

149. *The Chairman.*] So far as the Waihi Beach Road is concerned, you are at present spending the money illegally on faith?—Yes. We have the assurance of the Tauranga County Council and the Ohinemuri County Council that they will join in a request to the Department to make an award and give our arrangement legal effect. I may say we have had a lot of conferences to adjust matters.

150. Supposing the Roads Department do not agree to your arrangement?—I do not think there is the least likelihood of that. Under the Municipal Corporations Act, by straining a point, we contend we have a right to do it, because we are contributing to a road largely used by the borough. The only difficulty in this case is that it is more than a contribution—it is formation.

151. *Mr. Cotter.*] So far as the Waihi Borough Council is concerned, they consider this gold duty is more for the purpose of what might be termed luxuries—instead of necessities, that is?—What do you mean by “luxuries”?

152. Do you not understand what luxuries are?—Do you call roads and footpaths luxuries?

153. You have referred to Waihi as being only a mining township?—Yes.

154. That there is no guarantee of permanence or stability about it?—Yes.

155. Do you not consider that the roads and footpaths in Waihi have been constructed more of a character with regard to an abiding township and permanent township than one of a more fleeting character?—That is so in the main street. This word “luxury” has been used several times, and I would like a definition of it.

156. The definition, you know quite well, is a very difficult one: what may be a luxury to one man is an absolute necessity to another. Is that not exactly the position of Waihi—that what the Ohinemuri County Council would say were absolutely luxuries, you, in consequence of being spoon-fed by the gold duty, now say are absolutely necessities?—I would point out that the spoon-feeding is all on the part of the county. They have special grants from the Government for £8,000; we have not got a penny. Then they get gold duty and revenue amounting to £9,000 as well.

157. Then, if you know all these figures so well, do you not know as an absolute fact that the Ohinemuri County Council could not possibly exist without these Government grants—that they could not dream of keeping necessary roads in order with their revenue?—I have no knowledge of the county requirements.

158. Are you sure? Do you not know the requirements of the county so far as your own place is concerned?—I know about the requirements between here and Paeroa, but a large portion of the county I never saw.

159. And there is a large part of the county that could never be seen unless these Government grants enabled the roads to be made to it?—What did make the roads in the county—the gold duty?

160. In a great measure the duty provided by the mines roaded the agricultural portions of the county, and not the gold-mining portion at all?—Yes, necessarily, because you could not get the machinery to the mines otherwise.

161. Do you not know that roads in a mining district require very great expense in their construction, because the conveyance of mining machinery is a very great tax upon them?—We know that to our cost. They have cost us £25,000.

162. *The Chairman.*] Is there not a heavy traffic-tax made on these vehicles?—No; they all have broad tires.

*Mr. Cotter:* What I understand is that the feeling in the district in regard to mining is that it should be assisted as much as possible, and no invidious tax has been made in that way against it.

*The Chairman:* Is there any power to require a certain width of tires?

*Mr. Moresby:* Yes. I will produce a copy of the by-laws.

163. *Mr. Cotter.*] Then, I understand that the contention of your Council is that, because it happens that the Waihi Gold-mining Company's properties are within the boundaries of the township, the gold duty received from them is spendable in the township on necessities or luxuries as the Council pleases?—The gold duty forms part of the District Fund of the Council, and as such it is within the power of the Council to spend it in any way it chooses, so long as it complies with the provisions of the Municipal Corporations Act.

164. Do I understand it is also the contention of the Waihi Borough Council that it should pay no part of the cost of alleviating this trouble?—Yes, decidedly.

165. Nothing?—Nothing.

166. It is considered by the borough that they have a right to receive all the benefit, and throw the responsibility of the difficulty on to whom?—On to the parties that provided the difficulty—the Government. The Government have allowed the tailings to go into the river for thirty-five years, and now they want the Waihi Borough Council to pay for it. For twenty years the Government have winked at the disposal of silt in the channel, and huge accumulations had been made when the Proclamation was issued.

167. When the borough was instituted, in 1902 or shortly afterwards, was there then any agitation or any feeling on the part of any person that there was likely to be any serious injury through the deposition of the silt?—I never heard any conversation on the point.

168. In 1902 you had gone up and down the road often enough: had the silt come lower down than—what particular place?—In 1898 there were large accumulations of silt at Mackaytown, where you see them now.

169. I am asking about 1902, when the borough was formed?—Of course, they existed there then.

170. But had they come lower down, so far as you know, or had any of them in 1902 got on to the land?—They had got on to the banks.