

to carry out any improvements that may be suggested by the Health Department or the Agricultural Department. Over many years' experience in managing the company we have had to consult the Health Department, and we have always taken their advice. It has always been given to us readily, and they have to a large extent saved us in many instances. What we object to in the present law is that an injunction is the first resource instead of the last. We think it ought to be the very last resource. Why we take such interest in this Bill, and why the matter has been brought so much before the public, is because of the decision given by the Chief Justice recently. The legal position was well known to all of us who had studied dairy matters at all, but the decision seemed to point out to the public how very simple a matter it was to get an injunction. No one knows how serious a matter an injunction can be except those interested in the dairy industry. Now I propose to give you certain instances to show how we have suffered, and that we have done our utmost to get over the trouble. The first instance I propose to quote is the Makino Butter-factory, where we bought an easement to drain through a small farm at the back of the factory, and then we ran the water into the Makino Stream. The Health Department were written to, and we were summoned and we paid a fine. We had nowhere else to run the water, and we hoped for a wet autumn, when there would be no nuisance, and so we went on doing it, and we were fined again. So we approached a farmer there, and he allowed us, for the sum of £1 per month, to build a huge dam; and when I tell you that the residue from this factory would amount to from 2,000 to 3,000 gallons a day, you can see that we would want a very large dam. We used to hold the stuff from the factory in this dam until such time as the creek was in flood. The season afterwards was very dry, and we got into trouble again. Meantime we had approached the Feilding Borough Council to connect us with their system. They were frightened that our effluent would affect their septic tanks, and they refused. When we had this trouble in the dry season I approached them again, and offered to find the money, and the Health Department were good enough to write and point out that it would not affect their septic tanks. We had to find the money—we are going to get it back some day—and then allow ourselves to be rated to the extent of £25 a year, and they put the connection a mile up the street, so that our drainage could go into their septic tanks. We had to find £800. If they had not done that there would have been nothing for us to do but to shut up our factory and go somewhere else. At Bunnythorpe we have had more trouble than anywhere else. We put up a dried-milk factory there and a cheese-factory. A certain amount of the powder is wasted in the cylinders and dissolved in the water, and eventually goes down into the drain. We have been threatened with injunctions there, and we have had to pay pretty dearly to keep them away. We tried a septic tank there. We tried settling-tanks. Then some man came over from Africa. He came accredited from Johannesburg, with letters saying that he had done all sorts of wonderful things. Well, it cost us £90 to find out that his contrivance was no good at all. Altogether we spent £600 or £700 there in tanks, and besides that we are running the overflow of two artesian wells down the creek to endeavour to keep it clean. One man down on the Mangaone Stream eventually complained that it was a nuisance, and I offered, on behalf of my company, to sink him an artesian well to replace the water that we were injuring. He would not take this, and said he wanted money. Eventually we compromised. The amount it cost us was, I think, £175. Then we got the Road Board to straighten the winding stream alongside the road into a straight drain; and we got a settler to agree to the diversion of the water through his property, and instead of a winding stream choked by rubbish we dug a straight drain. By doing that we were able to remove the whole of the water from the roadside, where it was a nuisance. But between the road and the settler who gave us permission to dig this drain there was one person who had three-quarters of an acre of land. Half of it was on the side of a hill; the half in the flat was divided twice by this blind creek. He demanded that we should restore the water to where it had been. He further claimed that we were polluting the water. We offered to buy this three-quarters of an acre for £40 or £50. He would not sell. We offered to buy it at a valuation, we appointing one valuer, he appointing one, and those two appointing another; and we proposed to give him 10 per cent. more than the valuer said the land was worth. We offered to lease it for ten years at 1s. 6d. per week. He would not agree. He sued us for damages. When somebody suggested that he should get an injunction and stop the nuisance, he said No, he was going to get damages out of Nathan every month, and after he had fixed Nathan he was going to fix the Bunnythorpe Co-operative Company. I think it was pretty well proved in the Magistrate's Court that this valuable section cost him £4. He said he wanted it to use for a tannery. I do not know what sort of a nuisance that would be. He got £5 damages for pollution, and he has not sued us any more. But that is our trouble, and that is what we are up against at these particular points.

1. *The Chairman.*] Did he have to pay his costs?—Oh, yes; he lost money over the deal. But we are always up against it. That man can go for an injunction now, and that is the injustice of it. The man lives in Wellington; he does not live there at Bunnythorpe at all, but people write and tell him there is a smell. The reason for his action was this: he owns three-quarters of an acre with a small house on it close to where these Bunnythorpe people are, and he wanted me to give him, I think, £800 for it. I said No, I would buy this piece of land, and he said one piece was no use without the other; yet they are over half a mile apart. What we want is protection against a man standing out like that. It is purely blackmail on a dairy company; and we want that protection. At the cheese-factory at Whakaranga we have bought the drainage rights from the farmer adjoining us. We have to run the water right away into a large disused gravel-pit, and then we get rid of it when the creek is in flood. At the eight or nine creameries that we are working there is no question that we are breaking the law at every one of them, because we are simply putting the refuse from these creameries into the road-drains. We are not doing any injury to anybody, but there is very little doubt in my mind that as the