining on the Hauraki Peninsula, from Coromandel onwards, proceeds by virtue of agreements made with the Natives, in which the Crown has fully recognised their title to sell practically the mining rights. The first arrangement was made in 1852 by Governor Wynyard, and that arrangement proceeded on the understanding that the Natives could give these rights or refuse them. There were agreements in 1864, 1867, 1868, and all proceeded on the assumption that the Natives could give or refuse. On the Thames Goldfields, in the early days, there was a small area in the Waiotahi which the native owner refused to give up, and resisted the giving up of that portion, which was known to be auriferous. I understand that the regulations of the Kauri Freehold Estates Company have been objected to by several gentlemen connected with the goldfields. I saw the regulations when they were in draft in the early stage, but I do not know them exactly as they stand now. They proposed that before any claim could be floated, it must have a reef. They did not allow continuous pegging. There is a good deal to be said for this in a goldfields point of view. At the present time we have a large number of claims floated in Auckland on which no reef has been found. They have been floated because they are peg and peg with some claim where it is known gold has been discovered. These are the principal points, but I would be glad to give fresh information on anything I know of. I have no official connection with the company. I am here at the present time principally in connection with the general business of the paper.

222. *The Chairman.*] Were you invited to come here and give evidence?—I was summoned to come here.

223. Yes; but previous to that summons?—No.

224. You say that the passing of this Act would affect the security of mining tenure. Is there not at the present time a great deal of mining carried on where security is not in any way affected?—I think the people at Home, if they saw this proposal, would say, "Here is a piece of land respecting which arrangements have been made for working; men are out prospecting, claims are being pegged out—and the Government take up the position—"

225. That is not altogether my question. If the Government, under the mining laws, grant a title, do you consider there is any danger, or that mining speculators or investors would have any cause to think that title would be incomplete?—I think investors in London would think they had cause to question the honesty and good faith of the Government.

226. From what reason?—From the Government stepping in and taking land that was being mined, and in respect of which capital was subscribed for the purpose of mining.

227. *Mr. Fraser.*] Did I understand you to mean that a Bill such as is proposed would strike at the very root of the security of all kinds of tenure?—I think it would have a tendency to do that.

228. An impression?—I know, for instance, and everybody in Auckland interested in mining knows, they are obtaining capital for mining, just as if they were dipping out of the same well; and, although there are a good many who might take up claims, they would soon find that the Bill was mischievous, because the well would suddenly run dry.

229. *Mr. O'Regan.*] I think you said just now that most men were against the Bill, as it would prevent the inflow of English capital?—Yes.

230. Do you think it is possible that people with grievances against the Bill would naturally come to you?—I have seen some people who have grievances against the Bill, and some who have questioned some of the regulations proposed by the Kauri Freehold Estates Company. I would be likely to hear anything of the kind. I was living on the Thames Goldfields for many years, and I have been in touch with the goldfields ever since I went to Auckland. I saw some of the agreements with the Natives drawn up and agreed to, and know the understanding of both parties when they were negotiated.

231. You said the impression had got abroad in the Old Country that the Bill proposes confiscation of freehold properties?—Yes.

232. You are aware that most of the mining operations in the colony are carried on without freehold?—Yes; and probably that is advantageous where the land is Crown land.