

senting here a number of settlers in the Seaward Bush, Edendale, and Mataura Island districts. They are wanting bush for stakes, posts, and firewood, but there is not a tree for miles around which does not belong to Mr. Massey, and no one has a right to meddle with that bush. After we went to Dunedin he gave two settlers leave to go in and take some of those stumps, but no standing timber was to be touched. That is no good to the settlers. There are three petitions from over a hundred settlers in reference to this matter. Mr. McNab had charge of one, and Mr. Anderson had charge of another. The settlers should have the right to get timber for posts and firewood, but the bush there might just as well be in Timbuctoo as where it is, as they can only see it at a distance. We say that if the bush is granted to settlers for agricultural purposes the Crown would get more out of it in the way of stakes and posts. A sawmiller cannot make use of this wood, and the Crown would get far more royalty from the farmers. The settlers have petitioned Parliament three times for part of this bush that Mr. Massey holds, for agricultural purposes. I came up here to represent myself as a sawmiller with Mr. Wallis, and also represent the farmers.

2. *Mr. Statham.*] I understood you to say you have a sawmilling plant lying idle?—Yes.

3. Do you know of others who are in a similar plight?—Yes, there is a neighbour of mine named Robinson. He had to take his plant away for miles because it was lying idle. He had no farm like I had. There are a number of plants lying idle in Southland at the present time.

4. You say the settlers cannot cut a piece of wood for fencing?—That is so.

5. Where do they get the posts from?—They have to buy elsewhere, or wherever they can get them.

6. Do you think, if this country were opened up for sawmilling purposes, it would make any difference in the price of timber?—The price of timber is a fluctuating quantity—no man can say what the price of it will be.

7. If you and other sawmillers were allowed to work your mills, would that make any difference to the price of timber?—Yes, I should think so—I know it would. There is an association of sawmillers in Invercargill which regulates the price. I was induced to join that association, and when I went there I found they were all big millers like Guthrie, Massey, the Southland Timber Company, Moore and Sons, and so on, who had good areas. I also found that most of the sawmillers were not members of the association.

8. *The Chairman.*] You say that if the sawmillers were allowed to work these areas it would affect the price of timber?—Yes, it would necessarily lower it.

9. *Mr. T. W. Rhodes.*] Do you know the total area that Mr. Massey holds?—It must be 5,000 or 6,000 acres in my neighbourhood alone.

10. *Mr. Anderson.*] You have no feeling against Mr. Massey, but you think he is wrong in his action?—Yes.

11. And you wish to have this matter decided in the Supreme Court?—Yes.

12. How far is Seaward Downs from the bush?—It is adjoining it.

13. How far is it from the centre of the district?—The centre of the district from the bush is four miles.

14. Where do the settlers have to cart their stakes from now?—They have to get them from Edendale and from Invercargill.

15. Can the settlers in Seaward Downs obtain posts from that bush by paying a royalty to the State Forests Department in Invercargill?—Mr. McCall told me he sent a man to cut posts, but when the man went to cut them they were so far back that he could not get them.

16. The settlers now want reservations set apart in that bush for their own purposes?—They do.

17. And the only way they can get them, so far as they know, is by having Mr. Massey's titles tested in the Supreme Court?—That is the only remedy we see at present.

18. You have seen the opinion given by the Crown Solicitor on the question?—I have.

19. And you are still of opinion that the titles that Mr. Massey holds have expired?—Yes. We could not possibly expect the Crown Solicitor's opinion to be superior to those of Mr. Solomon and Mr. Kinnerney. He is not the Judge.

20. *The Chairman.*] Do you contend that Mr. Massey acquired those lands illegally?—I do not know. We are of opinion that he holds them illegally.

21. If he has acquired them legally, how does he hold them illegally?—By the effluxion of time—the time has expired.

22. I heard you say that there were three former petitions: can you give us the dates?—One was presented by Mr. McNab about two years ago, or more; one in 1907, and another in 1910. I think one was by Mr. Hugh McCall.

23. Have you seen a copy of the Solicitor-General's opinion with regard to these leases?—Yes.

24. What exception do you take to that finding?—I take exception because, although I am not a legal man, I cannot discriminate between the legal opinion of one man and that of another of high standing; but if we have the opinion of Mr. Solomon and Mr. Kinnerney we certainly would not expect another opinion to override it.

J. H. HOSKING, K.C., called and examined. (No. 4.)

1. *The Chairman.*] Mr. Hosking, will you give evidence on this petition?—Mr. Chairman, I am one of the attorneys for Mr. Massey, who is at present in England. He left before he was aware that these proceedings were contemplated, or probably he would have been in attendance here himself. I might remind the Committee that Mr. Massey's timber rights have already been the subject of proceedings. In the first place, there were proceedings before the Land Board at Invercargill some three or four years ago with respect to the titles generally, and as the result of those proceedings some