

the application of the laudatory terms above employed, a visit to the "Blue Spur" diggings at Tuapeka would certainly do so. There an auriferous mountain stands, so to speak, in a basin of schist; and this mountain the diggers are carrying bodily away, and reducing it to running clay-streams, which deposit the gold-dust they contain in the troughs and sluices that bear them away. The "races" are brought to the summit of the mountain, and the water flows along in troughs and channels that cross and intertwine like threads in a skein of silk. Half of this mountain the miners have already cut and blasted away—literally making lofty and beetling cliffs and thundering waterfalls in the stupendous process. Men who can accomplish works on so great a scale, with little and often with no assistance from "capitalists," are certainly men any country may be proud of possessing, and should make a little effort to retain within its borders, even after age or diminishing strength may make them desirous of adopting some less laborious and exciting occupation. It is quite true that the majority of those who are now clamouring for land is not composed of the really adventurous and boldly ingenious class just described, but consists rather of such as have been called the sutlers or camp followers of the gold-digging army. Nevertheless, many of the true diggers are among the land-seekers, and many more will be, as they grow older and become more inclined for quiet; so that on the whole, perhaps, the idea of a special and exceptional treatment of the case may be considered to be not altogether unreasonable.

The next objection is, that to acquire the neighbouring runs for these claimants would be to wrong the runholders who own them. And certainly this would be the case unless the latter are fully compensated. The good faith of the Province, and therefore of the Colony, because the Province has acted under laws of the General Legislature, has been pledged to these runholders. It matters not whether there is legal obligation or not to respect the runs. The question is, is there such a moral or equitable obligation as, if it rested on an individual and not on the public or a body representing them, would be such as an honest and honorable man would not think himself justified in breaking? Public morality and private are, at all events in matters involving good faith, one and the same. It would be the lowest kind of so-called statesmen only who would recognise or act upon a difference. It appears to the Commissioners that the arrangement between the Government and the runholders in this matter, as already described, is such an one as, between honorable private individuals, would be held as binding and obligatory as if it had been accompanied by all the formal and technical circumstances of a literal and legal contract. Let the arguments already used in considering the effect of the covenants in a former part of this Report be again considered. There is the clearest evidence that the great body of the runholders understood that the increase of their rental to seven times the amount previously paid was to be compensated by the bestowal of a much more secure tenure; that this security would be made complete and absolute by further covenant to give up lands without compensation, or with compensation only for the term of the original license; that in addition many, though certainly not a majority, had positive assurances to that effect, made by different members of the Government or authoritative officials; that, lastly, the sincerity of their belief in the understanding is proved in almost all cases by expenditure incurred, which it is scarcely reasonable to suppose would have been incurred without this belief; that this expenditure amounts to very many thousands pounds in the aggregate—and that runs have been bought since the leases were signed for such sums as, considering their locality, it is not to be conceived would have been given for property which might be at any moment confiscated or rendered worthless.

This second objection, therefore, should be met by admitting it frankly, and providing for its removal by the measures it necessitates. And this brings us to the third objection—the expense of compensating the holders of the runs required.

That the expense of compensation would be in itself great, must be allowed; but it is also true that the actual compensation given in some cases by the Provincial Government has been greater than should have been given, owing,

Wrong to runholders.

*Vide Evidence, No. 25, as to opinion of some land-claimants themselves.*

3rd. Expense of compensation.