

112. How about mining outlets? If you sell all these lower lands, what is the good of reserving the parts above them?—There is little use in reserving auriferous belts of country if you do not also reserve the right of running tailings down the gullies which serve for outlets. In the system on which mining is almost universally conducted throughout Otago now, very small quantities of gold from a given amount of stuff will pay, if only the body of alluvial drift that contains this gold is of sufficient altitude to get a fall from the workings, and so allow the gold to be extracted in transit. In many places deposits are being worked, where only two or three grains of gold to the cubic yard of material treated is obtained, and that pays handsomely, while twenty times the amount of gold would not have paid under the old system. For that reason, the prospecting done twelve and fifteen years ago is now of little value. Plenty of localities were prospected then, and pronounced not to be payable, which, if worked now, would pay handsomely. But the quantity of gold that can be worked at any one time is limited to the quantity of water that is available. Nearly all the streams have been tapped, and are used to work auriferous deposits. It may be said that, in reserving outlets through the low lands, a great deal will require to be reserved, and that a great deal will be injured by tailings. That is a fallacy. The tailings, as a rule, remain in the vicinity of the workings: they deposit themselves no great distance off. The miners get rid of them as quickly as possible; and in most instances the nearest place is the best place to put them. At Naseby, they certainly have to be carried a distance of eight or nine miles from the workings, but then they are deposited on wide gravel flats, and only a very small portion of them reach the river. But in most cases tailings are deposited near at hand, and only dirty water finds its way down the plains. However, in my opinion, strips will require to be reserved along the creek-beds, to the extent of from one to several chains in width. The width would depend on the extent of country to be served by the outlet, and the fall of the watercourse along which the reserve was made. It is not to be supposed that all this land would be actually required; but, in order to have outlets, it is necessary that it should be reserved. I may illustrate that by reference to the block near St. Bathans. At the request of the inhabitants, a block of land for settlement was laid off near St. Bathans, between Dunstan Creek and Manuhierika River. At that time it was known that a little gold was got on various parts of the block, but nothing payable. The block was thrown open; 9,000 acres were surveyed, and 5,000 acres were immediately opened for occupation, and 2,000 acres were taken up. That block was thrown open between two and three years ago, but, quite recently, miners found payable gold in two localities, and there is no reserve made along the valley which forms the outlet. Although gold has been found at different points, it cannot be worked into the creeks closest to it, but must, from the configuration of the country, be worked in other directions, in all cases over an extent of many miles, through the blocks I have spoken of. Such a case might have been supposed very unlikely to occur; because those who agitated for the opening of the block were miners, who, had they thought it likely that payable gold would be found, would have asked that a reserve be made along the creek.

113. There would be no necessity for depriving those who took up land from the use of the whole of the land extending down to the creeks, only the right should be reserved in the Crown over a certain portion, near the margin of each creek or other outlet?—Yes. The use of the land need not be withdrawn at all from the person in occupation of the adjoining property.

114. *Hon. Mr. Rolleston.*] It is possible, still, that the deposit of tailings in creeks might affect land for chains on each side, by damming up the water and causing it to leave the channel?—In certain cases it would. Such reserves as I recommend have already been made, mostly in cases of pre-emptives applied for by runholders. For instance, the pre-emptive of Run 226, applied for by Messrs. Handyside and Roberts, was applied for over an area about two miles south of the existing workings at Cambrians, near St. Bathans. After considerable difficulty, the Warden was prevailed upon to make a reserve of two chains in width through it. This pre-emptive actually included gold workings, but it was impossible to prevent the application from being granted, as proof could not be adduced that it contained “payable gold.” Had this pre-emptive been applied for over another area, two miles on the other side of the workings at Cambrians, no better proof could have been adduced that it contained payable gold. They could have applied for it in a position which would have been just as favourable to the granting of their application; they might have had 600 acres, and, of these, 100 acres would have been worth an average for gold-mining purposes of £400 or £500 per acre, and they could have stopped all workings in the locality Vinegar Hill, Vinegar Flat, and other auriferous deposits in the neighbourhood, could all have been comprised in 600 acres of pre-emptive.

115. Then, I understand, your recommendation is that all streams running from the base of the mountains should have strips of reserves made along their banks?—Yes.

116. If legislation were possible which would bar all claims in respect of riparian rights, would you still recommend the reservation of these strips? The object of my question is this: Would not the value of ground for agriculture be very much deteriorated in the eyes of settlers by reserving these strips?—I am of opinion it would not be deteriorated one whit. They would know that in most cases the strip would not be required: they would practically get the use of it.

117. Would not such reserves be in the nature of highways, of such a character that, if any man chose to be cantankerous, he could compel the owner of the adjoining lands to pull down the fences enclosing the reserved area?—They could be leased to the person whose land they adjoined, which would prevent the occurrence of such annoyance; they could be let, and the adjoining landowner could have the prior right to them.

118. *Mr. De Lautour.*] But would not the right to enter be necessary, in order to allow miners to clear channels and make repairs?—Only the right to deposit tailings should in the first instance be granted; and there would be no need to give the right of entry till the reserve was used, and the right of entry necessary.

119. Might it not be necessary in some cases to grant such right, to prevent injury to adjoining lands, and therefore to give permission to enter in order to construct small protective works?—Certainly. Wherever a course is used as a tail-race it would be necessary to straighten it, to cut it through points, so as to make it carry off portion of the *débris*—a greater or less portion according to the nature of the workings, and the distance at which they were situated.