

92. Was it not reported that it was impossible to define the land?—I should state broadly that they asked us to reserve the whole of the land.

93. Was that due to the difficulty of defining it, or of its being all auriferous?—Because of the amount required for dams, races, tailings sites, &c., so that the ground could be secure for working.

94. Was it not because they could not tell whether the land was payably auriferous? Would it have been possible for these surveyors with careful revision to have left out a certain area of land which would have been available for settlement?—I do not think so. I would rely upon them exercising discretion in taking land not required for mining purposes. I say no officer of the Government has been instructed to strain the mining reserves against the company.

95. And it is merely a matter of opinion, and not proof?—They have proofs. They have had experience in the department and in marking off the ground. If I had taken a stranger and asked him to mark off reserves your contention might have some weight. I say that the men, knowing the district, simply had it from proof.

96. Then these men, from a knowledge of the district, can say that all this land is payably auriferous?—They do not say it is payably auriferous. They say it is required for mining purposes, and for purposes incidental and conducive thereto.

97. Were they ever asked whether the reserves should be made or not?—The letter of instructions will speak for itself.

98. Is that put in?—Yes; if not, it will be put in.

99. Could you say whether the advice of these surveyors was asked or not?—I would take it that they were instructed. I do not think their advice was asked. I think they were instructed to state if such reserves in their opinion were required for mining purposes, or for purposes incidental or conducive thereto.

100. Their opinion as to the reserves being required or not was not asked?—They would be asked in that way. If you ask a man to say whether land is required for mining purposes, he has discretion, and answers. It would be a roundabout way for him to show you why in his opinion the land was required. He is simply asked for his opinion and he gives it.

101. If I asked a man to go and buy a pound of sugar he would not know whether it was required or not?—He would not bring you back a pound of treacle.

FRIDAY, 16TH SEPTEMBER, 1892.

Hon. R. J. SEDDON attended, and was examined.

*Mr. Wilson:* With a view of curtailing the details, and to avoid entering into the minutiae of the evidence, I will merely take one or two of the leading points, so that we may be enabled to get through the work before the Committee. The most important question of the mining reserves must depend mainly on expert evidence, and there are other matters that involve points more or less of law, which it is not feasible for me to go into, and which must be dealt with by the legal people. I will therefore confine myself to one or two questions in the cross-examination to-day.

1. *Mr. Wilson.*] Was not the whole of the area along the line decided upon at one time—the reserves made and to be made—and cut up into convenient areas in the Survey Office, and not on the ground?—As far as I remember it was this: I think the instructions would be that the area should be laid off in such a way that one reserve should not be more than 10,000 acres, and that if necessary at any time thereafter it could be surveyed.

2. That was, of course, done in the Survey Office?—That would be, of course, done in the Survey Office.

3. Each block was not in detail?—Oh! yes; but no block was to exceed 10,000 acres.

4. Were not the reserves made within a short time of each other merely with the object of keeping within the strict terms of the contract?—No; they could not be made all at one time. You must have a description of the boundary, so that at any time a survey could be made from that description. A question might arise as to whether there were 10,000 acres in your selection, and it is absolutely necessary that the boundaries should be defined, and that takes time.

5. Were not the boundaries arranged before you began to declare the reserves. I am speaking now with regard to the reserves up the Grey Valley?—No. One of the maps forwarded here showed a much larger area than has since been made, and alterations had to be effected reducing the areas.

6. Do you think there is any practical difference between making the reserves at intervals, say, of two or three weeks, and making them under one proclamation?—There is a very material difference. By arrangement between yourself and Mr. Scott in Christchurch, I told you that we would take them in blocks under the contract, and each particular block should be submitted to you before it was proclaimed. Of course it would not be fair to you if we took the whole in one day. If, on receipt of notice of proclamation, you wanted to make further inquiries or disagreed with us in any way, it is only reasonable that we should give you an opportunity, by holding over the proclamation of the particular block, and I think that is one of the reasons why the blocks should be taken separately.

7. Do you think the course adopted shows a fair interpretation of the expression “from time to time,” as used in the contract?—I do. If, a week after signing the contract, the Governor had sufficient information to justify him in proclaiming an area required for gold-mining purposes, I say he would have been acting clearly within the terms of the contract to have done so, and it was the intention at the time. The statements of Sir Harry Atkinson and your chairman of directors, and the correspondence sent by you, all tend to prove my contention as to this being the true intent and spirit of this clause of the contract.

8. Perhaps you are not aware that I was at all the Board meetings in London when this