

contract, or for all the purposes comprised in the Mines Act and regulations?—Of course, I have read the contract; and the word “conductive” in my opinion means “immediately conducive to the industry of mining.” In the reserves allowed by me I have allowed what, in my opinion, is amply sufficient ground to cover all the requirements which alluvial mining is likely to need.

354. That is not the point. You have told us over and over again that you have satisfied your own judgment. On what interpretation of “mining purposes” have you acted?—In cases where I have thought there was a possibility—even a remote possibility—of payable gold being discovered, I have allowed for that. I have also allowed for water, and for tailings-sites to receive the tailing, and for timber.

355. Is that your definition—the definition upon which you have acted in allowing a margin for mining purposes?—Yes.

356. In some localities, at least, I understand you to say that you expect to find a population whose employment is of a mixed character—partly pastoral and partly gold-mining?—Yes..

356. Such as, for instance, the Maruia?—Yes; to a limited extent.

358. Matakītaki?—That, I admit altogether.

359. In estimating the areas of reserves in such localities, have you any principle upon which you go as to the area to be reserved?—The ground allowed by me would be sufficient for all mining purposes, outside the pastoral view of the question altogether.

360. Then your estimate is for pastoral purposes directly connected with mining?—Yes; and future development.

361. For instance, a miner has a right to take up a pastoral area of, say, 50 acres?—Yes; under the Mining Act.

362. Do you make any allowance for areas such as that to be taken up by mining settlers?

*Mr. Jones*: Before my learned friend proceeds any further, I desire to point out that a miner has no more right than anybody else to take up additional land for agricultural or horticultural purposes. The only right which a miner has, by virtue of his miner's right, is to take up one single acre, and to that he is confined by the Act.

*Mr. Gully*: Do you suggest that a miner has no right under the Mines Act in a mining district to take up any greater area for any purpose than the area of one acre?

*Mr. Jones*: I say he has no right arising out of the bare fact of him being a miner or the holder of a miner's right.

Hon. E. BLAKE: I understand your contention now. The witness seemed to be under a different impression. Of course he may not know.

*Mr. Gully*: My contention is simply this: that the miner cannot take up 50 acres under the Mines Act for pastoral purposes if it has passed into the hands of some other person or body.

Hon. E. BLAKE: Neither a miner or anybody else can. Do you allege that the miner *qua* miner has given him by the statute a special right to take up an area of 50 acres for pastoral purposes; or, simply because he is a miner and has a miner's right, that he still has the same right as any other individual would have to take up 50 acres?

*Mr. Gully*: Rather more as a matter of practice than as a strict matter of law. Under the Mines Act a miner may also obtain in a mining district 50 acres as a farmer. I say this, unreservedly, that you have to reserve sufficient land along the banks of the river—a sufficient quantity of land to let him take up under the Mines Act a certain area of land which is not strictly required for mining purposes. I am really only endeavouring to get at the basis on which the witness has come to his conclusion.

363. *Mr. Gully* (to witness).] I understood you to say that you made no allowances for purposes such as that, which are not directly connected with mining or with a miner's powers under his miner's right?—In making these reserves I did not take into consideration the fact that each miner might want 50 acres of pastoral land. But the land which I have thought necessary to be reserved, if totted up, would, I think, give more than 50 acres to every man.

364. Fifty acres of what—mountain bush?—No; of land that may not be auriferous.

365. But you have made no special allowance?—In making my estimate I did not take into consideration the fact that every man might want 50 or 100 acres of land; but the reservation allowed would even allow for that contingency an acreage sufficient.

366. Now, do you make any allowance for unexpected discoveries upon any of these hatched portions of the blocks?—Certainly not, because from my knowledge of the country I do not expect that gold will be discovered there.

367. Then I pin you down to this: You say that, in your opinion, there is no probability of any discovery within the hatched areas?—Yes.

368. Well, now, could you, as a resident of the Coast, give us any instance of unexpected discoveries upon land which, up to the time of discovery, was absolutely unknown to be auriferous?—Of course, my connection with the Coast lasts for seven years only, and positively during those seven years not to my knowledge has gold been found in any portion of land not known to be auriferous before.

369. Then you put it in this way: that there have been no new discoveries within the last six years?—I can speak of that with certainty.

370. Have you heard of any?—No.

371. But you are aware, at any rate, that previous to that a number of discoveries were made. It is obvious?—I do not think so.

372. Well, go a little further: are you not aware of discoveries that have been made on land that was known, and yet not known to be auriferous?—Not during the last seven years.

373. But before that?—No. The nearest approach to it, I think, was Kumara. Of course, that was before my time. I think it was in 1872 it was discovered.