

WILLIAM SPLAINE recalled.

786. *Mr. Jones.*] You made a careful examination, along with Mr. Fraser, of Block 89 and portion of Block 88, is that so?—Yes.

787. For water-races, dams, and those things?—Yes.

788. Have you got me the correct list?—It is only done where there are printers' errors.

789. Have you compared these printed lists with your diary?—Yes, to the best of my knowledge.

790. And, as altered, are they correct?—Yes, to the best of my knowledge.

791. You have been through them?—Yes.

792. You have visited every one of these mining rights?—Every one that is mentioned in the tabulated forms.

793. And these are the only rights in the district which you could see?—The only rights I could find in the district.

794. And the remarks which are made on these papers are true and correct in every particular to the best of your knowledge?—Yes.

795. You have estimated the cost of construction?—Yes.

796. The area and ground covered?—Yes.

797. The number of men actually at work and engaged on them?—Not quite the number of men. I think it is stated as Mr. So-and-So and party.

798. You have got the number of men here?—Yes.

Hon. E. BLAKE: There are four pages.

*Mr. Jones:* They run from 345 to 348 consecutively.

Hon. E. BLAKE: This will be Exhibit No. 100.

799. *Mr. Jones* (to witness).] Wherever you have put "abandoned" you could find nobody at work, or any one owning or claiming it?—Yes.

800. And old rights?—Yes.

801. Though they may have been found on the register, yet there is nobody there?—No one there to represent them.

802. *Mr. Stringer.*] What is the meaning in this column of "lifts, 5 per cent.—equal £47"?—That is the lift in the creek to turn the water into the race we mentioned in connection with it. [On looking at the printed table, witness continued.] The cost of the lift is £5—that is what we estimated the cost of it—and the total cost of the race and lift is £47.

803. The race and the lift?—Yes.

804. This is a list, as you say, of all water-races in existence or abandoned?—In occupation and abandoned.

805. The whole of them?—Yes.

WILLIAM FRASER recalled.

806. *Mr. Jones.*] I think, Mr. Fraser, you were with Mr. Splaine when you went over the ground and took the notes from which these four sheets of paper are compiled?—Yes.

807. Have you compared these papers with your notes?—Yes.

808. And are they correct?—Yes, the correction is correct.

809. And the information you obtained is honestly and truly given to the best of your ability?—Yes.

810. These papers are practically a true record of your daily diary?—Yes.

811. *Mr. Stringer.*] Are there any men working on Block 89 at all?—Yes.

812. How many men—roughly?—I should say about sixteen or eighteen men.

813. In different parts?—Yes; chiefly all in the creeks.

814. You and Mr. Splaine went round together, I suppose, to total up these water-races?—Yes.

815. How long were you engaged in doing so?—We went up on the 13th of September and returned on the 30th September.

816. Seventeen days?—Yes.

817. Were you engaged the whole time?—Yes.

818. On this one business of finding out the water-races, and so on?—Yes.

819. You were doing nothing else during the whole of that time?—No.

The Court rose at 5.45 p.m.

FRIDAY, 6TH DECEMBER, 1895.

The Court sat at 10 a.m.

*Mr. Gully:* We have decided, sir, not, perhaps, to absolutely waive our right of cross-examination altogether, but to cross-examine shortly where we deem it to be necessary. However, I desire to say that it must not be assumed that we acquiesce in the evidence which has been given by some of the company's witnesses.

*Mr. Hutchison:* This difficulty might present itself: The evidence of our witnesses has been given somewhat shortly on certain points in the expectation that the Crown would call evidence on them.

Hon. E. BLAKE: You examined at length with perhaps the exception of the first two or three witnesses. I should hold that you attach the same degree of credence to that evidence as if you had gone into it in detail.

*Mr. Hutchison:* There are points on which we might have examined, but refrained because we thought the evidence might have been brought out by the Crown's witnesses.

*Mr. Gully:* I adopt this plan because I think it would save a great deal of time. All I desire to indicate is that the absence of cross-examination must not be taken as acquiescence in the evidence given.