

15. *Hon. Mr. R. McKenzie.*] The Warden gives them twelve months, and the Minister can give them reasonable protection up to two years or more; but often they simply hang on to it in spite of the Warden, and you cannot take it away from them?—Six months leaves very little margin if a man should be absent, or ill, or anything of that kind. Also, the law already provides that the claim-holder is liable for arrears of surrender or forfeiture up to date. We say the State is already adequately safeguarded, and object to the alteration from twelve months to six months. Now, with regard to subclause (1), I am advised in connection with this that bars 3 ft. from the ground will be both dangerous and impossible. Men will constantly leave them up, and they had far better be omitted altogether.

16. As a matter of fact, the men have nothing to do with it. We found the limit up to 4 ft. was too high, and it was not safe. That is why we are reducing it?—That is all I have to say about that. Now, with regard to subsection (n) of clause 15.

17. Every mine-manager with a first-class certificate of competency is capable of doing his own survey?—Auckland and Reefton both object to this. They seem to suggest that the work will continue to be done by second-class men and be just simply signed by a first-class man.

18. That is all right so far as Auckland is concerned, but we have small mines in other parts?—Reefton says it is a retrograde step.

19. If there is an accident, unless you have the plans you would not know where to look for them. We want to be able to rely on the plans of the men. This only applies where there are less than twelve men at work. In all the larger mines there are mine-managers with first-class certificates?—Does this clause only apply where twelve men only are employed? The Reefton objection says, "Paragraph (n) of clause 15 is a retrograde step, as mining engineers are more skilled at underground survey than the majority of authorised surveyors. Suggest that paragraph be made to include mining engineers and mines surveyors approved by Inspector of Mines, as well as mine-manager and authorised surveyors. The Mines Department can then object to plans being made by any one it considers incompetent." These are two amendments that have been desired by the mine-owners.

20. *The Chairman.*] Those are all the objections you have to the Bill?—Yes. Acting on the request of the mine-owners of the Dominion, my Federation has submitted both to the Minister of Mines and Government generally the necessity for some legislation to deal more effectively with gold-stealing.

21. That takes place, does it?—It takes place, I am advised, to the extent of many thousands of pounds a month. The matter is a very serious one indeed to the industry, to the mine-owners, to the country at large, and, I submit, to the workers themselves.

22. *Hon. Mr. R. McKenzie.*]—Have you anything further to report about the Reefton thieves?—No, except that I am advised that it is going on month after month to a very serious extent, and a deputation of the mine-owners waited on the Minister of Mines and pointed out that it would probably be necessary to make provision for it under the Police Offences Act. Mr. Free, of the Consolidated Company, is known to a number of the members of this Committee as being a solicitor as well as the attorney of the Consolidated Company, and he has gone into the matter. He writes, "Since our last conversation I have given this matter some consideration, and think that the suggestion that gold-stealing should be brought under the Police Offences Act is wrong. The Police Offences Act is framed to deal with minor offences, and is designed to enable Justices to deal with this class of work. Gold-stealing is a serious offence—more serious than the value of the gold stolen would seem to indicate, as it usually involves some breach of trust by an employee. It is probable that it would be more workmanlike to alter the law by a direct amendment of the Crimes Act; but it seems to me that it would not be out of place to do it through the Mining Act, which is really a code of laws affecting gold-mining. You will remember that the Minister of Mines said that the Law Officers were of opinion that the clause as drafted would be ineffective if inserted in the Mining Act, and you were good enough to promise to see Dr. Findlay on the subject. I have drafted a further clause which I think will remove any doubt as to the amendment being effective, and, if you have not made other arrangements, will be glad if you can arrange with the Minister for its insertion." This is the amendment proposed: "1. Any person charged with theft of gold shall be deemed to have stolen the same if the Court is satisfied that such person has been in possession of gold within one year prior to information being laid charging him with theft thereof, unless the person accused proves that such gold came lawfully into his possession; and in any information or indictment it shall not be necessary to allege, or in the hearing or trial to prove, the ownership of the gold. 2. The preceding section shall be read and construed as if it were incorporated with and formed part of 'The Crimes Act, 1908,' but nevertheless the word 'gold' when used therein shall have the meaning ascribed to it by 'The Mining Act, 1908.'" That is Mr. Free's suggestion to get over the difficulty.

23. *Mr. Seddon.*] What is the present position?—If any one is suspected of stealing gold, the accuser has to prove that it came out of his particular mine. It is a matter of impossibility even where it has been absolutely known where the gold has come from. The suggestion is that the onus of proof shall be on the person charged with stealing it. There are only certain persons who have the right to have gold in their possession. You will remember there was a gold buying and selling clause in the Act, and it was thought that would stop it; but it proved a failure. The onus of proving innocence is put on the person charged, as is done in certain cases, and we ask that it be done in this. The Otago members of the Federation also ask for some provision with regard to dredging boundaries. They ask that the holder of any dredging claim shall have the