

No. 335.—Petition of M. MUNCASTER, of Runanga.

PRAYING that she be granted a compassionate allowance in respect of services rendered the Mines Department by her late husband, William Muncaster.

I am directed to report that in the opinion of the Goldfields and Mines Committee this petition should be referred to the Government for favourable consideration.

29th November, 1927.

No. 259/25, Petition of JOHN T. JOHNSON, of Waipori, praying for an amendment of the Dunedin City Corporation Empowering Act, 1924, in respect of certain mining privileges; and No. 269/26, Petition of CHARLES A. MACDONALD and Another, of Waipori, praying that the Dunedin City Corporation Empowering Act, 1924, be so amended that the petitioners may have a right to recover compensation from the Dunedin City Corporation in respect of loss sustained arising out of the operation of the said Act.

I AM directed to report that the following members of the House of Representatives—namely, Mr. T. W. Rhodes, Mr. J. Horn, Mr. F. Waite, M.P., and Mr. W. E. Parry—during the past parliamentary recess visited the Waipori district with a view to ascertaining further evidence on the matters in issue in regard to the above petitions. Accompanied by Mr. A. H. Kimbell, Under-Secretary for Mines, members of the parliamentary party attended a meeting in the Town Hall at Dunedin on the 13th November, 1926 (Saturday), at which there were also present His Worship the Mayor of Dunedin, Mr. H. L. Tapley, C.M.G., M.P.; Councillor H. E. Shacklock; Mr. G. A. Lewin, Town Clerk; and the City Electrical Engineer. Mr. J. T. Johnson also attended.

Mr. T. W. Rhodes, M.P., explained briefly the objects the members of the parliamentary party had in view in investigating the matters mentioned in the petitions. Mr. Johnson spoke at great length in support of his case, and the Town Clerk replied to his remarks.

It was practically impossible to piece together in a tangible and clear manner what Mr. Johnson required to satisfy his claims, and he was therefore requested by Mr. Rhodes to prepare a statement in writing showing the value of the estimated losses suffered by him in consequence of the closing of the Waipori Goldfield. Later he wrote to the parliamentary party remarking on some of the statements that had been made by the Town Clerk, and enclosing a rough estimate of his loss, which he alleged amounted to £9,320, made up as follows:—

One year's litigation (self), at £10 per week	..	..	..	..	500
Two sons' wages as per sheets	..	..	..	..	450
One man extra	..	..	..	..	150
Carting and various (say)	..	..	..	..	100
Loss of profit, first year	..	..	..	..	1,500
Loss on subsequent two years at £3,000 per annum	..	..	..	..	6,000
					<u>£8,700</u>
Loss through non-possession—					£
Loss on road traffic and community rights (motor necessary)	..	..	..	..	250
Loss of time, &c. (say)	..	..	..	..	50
Loss on mountain camp	..	..	..	..	300
Loss on son's hut	..	..	..	..	20
					<u>£620</u>

On the following Monday, the 15th November, 1926, the parliamentary party motored to Waipori in company with His Worship the Mayor, Councillor Shacklock, the Town Clerk, and the Electrical Engineer, and on arrival were met by Messrs. Macdonald Bros. and Mr. Johnson. Mr. J. McC. Dickson, M.P., was also present, and spoke on behalf of the petitioners.

An opportunity was then given to the Macdonald Bros. to explain their case, to which the Town Clerk replied, and petitioners were questioned by members of the parliamentary party. Mr. Johnson then pointed out to the said members and others the mining operations already carried out and projected by himself, and by this means the party became fully seized of the position.

On Tuesday, the 16th November, 1926, the parliamentary party again assembled at the Town Hall. The claims of the Macdonald Bros. were further discussed frankly and fully, and it is pleasing to report that through its intervention a settlement was arrived at between Macdonald Bros. and His Worship the Mayor, under which the City Council of Dunedin undertook to pay the sum of £500 in full and final discharge of all claims that they may have against the said City Council in respect of the loss of the facilities provided by the Township of Waipori, and which said facilities have been or are likely to be destroyed by the exercise by the City Council of the powers given under the Dunedin City Corporation Empowering Act, 1924; such facilities to include, *inter alia*, the loss of access, the loss of store, post-office, telephone exchange, and school. The latter, while not yet closed, is likely to be closed in the near future.

Without prejudice to the generality of the provisions of the last preceding paragraph, the sum of £500 is to be treated as a full and complete discharge to the City Council of all claims, losses, and demands the said Charles Alexander Macdonald and the said Archibald Allan Macdonald have and may hereafter have in respect of all their losses, save and except any claim that they may have for land actually flooded or otherwise injuriously affected by the exercise of the power given to the City Council by the Dunedin City Corporation Empowering Act, 1924.

This left the case of Mr. Johnson to be further dealt with; and as a result of his lengthy further communications between the parties concerned, and with the assistance of the members of the parliamentary party, the following settlement was arrived at:—