

(No. 116.)



1870.

TASMANIA.

**UPPER DERWENT ROAD DISTRICT.**

**REPORT FROM SELECT COMMITTEE; WITH MINUTES, AND  
EVIDENCE.**

Ordered by the House of Assembly to be printed, October 6, 1870.

*SELECT COMMITTEE appointed (by Ballot) on the 22nd September, 1870, to enquire into and report on the matter between the Upper Derwent Road Trust and the Hamilton Road District.*

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MEMBERS OF THE COMMITTEE.

MR. JAMES SCOTT.

MR. BALFE.

MR. BUTLER, *Minister of Lands.*

MR. JAMES REID SCOTT.

MR. WHITEHEAD.

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DAYS OF MEETING.

27, 29 September.

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WITNESSES EXAMINED.

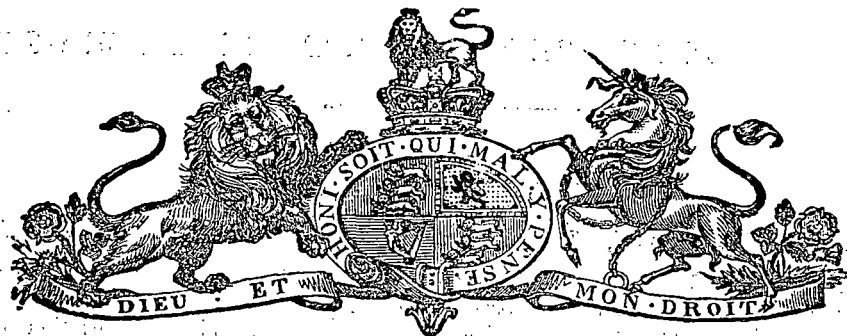
Captain Fenton.

W. Sibley, Esq., M.H.A.

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EXPENSES OF WITNESSES.

*Nil.*



## R E P O R T .

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THE Committee appointed by Ballot on the 22nd September, 1870, to enquire into and report on the matter between the Upper Derwent Road Trust and the Hamilton Road District, have the honor to report :—

That they have read the Evidence and Proceedings of a Select Committee appointed in the Session of 1869, but which did not bring up a Report upon the matter now referred to your Committee.

That they have now taken the evidence of the Chairman of the Upper Derwent Road Trust, and a Member of the Hamilton Road Trust (who is also a Member of your Honorable House.)

Your Committee believe that substantial justice will be done to all the parties concerned if the matter in question is remitted to the Ratepayers interested in the District; who, at a Meeting to be duly convened by notice to each Ratepayer for the purpose, may be requested to decide by a majority of votes, in the manner prescribed by "The Cross and Bye Roads Act, 1870," 33 Victoria, No. 8, Sect. 14, whether the area in dispute should be annexed to and form a part of either the Road District of Upper Derwent or that of Hamilton.

Your Committee annex the Proceedings of the former Committee, and the Evidence and certain Correspondence which has guided them to their present decision.

JAMES SCOTT, *Chairman.*

*Committee Room, 29th September, 1870.*

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## MEMORANDUM referred to by Mr. SIBLEY.

Year.	Amount received from Government for Buckingham, Fenton Forest side of Derwent.	Amount appropriated by Hamilton Board of Works.	
	£ s. d.	£ s. d.	
1864	344 17 2	325 0 0	
1865	94 12 0	40 16 0	£89 15s. 3d. still due, which the Board informed Mr. Brown (Mr. Dickson's representative) would be paid out of next appropriation, being an error, not having at first the correct amounts.
1866	106 8 4	63 0 0	
1867	73 6 3	70 0 0	
1868	63 0 0	63 0 0	
Incidental expenses		30 12 6	
	£682 3 9	592 8 6	

WEDNESDAY, OCTOBER 13, 1869.

GEORGE CAMPBELL SMITH, *Esquire, examined.*

I am Government Surveyor of the District of New Norfolk.

*To the Chairman.*—I know Monto's Marsh. I surveyed a road from there to Dunrobin Bridge. I had instructions from the Surveyor-General. It was surveyed for the residents at Monto's Marsh. It crosses the road from Glenora to the Gordon Road. Three roads meet at Dunrobin Bridge,—Road from Glenora, Gordon Road, and the Road to Monto's Marsh. The distance from Monto's Marsh to where this road crosses the road to Glenora is about six miles: the distance from Dunrobin Bridge to Hamilton is about five miles and a half, making about eleven miles from Monto's Marsh to Hamilton. The distance from Monto's Marsh to Glenora, by the road through Captain Fenton's pre-emptive right block, is about thirteen miles. I cannot say the exact distance. There is no regular road. To go direct from Monto's Marsh to Glenora would be nearer to New Norfolk than the road round by Hamilton.

WILLIAM SIBLEY, *Esq., M.H.A., examined.*

*To the Chairman.*—The road from Monto's Marsh to Dunrobin Bridge is a Bye Road. I believe some of the assessments raised on the right bank of the Derwent have been laid out on the cross road on that bank: I cannot say what amount. I will not speak positively; but I believe such was the case. I was elected a Road Trustee of Hamilton in 1853 or 1854. When the disputed part was handed over from the Upper Derwent to the Hamilton Road Trust in 1866, we did not raise an assessment,—an assessment of 6d. in the Pound has been since made for one year. I believe the right bank has, since 1866, received its fair share of Road Trust Funds and Board of Works Money. I cannot state what sums of the Road Trust Funds have been expended, but I believe a fair share. A Bridge was built over the Repulse River at an expenditure of £60, which, I believe, came from the Road Fund. The persons who pay the Road Rate in the disputed part have always been satisfied with the expenditure, and have never complained. In 1866 we received as Road Rate in the Hamilton District £573 5s. 11d., and grant in aid £276 2s. 9½d. I believe some of this money was expended on the right bank and also some on the other bank for the accommodation of residents on the right bank.

Captain Fenton states that up to 1860 the Hamilton Road Trust spent all the assessments on the Hamilton side of the Derwent. To which I answer that the assessments were disposed of as requested by a majority of the ratepayers.

In 1860 the whole of the right bank of the Derwent was transferred to the Upper Derwent Road District, and remained till 1866, when the ratepayers of that portion now in the Hamilton District petitioned for the separation, stating that for six years the whole of their assessments had been spent in the neighbourhood of Glenora, and not one shilling on the road in which they were interested. The Government complied with the petition in 1866, but I do not think that the Hamilton Road Trust made any assessment on the right bank of the Derwent that year; and not having made any assessment last year, only one assessment could have taken place since the re-union of that portion of Hamilton Road Trust.

(Presented to the House by Mr. Sibley.)

*To the Honorable the Speaker and Members of the House of Assembly of Tasmania,  
in Parliament assembled.*

The Petition of the undersigned Ratepayers of the Hamilton Road District residing in the County of Buckingham, on the right bank of the River Derwent.

RESPECTFULLY SHOWETH:

THAT your Petitioners have learnt with surprise that a motion has been brought before your Honorable House for the purpose of separating from the Hamilton Road District that part of the District in which your Petitioners reside, and of annexing the same to the Upper Derwent Road District.

That your Petitioners beg leave to state that the part of the Hamilton Road District above alluded to for a period of six years formed part of the Upper Derwent Road District, and was afterwards, with the approbation of the residents, transferred to the Hamilton Road District, to which your Petitioners still desire to belong.

That the roads in the Hamilton Road District, on the left bank of the River Derwent, are more generally used by your Petitioners than the roads in the Upper Derwent Road District for access to New Norfolk, to Hobart Town, and to other places; and that your Petitioners receive and despatch their letters through the Post by the roads in the former District.

That your Petitioners have reason to believe that their interests are better consulted by remaining in the Hamilton Road District than by being transferred to that of the Upper Derwent.

Your Petitioners therefore respectfully and earnestly pray that the present boundaries of the Hamilton Road District may not be disturbed.

[Here follow 15 Signatures, representing 28,554½ acres.]

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IN COMMITTEE.

(*Handed in by Captain Fenton, 27 September, 1870, and read by the Clerk.*)

THE Hamilton Road Trust commenced in 1851, when the road from the Florentine River was put under their control as far as Russell's Falls, in which it remained until 1854, when their boundary was limited to Jones' River. In 1860 the landholders of the right bank petitioned the House of Assembly for redress and separation from the Hamilton District, because they drew the assessment and Government Aid from the right bank and spent it on their own bank, and during the whole period of ten years to 1860 never spent any on the lands where the money was raised.

A Select Committee was appointed, (and herewith I hand in the Petition, No. 32, printed paper, and No. 106, being the Report of the Select Committee which was adopted by the House,) and an Address was unanimously passed requesting that the Governor would be pleased to carry out its recommendation; and I, as Speaker, placed the resolution in His Excellency's hand, and he returned an answer through me that he would do so; and, accordingly, the Upper Derwent was gazetted to the Florentine River. In 1863 the Hamilton Council applied to have it restored, when the Ministry issued a notice for all who were opposed to it to send in to the Colonial Secretary their reasons within a month. A protest was accordingly sent in against any alteration.

At the expiration of the time stated I called upon Mr. Whyte, the Colonial Secretary, as Chairman, to learn the decision of the Government; and I was informed by Mr. Whyte that our reasons were so unanswerable no alteration would be made, and particularly as the House of Assembly had already decided the matter.

In 1866 a petition, signed by nine persons, again applied to be added to the Hamilton Trust; and, notwithstanding a protest of the Trustees of the Upper Derwent backed by seventy landholders of the right bank, the same Ministry transferred not only the original boundary of Jones' River, but an important portion of the Upper Derwent besides, to the Hamilton Trust,—not one of whom or the ratepayers of Hamilton owned an acre of land on the right bank, and by this means increased the number of voters from 9 to 14, principally 50-acre settlers.

For fourteen and a half years that the Upper portion belonged to the Hamilton Trust there was not any expenditure of the assessments on the right bank where the money was raised, but it was expended on the left bank or Hamilton side of the Derwent.

While they only assessed themselves six times in the fourteen and a half years the Upper Derwent assessed every year, thus proving it was not the want of funds that induced them to take all the assessments from the right bank and spend it on their own; for in the year 1855 if they only assessed themselves they would have had £5200 for that year alone, besides seven and a half years they neglected to assess them-

selves. Yet they deprived us of from £150 to £200 a year which they did not use themselves nor let us use by reason of the Government who, while admitting the injustice we experienced, yet perpetuated it by refusing to redress an admitted wrong.

On what ground then were the Hamilton Trustees so desirous of obtaining the disposal of all the funds belonging to the right bank, but to check our progress and improvement? The only ground they gave was, that they got their potatoes, vegetables, sawn and split timber, grain, &c. from the right; but if this was the real cause, it ought to be a strong reason why they should have assisted instead of cramping our exertions to improve the roads. All those settlers reside on the main artery (except eight, who live on bye-roads made with the land funds of the right bank) to Dunrobin Bridge, which gave them access to Hamilton or New Norfolk, whichever suited them best. It is utterly untrue that no facilities were afforded them on the right bank, where the Upper Dewent Trust made bridges, culverts, and formed roads expressly for their use, while the Hamilton Trustees took their money and spent it on their own side, giving nothing in return. Is this the cause that induced a preference to belong to the Hamilton Trust? On the contrary, it is the inducement held out to them to have the bye-roads from Monto's Marsh made from the land fund derived from the right bank that induced them. It appears from Captain Langdon and his co-Trustee's letter of the 30th May, 1866, on the Table, in which he states as follows: "I have received reliable and authentic information that the major part of the road fund has been expended in and on the roads in the vicinity of Fenton Forest." This statement is *totally untrue*, which can be readily proved by a visit to the spot, where there was very little expenditure at that date; but since then, about three or four years ago, about three quarters of a mile was made between the School-house and the Styx, and about 60 rods from Russell's Falls Bridge, at the instance of Mr. Dickson, which was almost impassable in the winter, and which was absolutely necessary for those residing between it and Dunrobin Bridge; besides, there was considerable outlay on the road towards Jones' River in forming and cutting roads, and erecting and repairing bridges on it.

He also states that it was in consequence of Captain Fenton's solemn protest as Chairman of the Upper Derwent Road Trust in the name of the Trustees which stopped the works on the right bank from being proceeded with: in fact, his protest included a forbiddance of the works which had been recommended by the Board of Works. This statement is also untrue. I only forbade any operation on the cross road without the consent and approval of the Trustees; but if they were such as were approved of by the Trustees they would co-operate in the work; and if my letter is referred to this fact will be proved as it is also recorded in the minutes of our Trust Book.

The fact is the Ministry of the day have been entirely misled by hearsay evidence furnished by Captain Langdon and his co-Trustees, who ought to have personally examined the case before advancing statements that were calculated to mislead the Government. On the report of the Committee of 1860 being submitted for adoption by the House, Mr. Gellibrand rose to speak, when Dr. Butler stated that there could be but one opinion on the subject, on which Mr. Gellibrand sat down, and the vote passed without a dissentient voice. Mr. Gellibrand was the Member for Hamilton, and also one of the Trustees who proved the facts stated in our petition in 1860. Another reason advanced against travelling on the road on the right bank was that it was in too bad a state, but which arose entirely from their having taken the money and spent it on the opposite bank; yet there is a hawker at Glenora that goes every fortnight nearly with two teams, occasionally with sundries, and returns loaded; besides some from New Norfolk and other places, in addition to the local traffic. Mr. Bryan and Mr. Clark bring their wool down, and the settlers at Monto's Marsh, come by my bush road with hop poles, and also to the mill at Fenton Forest.

Can it be just, fair, or equitable, that eight or ten small settlers,—principally fifty acres to a hundred or so,—who at present think they only desire the market at Hamilton for their grain, are to deprive the whole of the right bank of their cross road merely because they say they only require it occasionally, but will certainly use it when it suits them, but won't contribute to its being made if they can avoid it? The Government is and has been spending large sums in opening up various localities; and is the Upper Derwent to be the only locality in which no expenditure is or has been made, although it is notorious that no other district has taxed themselves to an equal extent, besides borrowing money also, while the left bank have had thousands upon thousands, and road parties, for years from Government. I may add that there is a bye-road already open from Monto's Marsh to Dunrobin Bridge, and thence to Hamilton direct, which cannot be affected by its being in the Upper Derwent or Hamilton Trust, for it has existed for years, and I am assured that it is only by a promise of the expenditure of our Land Fund, as it encourages this petitioning, as shown by two letters which are on the table. If the settlers on the left bank make the road, and those on the right do the same, with the funds raised on them, it will be a benefit to both, and the country at large, by opening up both banks for settlement, and thus encourage settlement, instead of as at present checking it. To illustrate the above, I may suppose that the right bank owns the land from Hamilton to the Ouse on the left bank, and we assess that land and carry the money to the right bank, would the Hamilton Trustees deem this just or equitable? If not, why do they act in the present case so unjustly to us?

*EXTRACTS from Government Gazettes of the Expenditure and Assets of the Hamilton Road Trustees.*

Years.	Private Assessment.			Government Aid.			Dog Money.			Total.			Page.
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	
1851 .....	783	8	11	109	7	5	51	13	6	944	9	10	960
1852 .....	259	10	3	259	10	3	11	3	0	530	3	6	1201
1853 .....	—	—	—	—	—	—	—	—	—	No Assessment.	—	—	—
1854 .....	2576	19	4	2565	4	8	15	0	6	5157	4	6	1524
1855 .....	—	—	—	—	—	—	—	—	—	No Assessment.	—	—	1365
1856 .....	2586	18	3	2062	10	10	—	—	—	4649	9	1	1630
1857 .....	2495	5	3	2716	8	1	—	—	—	5211	13	4	1182
1858 .....	—	—	—	—	—	—	—	—	—	—	—	—	—
1859 .....	—	—	—	—	—	—	—	—	—	—	—	—	—
1860 .....	—	—	—	—	—	—	—	—	—	—	—	—	—
1866 .....	—	—	—	—	—	—	—	—	—	—	—	—	—
1867 .....	564	12	11	294	18	2	—	—	—	859	11	1	—
1868 .....	—	—	—	—	—	—	—	—	—	—	—	—	—
1869 .....	—	—	—	—	—	—	—	—	—	—	—	—	—
1870 .....	—	—	—	—	—	—	—	—	—	—	—	—	—
	9266	14	11	8007	19	5	77	17	0	17,352	5	10	—
Amount from Land Fund .....										3474	19	3	—
										20,827	4	3	—

(Handed in by Captain Fenton.)

CORRESPONDENCE.

*Fenton Forest, 26th October, 1869.*

SIR,

As various and incorrect reports are industriously circulated tending to prejudice the public mind against the just and equitable claim set forth by the landholders and ratepayers of the Upper Derwent Road District residing on the right bank of the River Derwent, I deem it but just to them to state the facts, so as to prevent misconception or any person being misled by them.

The Hamilton Trustees have had the control of a portion of the right bank (*as minutely detailed in our protests and petitions*) for thirteen years—that is from 1851 to 1860, and again from 1866 to 1869—and during this period the whole of the assessments levied on the right bank were spent on the Hamilton or left bank. During the whole of this period they never made even *one rod* of road on the right bank, where the money was raised, and this is consequently in the same state from Dunrobin Bridge to Glenora and New Norfolk as it was forty years ago, when I first arrived in the Colony and purchased Fenton Forest—where I have resided ever since. As a proof of the correctness and justness of our complaint, I need only refer to the accounts furnished by the *Trustees themselves* and published annually in the *Government Gazette*, showing the assets and expenditure; in them there is no item of expenditure on the right bank—so that their own accounts fully bear out our statement, namely—that the whole was expended on the Hamilton or left bank.

On the 8th of October last Mr. Sibley presented a petition from fifteen ratepayers, praying not to be separated from the Hamilton Road Trust, and thus continue their injustice. The two Messrs. Bethune live close to the bridge, and can therefore choose which bank they will travel on; seven of the fifteen who signed the petition live on the main line of road, and eight on bye-roads leading to Dunrobin Bridge—and they also can choose their side. There are four 50-acre settlers out of this Trust several miles above Dunrobin Bridge on the Gordon Road, which was formed by the Government—and by it they also can take which bank suits them on reaching the bridge. These persons, therefore, are in a better position than any of the *seventy-five* ratepayers who have protested against being subjected to the Hamilton Trust, whose acts of injustice to the Upper Derwent or right bank have no parallel in all Tasmania; nor, I venture to say, in any colony in this hemisphere.

As all the facts stated in our petitions and protests are recorded in the *Government Gazette* and in the Votes and Proceedings of the House of Assembly the evidence is available to all, and I think it need require no Select Committee to investigate the case. I was detained three weeks in attendance on the Committee, and could only examine Captain Langdon, as they could not afford time to finish Mr. Sibley's evidence. Both these witnesses, however, were unable to answer decisively the questions I put to them, as they could not recollect whether any funds derived from assessments had been spent on the right bank, but they believed there had been, while the accounts published in the *Gazette* entirely negated that belief. I attended the Committee again on Wednesday to finish Mr. Sibley's examination and to give my



own evidence, but the Chairman informed me that Mr. Sibley had been thrown from a gig near Bridgewater, and was so severely hurt as to be unable to attend, so closed the matter.

There are other facts which I wish to mention. For eight years they neglected to assess themselves for a few pounds each which would otherwise have given them thousands, but they preferred taking from our very small means of £300 a year at *full* assessment for the whole of the land on our bank, and thus cripple our means by a third of our income for their own bank; yet they found thirteen to join them, and if their petition was assented to they would not be in a better position, but in a worse, as they expended nothing on our main artery, and they would do the same again. Such gratuitous injustice can only be attributed to the jealousy and hostility to progress and improvement on our roads; as it would also enable those on the left bank to escape the two toll-bars on their side, at Macquarie Plains and New Norfolk. They could only find fifteen to join them while there are upwards of twenty in the Municipality of Hamilton, out of the seventy-five hostile to the Hamilton Trustees, and who are interested in the line across Dunrobin Bridge, where many have land and stock, and deem that line of importance to them.

As the facts I have stated are now undeniable I think you will be fully justified in granting the prayer of our petition. You have always acknowledged the justice of our claim to Mr. Dickson, as also to Mr. Brown and myself, and that you would have done so at once had not Sir Richard Dry objected; but with Messrs. Wilson, Butler, and Dunn now in the Executive, there can be no such difficulty.

I append herewith a statement of the assets, as taken from the *Gazette*, of the Hamilton Road Trust's accounts for the thirteen years, showing the year, the page, the assessment, and the Government aid separately, all of which was expended on the Hamilton side.

Trusting to the justice of our claims and your promised support.

I have, &c.,

MICHAEL FENTON, *Chairman Upper Derwent Road Trust.*

*The Hon. T. D. CHAPMAN, Colonial Treasurer.*

P.S.—In addition to the above they have received £3474 19s. 3d. from the Land Fund, making a total of £20,827 4s. 3d.

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*Colonial Treasury, Hobart Town, 6th December, 1869.*

SIR,

I AM directed by the Honorable the Colonial Treasurer to acknowledge the receipt of your letter of the 20th October, which you delivered to the Honorable the Colonial Treasurer on your visit to the Treasury on the 19th ultimo.

I am directed by the Honorable the Treasurer to state in reply that your letter has received the attention of the Government, but as the question was brought under the consideration of Parliament, at your instance, during the last Session, and a Select Committee appointed to enquire into the subject, the Executive Government are not prepared to interfere in any way with existing arrangements, pending the enquiry by a Select Committee of the House of Assembly.

I have, &c.,

W. LOVETT, *Assistant Colonial Treasurer.*

MICHAEL FENTON, *J.P., Fenton Forest.*

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*Fenton Forest, 8th December, 1869.*

SIR

IN reply to your letter of the 6th instant in which you state that, as the matter to which I referred was under the consideration of Parliament last Session, the Executive were not prepared to interfere, pending such inquiry by a Select Committee of the House of Assembly, I have the honor to inform you that it is no longer before Parliament or a Select Committee, as you must be aware as well as I am that at the close of the Session of Parliament all matters then under their consideration lapse and are at an end; and as I have already informed you in my last letter that there was no necessity for further inquiry by a Select Committee, as the facts contained in our Protests and Petitions were fully established by the Government *Gazettes* and the Records of the House of Assembly. Besides, the Chairman informed me that he heard every Member of the Committee was satisfied that all the funds raised on this bank were expended on the Hamilton bank, and this is all I required to prove by Captain Langdon and Mr. Sibley, both Members of the Hamilton Trust, but as their memory was at fault they could not recollect, yet their accounts in the *Gazette* fully established the fact. Under these circumstances it would be absurd in my occupying the time of the House for a purpose already proved by the records. And I now repeat that an enquiry by a Select Committee will not be again renewed by me, and that therefore it is still under the control of the Executive *only*; and as the settlement of the question is of great importance to the settlers on the right of the Derwent, I trust the matter will be reconsidered by the Executive, for if they do not it will put a stop to our opening up the road on this bank, as we will have to pay interest on the three thousand pounds we borrowed for the purpose out of the small amount of the funds at our disposal. We have been assessing ourselves for years at a shilling in the pound, and the Hamilton Trust in fourteen years only

assessed themselves six times, owing to their having thousands for our hundreds. It is a case therefore that calls loudly for redress, and as you always admitted the justice of our claim and promised to support it, I now, on the part of the settlers on this bank, urge you at once to redeem your promise.

I have, &c.,

MICHAEL FENTON, *Chairman Upper Derwent Road Trust.*

*To the Hon. the Colonial Treasurer, Hobart Town.*

## EVIDENCE TAKEN BEFORE THE SELECT COMMITTEE OF 1870.

SEPTEMBER 27, 1870.

MICHAEL FENTON, *Esquire, examined.*

I am Chairman of the Upper Derwent Road Trust. I hand in a Memorandum of the points now at issue between us and the Hamilton Road Trust, also copies of letters from Mr. Brown and Mr. Salter on the same subject.

In consequence of the various Reports which have been circulated because the Select Committee of last Session did not report upon the question, I have published in the *Tasmanian Times* the Correspondence which passed between myself and the Government. I hand in a copy, as printed, for the use of the Committee. I also hand in a list of papers which will be required to substantiate our case before the Committee; viz.—Captain Langdon's letter, 30 May, 1866; Bethune & Co., Petition, 1866; Monto Marsh Road Expenditure; Petition of 1863, 1866, 1868, and 1870; Reports of Trust Meeting; Hamilton Petition as to Monto's Marsh.

SEPTEMBER 29, 1870.

WILLIAM SIBLEY, *Esquire, M.H.A., called in and examined.*

*By Chairman.*—You are a Member of the Hamilton Road Trust? I am.

*By Captain Fenton through Chairman.*—I see this copy of letter from Captain Langdon, dated 30 May, 1866. It refers to a former Petition of the Upper Derwent people for connection with Hamilton. As one of the Road Trustees I concurred in that letter at the time, and I do so now.

I have not been down to Glenora by the road on the Right Bank. I have visited a part of the road where some improvements were being made by the Board of Works; I think opposite Downie's Sheepwash.

*By Chairman.*—How many miles is it from New Norfolk to Hamilton by left Bank or Hamilton side? About 22 miles.

And from Hamilton to the Bridge at Dunrobin? About 6.

And from Monto's Marsh to the Bridge at Dunrobin? About 6 miles; but there is a ford for 8 or 9 months out of the year at the Doctor's Corner. The people find a road to the crossing place. I have known this road to be an open one for 35 years. It has latterly been disputed by the owner of the Lawrenny Estate through which it passes.

*By Dr. Butler.*—Has any money been expended in improving that ford? Not to my knowledge. We used to give a small portion of the dog money which was at the command of the Trustees for little works. I can remember £20 for a bridge in the Township of Hamilton. Since 1856 Monto's Marsh Road has been improved, and money has been spent on the road down towards Long Reach. When the Board of Works had money appropriated to the District we usually applied to the Colonial Treasurer to know what was due to the right bank, and it was applied accordingly. The boundary of the Board of Works District is different to the Road Districts. In the disposal of Road Trust moneys we are always governed by the opinions of the ratepayers. Hamilton is the sole place for the Monto's Marsh people to come to market.

*By Captain Fenton.*—Did you spend any portion of the road rate raised on our side of the river on that side? Yes.

*By Dr. Butler.*—In any case of suing for money under the Courts of General Sessions to what place do the Monto's Marsh people go? To Hamilton, where they also go to the mill for flour, and for their Post Office letters. Letters pass by private hand about once a week between Monto's Marsh and Hamilton.

What is the character of produce grown at Monto's Marsh? Every kind of grain,—wheat, barley, oats, potatoes, which they bring to Hamilton. I believe all comes there.

*By Chairman.*—If the road to Glenora were made, would the Monto's Marsh people not prefer that road to New Norfolk? Most certainly not. Hamilton is their market town. I have known Bryant send his wool to Hamilton, and thence on to New Norfolk, about four or five years ago. The Monto's Marsh people always objected to go down by Glenora. The road down the Upper Derwent bank is only a bush track, and quite sufficient for the purpose for which it is used.