

defect which an investor might not easily, at the time of purchase, have been aware of. The hardship of one individual having to submit to the maintenance of as many miners' rights as he may happen to have claims or shares in claims, is also complained of.

The necessity of amending the present law, by introducing provisions in a new Gold Mining Act, making it legal to discharge *debris* upon, and otherwise to occupy waste Crown lands, in the pursuit of *bona fide* mining, is, in consequence of the fast-increasing settlement year by year, rendered imperative. More especially should provision be made for the legal discharge of such mining *debris* into and through water-courses and streams. These rights have been hitherto assumed.

The Conference, after careful consideration of the danger of monopoly arising through the granting of mining leases, consider such grants—as encouragement to the greater development of mining—should be encouraged by their being obtainable directly through the Wardens' Courts; their area being considerably increased; and also by the reduction in the annual rental to £1 per acre. More especially is power to grant extension of area—on *bona fide* unopposed applications—desirable, in the opinion of the Conference, with regard to mining leases on quartz reefs. The deposit of money by objectors, who may be interested in the areas applied for as leases, appears an invidious and unnecessary exaction.

It is thought reasonable and politic that the cancellation of special claims granted under clause 12 of the Act of 1866, unoccupied and without protection for the space of four months, should, on application, be effected at the discretion of the Warden of the district in which such claims are situate.

With regard to occupation of Crown lands for quartz-reefing purposes, the Conference wish again to enforce the recommendation already laid before you—a recommendation which is based upon the law as existing in other gold-mining countries,—

That, although the area of any quartz-mining lease may be marked or otherwise defined, yet that the right should be given to follow veins, with all their dips, variations, and angles, to any depth, although they may enter the land adjoining.

The Conference would also recommend the reservation of at least one chain in width being made, in all cases, on each side of the banks of rivers and streams running through land to be submitted for sale.

WATER RIGHTS.

Priority of right has been an established rule on gold fields, and cannot be said to act unfairly. The present water rights entirely depend on prior occupation to define rights, and such a rule we should not wish to supersede. The main points under this head which the Conference would desire to see remedied are: that a permanent license should be granted, on payment of a nominal sum per year for each sluice-head; and they would recommend that Part VI. of "The Gold Mining Bill, 1872," with Schedule attached, be adopted in preference to existing laws (eliminating all reference to inspection and deposit on application), and also making the yearly rental a sum—say, 2s. 6d. The great bugbear as to water rights and races has been, as already stated, that of allowing two heads to flow in the natural channel of creeks, if required. The Conference would recommend that priority of right should predominate in this case, as in all others in gold mining—which means that, if the water is required to flow down the natural channel by any party whomsoever, when any application to divert the said water is put forward, that such an objection should be held valid; but, if the right be once granted, that it should not be again cancelled, except the water is required for settlement or public use, and then only on payment of compensation. The right to use and construct dams and reservoirs might be granted on the same principle as water rights, while a rental, if any be charged, should be merely nominal—the privileges allowed by the Act of 1866, of carrying races through private lands, being still retained. The Conference recommends that fifteen feet on each side of a race be allowed for repairs and other purposes.

The Conference is of opinion that forfeiture of rights held under water licenses should not be resorted to except in cases of aggravated non-compliance with the law. Taking into consideration the difficulty that frequently arises in proving every step in the sustainment, by renewal or demise, of a water license of several years' standing—a difficulty which, if irreparable, leads, under the present law, to a forfeiture or heavy fine—the Conference would recommend that a provision should be made whereby proof of title might rest solely upon the latest transfer or renewal of such license, provided that the Warden was satisfied there was no suspicion of fraud.

With the object of encouraging all industries, the Conference see no reason why the owners of water races granted specially for gold-mining purposes, should not be allowed to dispose of water so conveyed or diverted for irrigation, for driving machinery, or for employment in general purposes, and recommend that such powers be granted them.

MINING BOARD.

The Conference earnestly hope that the miners will be granted power to frame their own Regulations and By-Laws, by means of the creation of a Mining Board for the Province of Otago, as provided for in the Act of 1866, clause 56. A petition to that effect will be forwarded to your Government.