

57. Is not this what you mean by your answer, that the fine sludge is as bad as the other so far as its injurious effect on vegetation is concerned?—On the vegetation and the river.

58. Why do you give that answer so far as the river is concerned?—Because these slimes are sticking in the river now.

59. Can you refer to any place in the river where the slimes are to any considerable depth?—I could not say. I have never tried them.

*The Chairman:* Would it not be better, Mr. Cotter, to bring forward some direct evidence? We are very pleased indeed to hear Mr. Thorp, and we had a long chat with him. I do not think this cross-examination will bring very much out.

*Witness:* I should like to state that the Maoris stand on a rock. The Maoris were in ignorance of the Proclamation, and they would have protested if they had known of it. The Proclamation was never translated into Maori; it was never advertised, and no notice was given to the Maoris. The Maoris knew nothing about it.

60. *The Chairman.*] Therefore you think they have a claim against the Government?—I think they have a right to go to the Supreme Court and test the position.

61. *Mr. Tunks.*] Did you make any protest yourself?—No.

62. Why not?—Because I was interested in mining all along.

63. You knew something of what was going to happen?—I had no idea of the quantity of stuff that was going to be put into the river. If I had known that, I would have protested.

64. Why do you think the Maoris would have protested?—I do not know what they would know.

65. They would not be likely to protest unless they knew what was likely to happen?—They knew a lot of stuff would come down. Some of them are pretty knowing.

66. *Mr. Clendon.*] What age are you?—Sixty-two last August.

67. When did you buy this property?—About thirty years ago.

68. What was the value of your property in 1895—of this 82 acres?—I could not say just now.

69. What would you take for it now? Are you willing to sell it?—I might sell it if I got a fair price.

70. What would you consider a fair price for it?—I have not considered it yet.

71. This orchard, I think, has been condemned once or twice?—What for?

72. Have you received a number of notices from time to time to clear your orchard of disease?—Yes, codlin-moth. I did clear it.

73. Have you been convicted?—Yes; I cleared it last season.

74. Was that disease due to the silt?—No, codlin-moth.

75. The apricot-trunk which you have produced—was that tree on the property when you got it?—No.

76. What was the age of that tree?—About seventeen years.

77. What is the average life of an apricot-tree?—About twenty-five years. I have some near the house older than this.

78. Are you aware that a number of apricot-trees died throughout the Thames last year from some disease?—I do not know.

79. What caused the death of that tree?—The silt.

80. How do you know?—The water kept on the ground for three weeks.

81. How many other trees did it kill?—Practically all died except two.

82. You value this apricot-tree at £45?—Yes.

83. When did it die—last year?—About two years ago.

84. Why £45?—I can get seven or eight cases of apricots each year from such a tree.

85. What is each case worth?—Forty-five pounds in the case, at 4d. or 5d. per pound.

86. About £5 a year. You are giving the tree nine years' life?—Yes.

87. Can you give us the county valuation of your property?—I have not got it just now.

88. You say you had bigger floods than the flood of January, 1907?—Yes.

89. How much higher would the biggest be than that of January, 1907?—About 2 ft. higher.

90. When was that?—I could not tell you. It is perhaps thirty-five years ago. It went clear over the tops of the hedges at Te Puke.

91. You have never estimated the rainfall on these occasions?—No.

92. Have you examined the bed of the river from time to time during the last fifteen years?—No.

93. When was it that the "Luna" came to Paeroa?—When Sir Donald McLean came up. I think it was in 1873.

94. How do you remember that she came up at half-tide?—The tide was half in.

95. What was the state of the tide when the "Lalla Rookh" first came up?—I cannot say. I took the "Lalla Rookh" down previous to 1875.

96. What is the average height of the bank of the river adjoining your orchard?—About 4 ft. at high water, and at low water about 7 ft.

97. By "high water" you mean ordinary high tide, not spring tide?—Yes.

98. *Mr. Mueller.*] Did not the Maoris use the water of the Ohinemuri for drinking purposes?—Yes; it was beautiful drinking-water. Mullet used to come up past this bridge.

99. *The Chairman.*] I suppose the Natives lived usually on the banks of the river?—Yes. They caught eels, whitebait, and mullet. The Maoris used to use the banks of the river for early crops of potatoes, and now they are all ruined.

100. This ancient flood of 1875: was that after a very general rainfall?—Yes, and a very heavy south-east gale. We lost some cattle; they were drowned.

101. Does your land flood now if the Ohinemuri floods, without even the Waihou?—Yes, I have seen my land flooded without any flood in the Waihou at all.