

where I cut timber, £10 paid to the Government would have been sufficient for all the damage I could possibly have done, while £500 would not have been sufficient on the day I left. *Mr. Swanson.*

20. *Mr. Kelly.*] Are there not streams which have been used for twenty years for bringing down timber, where no injury has been done? In streams which have been used for that time, the floods are not likely to rise above the banks. The effect of the driving would be to widen the bed of the stream, so that the stream would not be so likely to get over the banks. But a bush must have been very sleepily worked not to have been worked out before that. There is generally very little trouble in dealing with the people living on the banks of these streams, unless where they are liable to great damage, or the land is flat or low. It is of importance to keep the logs in the stream, and the people are generally ready to aid in pushing the logs in the current, or in calling the men if a jam takes place, and to assist in breaking it up while the flood lasts—that is, always supposing there is a good understanding between the parties.

21. *Mr. O'Connor.*] The security that would be required, if security had to be lodged for possible damage, would be so great as almost to make it impossible for any party to avail himself of the Bill for the purpose of getting timber out? I say that legislation in this direction, without notice to the parties affected, is vicious and wrong. I think it wrong to deprive men of rights which they have got and paid for, without warning, and to confer rights on men which they have not got and have not paid for, without any equivalent either to the country or to the individuals liable to be injured. Any legislation of this sort ought to be prospective, and not retrospective, for if this Bill becomes law, and any damage is done, and the person affected fails to get compensation, he might come to the Assembly, and he would have a good claim on this House for any loss he has sustained through its action. It must be remembered that the owners of the mills are generally richer men than the farmers, and also that in many cases the men cutting the timber have no interest in the land, but are cutting on a license or lease, or sometimes by contract.

22. *Mr. Gillies.*] Is it not a fact that at many of those streams there are no settlers at all, except the mill-owner and those employed by him, and that there is very little flat land upon which settlement is likely to take place? I am not sufficiently acquainted with the country to say, but in those cases it would be easier for the bushmen to settle with the people below. If there were no settlers, there would be no trouble. I think mill-owners should be dealt with exactly as a gas company, and that they should be made to give notice if they seek to invade other people's rights. It must be remembered that a fresh might come at night, and that damage might be done which the parties could not prove at all. The Bill provides that no damages can be got unless they can be absolutely proved.

THURSDAY, 4TH SEPTEMBER.

Mr. JOHN SANGSTER MACFARLANE present, and examined.

23. *The Chairman.*] The Committee do not want to know as to any particular case, but as to the general applicability of this Bill? The Bill is framed to apply to every mill in the Province of Auckland, except those where the mill-owner owns all the land down to the sea. It is required for every mill except in those cases. In some cases timber comes thirty or forty miles from the forest.

24. The Committee has been informed by evidence before it, that many forests could be served by tramways, and that to bring the timber down the creeks is a wasteful way? In some cases tramways are used to bring the logs to the creeks, but the mills are at the bottom of the creeks where the ships have to be loaded. Tramways are not used to any extent, except at the Hauraki mill.

25. If you take the case of Whangapoua as an instance, is it not practicable to take a tramway down that creek to a place where the timber could be shipped? It would be utterly impossible. The timber is at least thirty miles from the mill, reckoning the circuit in which a train could be made. It grows up in gullies, and would have to come down a long flat, with mangrove swamps, and mud and shingle.

26. What is the distance which the timber is now floated down the creek? I should think now about twenty miles.

27. And you say it is not possible to get a tramway up? It is utterly impossible. Some of the mills might make a tramway for some distance, but it would be impossible to take them into the creeks where the timber grows, excepting at a cost exceeding value of timber.

28. *Mr. Rolleston.*] What is the elevation of the places where the timber is growing at Whangapoua? The elevation is becoming greater the further we go back. It is at a moderate elevation now, perhaps about 500 to 1000 feet is what I am told; but I do not know exactly, though I visited the creek.

29. *The Chairman.*] Why is it impossible to take a tramway up? There are large mangrove swamps, and the tramway would have to run round the heads of the bays. From the mouth of the creek round the bays would be about ten miles.

30. The Committee wish to know, not whether tramways could be made to the sites of particular mills, but whether it is not practicable, the saw-mills being placed amongst the timber, to bring the logs down by tramway? I have been thirty years in this trade, and I know no mill, with the exception of the Hauraki saw-mill, where tramways would be of any use. It would not pay to bring the timber out by a tramway at Whangapoua. There are £20,000 worth of timber in that creek, and it would not make a tramway. At the very next creek to Whangapoua, Opitonui, which is held by the Messrs. Harris, who oppose this bill, it would be impossible to use a tramway. It is the same at Roe's mill, at the Huia, and at Whitaker and Russell's immense mill at Shortland, Mercury Bay mills, Tairoa mill, Wangaroa mill, and all others, where the logs have to be brought, in some instances, fifty miles down the creek.

31. Mr. Swanson, who has been examined, said that he could not imagine any place where the timber was driven more than twenty miles? At Messrs. Whitaker and Russell's mill the logs are brought fifty miles.

Mr. Macfarlane.

4th Sept., 1873.