

42. If it were stated such is the case would you say it is not a fact?—Yes. The Commissioner of Crown Lands in Invercargill asked Mr. Massey if he would permit these settlers to cut the stakes.

43. *The Chairman.*] Can you give us the date of that inquiry?—I think it was about two years ago, but I will not be absolutely sure.

44. What was the reply: did Mr. Massey send the reply in writing to the Commissioner saying he was perfectly willing to allow the settlers to go into the bush and take this fencing-timber away?—Yes.

45. Did he grant the right to fell trees or were they only restricted to taking the fallen timber?—I do not know.

46. *Mr. Nosworthy.*] You are manager for Mr. Massey?—Yes.

47. Is it not a fact that a good deal of your timber comes as far north as Ashburton and Waimate North?—A good deal goes to Ashburton.

48. The bulk is drawn from Southland?—I think a good deal comes from the West Coast. Temuka, I know, draws a lot from the West Coast.

49. As well as stakes and posts?—Yes.

50. Strainers?—Yes.

51. *Mr. Anderson.*] With regard to the bush at Gorge Road, do you know how much timber is owned by private people in the vicinity of Gorge Bush which Mr. Massey holds the rights of?—There are a number of farmers the bush on whose properties we have bought, but I could not tell you how many.

52. Is he cutting the bush on those farmers' properties?—Not just at present. He was doing so.

53. Within how long?—He was cutting six months ago.

54. On private people's land?—Yes.

55. You do not know how many there are there?—No, there are several of the settlers down there from whom we have bought bush.

56. In addition to the 5,000 acres of his own?—Yes.

57. Do you know of any settlers near Gorge Road retarded in their operations owing to Mr. Massey not cutting the bush purchased from them?—No.

58. *Mr. Nosworthy.*] What proportion of the Southland timber output comes from Mr. Massey's mill?—We are cutting about 7,000,000 ft. a year.

59. What is the total output from Southland?—In the Official Year-book of 1911 it gives the number of sawmills in Southland as sixty-two, and it says that the production was 48,000,000 superficial feet, and that was nine mills more than the previous year.

60. And out of that last year yours was about 7,000,000 ft.?—Yes.

61. *Mr. Anderson.*] Mr. Massey has six mills?—Five, and one has just been erected.

62. And there are sixty-two mills?—So the Official Year-book says—sixty-two mills in Southland; and then the last award of the Arbitration Court, dated February of this year, names eleven mills that are working in the Catlin's and Waipawa district. Those, of course, would not be included by the Commissioner of Crown Lands in the Southland number, so that makes seventy-three mills altogether concerned in this award of the Arbitration Court of Southland and Otago.

63. Do you think forty-three years is a reasonable time for a sawmiller to have to cut out his areas?—That is a very difficult question to answer. I think the sawmiller is justified in taking whatever the Government will grant him.

64. Do you think it reasonable to make an agreement to cut out settlers' bush and not state any time in the agreement?—I do not know of a single instance where no time has been specified.

65. You do not know of it in the Gorge Road?—I do not know whether it is definitely stated what is the time in the Gorge Road. I think it is about ten years.

66. From when?—From the time the agreement was drawn up. Sometimes it is specified as ten years, sometimes as fifteen. Very often the arrangement is made for the right to cut out in ten years by putting so-much down and after that a certain rent per acre for every acre uncut.

67. Is not the term in the agreement ten years from the time the mills commence to cut?—I do not know of any such instance. I think in every case the term starts from the time the agreement is drawn up.

68. *The Chairman.*] Will you produce those agreements to the Committee?—Certainly.

The Committee decided to telegraph to Invercargill and get the agreements above mentioned.

*Mr. Dalziel* submitted that the Under-Secretary for Lands, shortly after the last Committee's recommendation to the Government, immediately took steps to obtain the information necessary to enable the Solicitor-General to arrive at a conclusion as to the validity of the title. The Solicitor-General's opinion was given in May, 1911. Shortly after that negotiations took place between Mr. Massey and the Government with a view to determining this question of the reasonable time within which the timber should be cut out. Those negotiations resulted in an agreement being entered into in February, 1912. The full decision of the Committee sets out plainly the course of those negotiations. There is one further point I want to mention: Mr. Anderson asked the witness if it were not a fact that certain farmers had not been permitted to cultivate their land on account of the timber not being cut out.

*Witness:* No, not after the timber was cut out.

*Mr. Dalziel:* After the agreements had been entered into between Mr. Massey and the farmers?

*Witness:* No.

*Mr. Dalziel:* All I want to know in fairness to Mr. Massey is that a fairly specific instance should be given so that Mr. Richardson might contradict it.

*Witness:* I have contradicted it.