

1875.

## NEW ZEALAND.

## TIMBER LICENSES HELD BY THE SHORTLAND SAW-MILL COMPANY,

(CORRESPONDENCE RELATING TO).

*Presented to both Houses of the General Assembly by Command of His Excellency.*

No. 1.

Mr. T. RUSSELL to the Hon. Dr. POLLEN.

MY DEAR POLLEN,—

31st July, 1874.

I send you the memorandum about the kauri forest. McCormack has also written about it to me. When you have read it, if you agree, I will see the Attorney-General as to remedy; but as I want to get away South on Tuesday, please do it quickly.

The Hon. Dr. Pollen.

Yours, &c.,  
T. RUSSELL.

## Enclosure 1 in No. 1.

MEMORANDUM for the Hon. Dr. POLLEN.

THE annexed letter from Mr. James Mackay, jun., Government Land Purchase Agent in the Province of Auckland, will explain to the Government the circumstances under which the Shortland Saw-mill Company acquired the forests they now hold and use at the Thames.

The Company have rested with implicit faith upon arrangement with the Government as to these forests, and they have spent nearly £20,000 in the undertaking and the erection of machinery for utilizing the timber. They assisted Mr. Mackay to purchase the freehold of the lands for the Government (the lands are gold-bearing); and the Company confidently assert that but for their assistance the Natives would not have sold the lands to the Government; nor would Mr. Mackay have undertaken to acquire those lands for the Government, but for the express condition that our rights were to be recognized.

Our rights are all expressed in deeds of lease duly signed by all the parties, and the deeds of conveyance made to the Government of the freehold (acquired by our assistance) have clauses in them or indorsed upon them expressly stating that the lands are conveyed to the Government subject to our leases.

No dispute of any kind exists between the lessors and the lessees, nor have the Government shown any desire to repudiate the arrangement referred to (see the Hon. Mr. Ormond's memorandum hereon); but while our titles were being completed, and without any intention to injure us, the Government issued a Proclamation under the Immigration and Public Works Act, the effect of which was to invalidate all dealings with the Natives in respect of rights or interests in any lands on the Cape Colville Peninsula, and, as our forests and some others are included within the area of the land proclaimed, it is doubtful whether our deeds are not thereby invalidated, although contrary to the intention of the Government under the arrangement before referred to. Some of the lands thus acquired on which our forests are growing have been handed over to the Provincial Government, and proclaimed waste lands of the Province of Auckland, open, &c.; and I am informed by letter from Auckland that applications are likely to be made for timber licenses to be exercised in our forests.

The Government are respectfully urged to pass a measure this session to nullify the effect by the Proclamation referred to in respect of these lands.

Wellington, 31st July, 1874.

For the Company,  
T. RUSSELL.