

Mr. Macfarlane.
4th Sept., 1873.

32. *Mr. Rolleston.*] What is the condition of a log that has travelled any great distance in the creek? A few of them will have the bark off.

33. What sort of sized creeks are these? Small creeks, which are dry part of the year. The logs are brought down by the freshes. At John Gibbons' mill, on the Thames, the timber is brought a distance of ten miles. At neither of these mills is it practicable to use a tramway. A survey was made at Gibbons' mill to ascertain if it was practicable, but the report was that it was not practicable on account of the expense, which would be enormous.

34. *The Chairman.*] It is alleged that driving the timber by natural freshes is liable to do damage where there are farmers settled on the banks of the streams? No such thing. In all my experience I have never had but one claim. When a claim was made upon Mr. Roe for £2,000 damages, I immediately went and made inquiries, and bought the land from the mortgagee, so that Mr. Roe could go on working his mill. So little did I think of it that I have never asked Mr. Roe for one shilling. The claim was for £2,000, said to be for injury to the banks.

35. *Mr. Kelly.*] What did you pay for the land? £300. It was mortgaged to the Bank of Australasia for £500. There were 800 acres of it.

36. *The Chairman.*] In those creeks which you have spoken of, where there are saw-mills, there are no farms which might be ruined? There are no such things as farms; still, I should like to see the clauses I have handed in put into the bill for providing compensation.

37. In your opinion, there are no creeks in the Province of Auckland where damage is likely to be done by the floating of timber? No, not £50 damage could be done.

38. Would there not be danger in some cases to persons living on the banks of such streams? Not at all; I never had a complaint until this case at Whangapoua. Roe's was the second complaint I ever heard. I never heard of any danger of any description.

39. *Mr. Kelly.*] Where the saw-mills are at present situated there are no small farms? There is no cultivation at all on any creek on which sawing timber is carried on that I know of.

40. *Mr. Rolleston.*] All these forests you speak of are of kauri? All except the forest used by the Hauraki saw-mill, which is of kahikatea.

41. *Mr. Kelly.*] How many men do you think are employed in the North Island in the timber trade. It is a very large trade, taking into the account the vessels employed? It is the trade of Auckland.

42. If such a Bill as this were not passed, would the trade be greatly injured? I tried last session to get such a Bill passed. This matter has cost me thousands of pounds already. If I could be stopped, it would be ruin to the forest and the mills.

43. *Mr. Rolleston.*] Would this Bill prevent pending proceedings in any way? No the Bill provides for payment for damages. It says that if any damage is done, it must be paid for.

44. It could not interfere with any action now before the Supreme Court? No, It has always been thought legal to use these creeks. Mr. Gillies maintained that it was legal to work these creeks without legislation so long as dams were not used. The Judge of the Supreme Court decided that it was not legal to use them without legislation.

45. *Mr. Kelly.*] Can you give the Committee any idea why Mr. Harris opposes this Bill? He simply opposes the Bill for this one creek. He has got some flat land at the bottom, and he opposes the Bill simply to shut up my forest. This Bill merely legalizes the floating of timber down the creeks, so that the forests may be worked.

46. *The Chairman.*] Would this Bill prevent Mr. Harris from recovering any damage he may have hitherto sustained? Not at all. He has applied for an injunction to prevent the logs coming down. This Bill would prevent him from getting an injunction, but still enables him to recover any damages.

47. Have you got any report of the remarks made by the Judge at the trial? I was at the trial myself. The Judge said it was a nice point. He said he hoped it would go to the Privy Council. He said he would rule that these rivers could not be used for floating timber without legislation. He said he hoped the matter would not rest there, but would be taken not only to the Court of Appeal, but to the Privy Council.

48. Did he indicate anything with respect to the legislation? He said nothing but legislation would do.

49. *Mr. Ormond.*] What damage is done to the timber by floating it down the creeks? There is no such thing as waste. If it cannot be taken down by floating it, thousands and hundreds of thousands of pounds worth of timber will be valueless.

50. *The Chairman.*] What percentage of loss is there on timber floated as compared with taking it down by a tramway? How much is lost by the logs going out to sea, being distributed over land, by damage on the way down, and by rotting? Logs are frequently left to rot. That cannot be helped. I have examined thousands of logs at the booms, and never saw any damage. On one occasion a number of logs went to sea at Whangapoua. Harris had an injunction against certain logs being touched, but they floated and went to sea. But at all the saw-mills there are booms which prevent the logs from going to sea. I do not think there is 1 per cent. of loss from floatage.

51. Do freshes not sometimes take the logs to sea? These booms are fastened by enormous chains, so as to prevent freshes from taking the logs to sea, and they do prevent it, unless in exceptional cases.

52. *Mr. Ormond.*] How do they prepare the logs before floating them to the mill? The bark is kept on. The bark and sap are worth very little. The logs are simply cross cut.

53. What proportion of waste do you think there is from timber remaining in the creeks—from the logs that rot? I can hardly say. It is bad management when there are many logs rotting in the creek. Sometimes a man will fell a tree, and find that it is a bad one, and that it would not pay to take it down.

54. *Mr. Rolleston.*] I have seen a great number of logs lying squared in the Hokianga River. Were these squared before they were brought down? Yes. These are squared for export. When these are felled, they are dragged out by bullocks. These trees are got close to the river. They have never been driven down. They are too valuable to be cut at a mill, but are exported to Australia and China.