

19. Does the Land Board deal with State-forest land or only with Crown lands?—Only Crown lands.

20. And the Commissioner of Crown Lands deals with forest land?—Yes, referring everything to the Minister. He has no power himself.

21. Have you confidence in the personnel of the Land Board of Invercargill?—Decidedly not.

22. Do you think they would discriminate if the opportunity occurred between two applicants?—I have reason to think so. It is a very difficult question to answer. It is simply a matter of opinion, and I am inclined to think they would.

23. *Mr. Statham.*] I understand all you ask for is to be allowed to bring a case before the Supreme Court?—Yes, to give us the right to appeal if we consider that a wrong decision has been given under the regulations—the same as we have under the Land Act. We do not ask any more. We are prepared to go to the Court to argue and thresh out these regulations, and see what the Supreme Court has to say on the matter.

24. *Mr. Coates.*] What area has Mr. Massey accumulated—the total area?—I do not know what he has left, but at one time he held over 20,000 acres. I think he has about 8,000 acres to work, but I am not quite sure about it.

25. This land he holds under conditions of the State Forests Act?—Yes.

26. What area, roughly, is held by Mr. Massey and the others over the amount originally intended?—I could not really tell you. I only took one particular case. I have a plan here that would show it to you.

27. *The Chairman.*] You see this list [agreement made between the Conservator of State Forests and Mr. Massey shown to witness]: do you recognize these areas as being held by Mr. Massey?—Yes, those are part, but not all of them. They are all held in one district.

28. *Hon. Mr. Buddo.*] You are a timber-merchant?—Yes.

29. Are you unable to obtain sufficient timber in the sawmilling-areas to keep your mill going?—I have one mill I can keep going. I am not working for myself any more.

30. Are you aware of any sawmillers who are not able to secure sufficient areas of sawmilling land in Southland?—Yes, men and mills are idle because they cannot get milling-areas.

31. Has there been any disputed case wherein Mr. Massey and other applicants have been on equal terms and Mr. Massey's tender has been accepted?—I myself quoted a case where an area of his had lapsed through effluxion of time, and I put in an application for it, which was slung out, and the area was given to Mr. Massey.

32. Notwithstanding that he had sufficient?—Notwithstanding the fact that he had more than sufficient.

33. What is the principal part of your complaint?—That Mr. Massey holds a large area illegally; that he holds that area under royalties much more favourably than the areas we hold, and hence he is better able to compete in the market than we are. The areas which he holds are held under the 1886 regulations, and we contend they are void.

34. *Mr. Anderson.*] What you have always asked is that you may be allowed to take your complaint into the Supreme Court?—Yes.

35. You and your friends have consulted a number of solicitors in one part of the country and another, and they have advised you that your contention is right?—That is so.

36. One of them is Mr. Solomon, of Dunedin?—One is Mr. Solomon, and the others are Mr. Kinnerney, Timaru; Mr. Woodhouse, Mr. Downie Stewart, and Mr. Macalister before he was Crown Solicitor.

37. And these solicitors fortified your contention that the period for which Mr. Massey held these areas and to cut them out had expired?—Yes.

NICHOLAS ALEXANDER NIEDERER examined. (No. 3.)

1. *The Chairman.*] What are you?—Farmer and sawmiller at Gorge Road. I was a sawmill foreman and sawyer for many years, and took up a piece of land at Gorge Road, and have lived there ever since. It was bush and swamp, and on some of the land there was good timber. I cut a number of acres which I cleared, burned, and put into grass. Having been a sawmiller for years previously I started a sawmill, and cut the bush and sold the timber. There was a piece of bush belonging to a neighbouring farmer, consisting of white-pine, which I intended to buy, but Mr. Massey hearing of it bought this bush from the man, but could never cut it because it was out of his reach. When I complained he said, "Never mind, Niederer, I will sell it to you"; but when I wanted to buy it he would not sell it to me. I met Mr. Wallis some time afterwards and he spoke to me about the regulations. He suggested to me that he and I and another sawmiller named Robinson should go to Dunedin and see a lawyer about this matter, and we did so, and saw Mr. Solomon, who said that the regulations wanted to be thoroughly thought out. He then came to the conclusion that Mr. Massey had no title and had forfeited his licenses a long time ago. Mr. Massey took up the bush in 1888. Mr. Solomon said, "I advise you to go to another lawyer," and we went to Timaru and saw Mr. Kinnerney. I understand you have everything they said in typewriting. Having a sawmilling plant idle I had hopes of getting some of that bush. When I was here last year Mr. Duncan advised me to take what I could get. Mr. Massey has about 6,000 acres of bush in my neighbourhood, and of course I cannot get any. I made two applications to the Land Board for one sawmill area—that is all I want—but I got back a reply that Mr. Massey had a good title, and that was the end of it. When we went to Dunedin we thought that we would get a mandamus, and the attempt cost us about £100 or £150. The judgment was to the effect that the Court had no jurisdiction over a Minister of the Crown, and could do nothing. We were advised that the only remedy we had was to petition Parliament to see what it would do. Mr. Wallis has explained the position with regard to these Crown forests. I am repre-