

draining through a number of swamps; but it was fit even in dry weather for cooking and drinking purposes. Since the mill has been upon the stream it has been impossible to use it for either of such purposes. The result to my stock is likely to be more severe in future than it has been in the past, because I have further subdivided my property, and in more than one paddock the stock have only this particular water to drink. Up till quite recently they had the lake to go to in addition to the stream. It is probably within the knowledge of the Committee that a number of farmers—it has occurred up my coast—have been put to considerable expense and have borrowed money and rated themselves very heavily in order to bring pure water on to their properties. If this Bill is passed these very watercourses may be rendered practically useless to them at any time. Perhaps some members of the Committee have had experience as to the value of an action for damages. I will give one of my experiences. Some time ago a wealthy association of hotel-owners in this city proceeded to excavate under my house in Wellington Terrace. They were an association of persons of great influence, and I was advised to suffer the damage and look to them for compensation rather than take any Court proceedings for an injunction. I decided, however, to apply for an injunction against them, and succeeded in getting one. The ultimate result was that my injunction was allowed to stand. I had some two years of worry over the matter. I won all along the line, and eventually I got damages. The total cost to the persons I was fighting ran into some thousands of pounds, and the net result to me was that my property was wrecked, and although I got my law cheap—practising as I do as a solicitor—I was out of pocket £250. And that would be the result in many of these cases. I have not a word to say against the flax-miller. Of course, when you are fighting an influential and wealthy association like the Flax-millers' Association they naturally are prepared to spend money in order to defeat you; and I am satisfied that an action for damages by me would be met with all kinds of expert evidence, and members of the Committee know exactly what expert evidence is. I would suggest to the Committee that possibly they might visit Waikanae—say, on Saturday—for the purpose of having an ocular demonstration of the average means which are being used by flax-millers to prevent the pollution of streams, and they could also see the small stream running through my property, on which I am almost entirely dependent for my water-supply. I am sure they would be impressed if they had the time on a Saturday, or any other day, to come up there and see for themselves. With regard to the provision in the Bill that makes an injunction impossible—although in any case an injunction is impossible under the Bill, I say—in the event of a person having other water on the farm or adjacent, it is true that I have a stream which is at present unpolluted on the southern end of my farm, but it is something like two miles away, and you would have to drive stock that distance daily, which, of course, would be an impossibility. If the pollution were to continue, my two lakes, which are fairly pure at the present time, would also suffer pollution. The Chairman has handed to me a Bill that has been prepared by Mr. Baldwin, which I assume it is suggested to substitute for this Bill. So far as I have been able to peruse Mr. Baldwin's Bill, I should say that the one provision in it whereby flax-millers are forced to take every effective method that is devisable for the purpose of preventing the nuisance would be some protection for the ordinary farmer, whether dairy-farmer or otherwise. I am not aware whether the Committee are seriously considering the new Bill or not. If I were to cut up a portion of my property, as I am very likely to do, and as Mr. Hadfield, my neighbour, intends to do, for dairying purposes—because the land up there has been proved to be fit for dairying owing to recent methods of dealing with it—the part of the property which I should cut up would certainly be dependent entirely on this stream for its water. I am not aware whether it would be possible to obtain artesian water there, but the experiments that have been tried up to the present have been failures. I have thought of trying the experiment more than once, but hitherto I have not thought it wise to incur the expense, for my property is already well watered, so long as there is no pollution.

2. You have read the Bill suggested by Mr. Baldwin?—I have just read it through. I will not say that I have grasped every point in it.

3. You have heard a lot of evidence showing the enormous quantity of stuff that has been poured into the Oroua and the Manawatu Rivers for some years past, and is apparently still being poured into the streams. Are you of opinion that Mr. Baldwin's Bill would be effective in protecting the settlers there and the dairy factories, who are dependent upon reasonably pure water for turning out thoroughly sound products?—I would not like to give a very definite opinion. If it is possible—and with my imperfect knowledge of the subject I think it is possible—to purify the effluent from flax-mills—I know nothing about the effluent from the dairy factories—then I say the Bill makes the necessary provision, because it provides that they must use effective methods, and if they use effective methods then the water will remain pure, or comparatively pure. Speaking for myself and other farmers, I am sure we do not mind a certain amount of pollution. If flax-millers cannot take away all the polluting matter and allow only a small portion of it to reach the water, so that the streams will be fit for stock to drink from, we shall be satisfied.

4. The three bodies mentioned in Mr. Baldwin's Bill—the Health Department and the other two Departments—are to specify the steps that shall be taken; failing those steps an injunction is obtainable, is it not?—Yes.

5. And if, despite these steps being taken by the flax-millers, injury is still suffered by any person, damages will still lie against the miller?—Yes, that is so, as I read the Bill. The present law, of course, is that a man is entitled to an injunction and damages. He has both—not one or the other.

6. Is not that the case with regard to that Bill?—That is the case as I read Mr. Baldwin's Bill: if a man suffers damage, even though the miller carries out the regulations of these three Departments for preventing nuisance, he is entitled to compensation for the damage.