

THOMAS NEPEAN EDWARD KENNY examined. (No. 15.)

1. *Mr. Mueller.*] Your name is Thomas Nepean Edward Kenny, and you are an authorized surveyor residing at Paeroa?—I am.

2. You were for many years County Clerk and Engineer of the Ohinemuri County Council?—Yes.

3. You gave evidence before the Mines Committee at Wellington in 1907 in connection with this same question?—Yes.

4. The evidence which you then gave you now practically confirm?—Yes.

5. You made a statement at page 19, question 154, with reference to the depth of soundings taken by you below the Railway Wharf at Paeroa. Since you gave that evidence you took soundings about a month ago?—No; opposite Gould's, I came up in a launch and I stuck there.

6. Can you say what the depth of water there was within the last month: was it less than 2 ft.?—Yes; that is, the ordinary depth of water when there is no flood and dead low tide. There was no flood on at all. I believe it was dead low water.

7. *The Chairman.*] Your evidence is that practically since you gave evidence three years ago there is now less depth of water?—There is very little depth of water. I was coming up in a launch, and we stuck there. You will notice my evidence before the Committee. I went afterwards to see the place, and I found 2 ft. of water.

8. You did not reduce your soundings to any data?—No, I did not go there for the purpose of sounding.

9. *Mr. Mueller.*] In your evidence before the Committee, at page 21, you mention the shallow place at the mouth of the Ohinemuri and the Waihou, and at the bottom of the same page you refer to a bank at the mouth of the Ohinemuri. That bank is not actually at the mouth of the Ohinemuri?—No, it is lower down. It runs from the Hape Creek. It runs down there.

10. Therefore when it is stated that it is at the mouth of the Ohinemuri and Waihou it means a little below the Junction?—Yes.

11. At the top of page 22 you refer to getting some silt about three-quarters of a mile above the junction of the two rivers. In what river was it that you got that silt?—In the Upper Waihou, above the Junction.

12. *Mr. Vickerman.*] Upon the west or east bank of the river?—On the left or west bank.

13. In your evidence before the Committee you also say, at page 24, question No. 45—you were asked, "Was not that January flood the biggest flood you ever saw?" and you replied, "That is a very difficult question to answer. Personally I do not think it was. I think a flood in about 1886 was higher. Barring that, this was the biggest flood." Do you want to explain that in any way?—What I meant was that in 1886 there was more water came down than came down in January, but the January flood I think actually came up higher.

14. *The Chairman.*] Do you mean that the beds have shallowed and narrowed, and that there is less cross-section than there used to be?—Yes, I presume that is the case, because there was not so much flood as in the 1886 flood. I remember the 1886 flood particularly. It was after a considerable amount of rain.

15. *Mr. Mueller.*] At page 25, question 76, the question and your answer are as follows: "They are not asking for any particular course of action to be taken?—No; but they have expressed their willingness to assist in this way: They are prepared to give up a portion of their gold duty, provided the Government consider it necessary to take a certain proportion of the gold duty in order to meet this difficulty." That was the idea of the Council at that time?—Yes, and I represented them.

16. Would you kindly state what your own personal idea is?—I take it that is beside the question.

17. *The Chairman.*] What are your personal views?—No; they should stick to it as long as they can: they should not give up the gold duty.

18. Why do you think that?—Because my opinion is that the gold duty is for the roads and works that the county had to carry out for the benefit of the mines. If the gold duty is utilized for that purpose, as far as I can judge, it means using the greater portion of it; otherwise the roads in the mining district would have to be made out of ordinary county revenue.

19. Why not?—Because the gold duty, I take it, was struck for the express purpose of assisting the mining districts in the way of roads.

20. *Mr. Mueller.*] You have seen that plan before [Exhibit 9]. It was prepared by William Tetley?—Yes.

21. Unfortunately this plan has got no date on it. Mr. Tetley was Foreman of Works of the county for some time?—Yes.

22. Could you state what year this plan must have been prepared?—I could not say, but the evidence could be easily obtained from the County Council by finding out when Mr. Tetley's connection with it ceased. It would be prior to that, but the exact date I cannot say. I think Mr. Tetley must have left the service of the County Council about 1891.

23. You think you would be safe in saying that this plan was prepared long before 1895?—Yes.

24. This plan shows the section of the river from the present traffic-bridge down to Snodgrass's Wharf?—Yes.

25. It was prepared in connection with information required in regard to a proposed wharf which was to be erected below the present traffic-bridge?—It was to be discussed.

26. Here you see a portion of the plan marked "Rock"?—Yes.

27. Is that the same rock that was referred to in your evidence before the Committee?—Yes.

28. This other plan is a subsidiary plan showing cross-sections?—Yes; the two plans go together.