

any notice from the Waste Lands Board telling me that the land was about to be sold. I do not know how McDonald obtained the land without my signature. I think that Mr. Wood's recommendation not to sell it was subsequent to Mr. Stratford's recommendation to sell. The right that I purchased from Mr. Swanstone I have never assigned in any shape or form.

There was only one survey of 50 acres, and that was prior to the taking up of the Break'em All Claim. At that time my gold workings were outside the fifty acres. The claim worked by me was payable, though not so rich as the Break'em All Claim.

Mr. ACTON re-examined.

I never executed any assignment of my interest in the property referred to in this inquiry excepting R. S. Dods, and then by way of bill of sale prepared by Mr. Haggitt, solicitor, of Dunedin. All my interest that was mortgaged and mentioned in the bill of sale, with the exception of some cattle and agricultural implements sold to other parties, was sold to Mr. Wood and Mr. De Carle. Any interest that McDonald acquired was through Mr. Wood. I never signed anything direct to Mr. McDonald. Subsequently to the purchase of the property by Mr. Wood, I was present when Mr. Wood said that in purchasing the property acquired under mortgage, W. Acton to R. S. Dods, "he had become possessed of a white elephant," and he was glad to get rid of it, "and could I get a title to Acton's Flat I would give Government my commission."

Mr. De Carle purchased the mining interest and water race, and Mr. Wood the buildings and business interest. I remember at the time that Mr. Haggitt was preparing the bill of sale at Dunedin he went to the Government offices to inquire whether I could purchase the 50 acres of land, and he informed me on his return that I would not be allowed to purchase, and the bill of sale was prepared accordingly. Mr. Dods remarked in the presence of Mr. Haggitt and myself, "You see how insecure you are; you have no title to the land."

WILLIAM ACTON.

WILLIAM J. BRAITHWAITE, Storekeeper, residing at Switzers, examined.

I know the 50 acres of land the subject of this inquiry. I remember a conversation between Mr. Bastings and myself, shortly after he became possessed of the 50 acres. I intimated to him that it was rather a curious thing of him, being a gold fields member, to mix himself up in anything of the sort. He then told me, by way of apology to that, how he became possessed of the land. He said that after he agreed with McDonald for the purchase of the property, McDonald asked him what he would give him if he could get a free title to the ground. Bastings said he did not think he could get a title to it, but if he could succeed he would give him £200 or £250 or thereabouts for his trouble. McDonald then went to town, and shortly after telegraphed up to Bastings, wishing him to send down the money, as the purchase was completed. Instead of sending down a cheque to McDonald, he telegraphed to his lawyer to examine the title, and, if it was complete, to pay the money to McDonald. On another occasion subsequently I had a conversation with Bastings. This was at a time no gold was getting in Simson's Claim.

WM. J. BRAITHWAITE.

RALPH SHAW, Miner, residing at Switzers, examined.

I know the 50 acres in question. I had a conversation with Mr. Bastings about April last, opposite the Bank at Switzers. I asked him whether he would hold the 50 acres he purchased, or if he would prefer compensation; he said, "Compensation, of course." The claim was not paying at the time. I asked him (Bastings) how he got the 50 acres. He said, "McDonald asked me how much I would give him if he (McDonald) got me (Bastings) the 50 acres." Bastings said "Ridiculous; the Waste Lands Board would not sell it." McDonald said, "Never mind what the Waste Lands Board do, so long as I get you the fee-simple of the 50 acres; what will you (Bastings) give?" I replied £200, and McDonald immediately started for Dunedin. After McDonald had been in Dunedin a short time, he telegraphed to Bastings stating that his application to the Waste Lands Board was successful, and Bastings said he drew on me at sight for £200, asking me to accept, or return. Bastings declined, but telegraphed to his lawyer to inquire and see if the application for the 50 acres was granted. Bastings' lawyer answered "Yes," and he (Bastings) sent McDonald the money.

RALPH SHAW.

GEORGE SKEENE, Merchant, of Switzers, examined.

I recollect about five years ago, while in Dunedin, I met Mr. Hughes, member of the Waste Land Board, who showed me a plan which he said "W. Acton, of Switzers, had handed into him, stating that he wished to purchase 50 acres of land at Winding Creek, Switzers." Mr. Hughes asked me if I knew the locality. I said, "I know it very well." He showed me a plan by which it appeared that the 50 acres were situated outside the gold fields, or at least outside gold workings. He asked me what I thought of it. I said he must not make a mistake about it, and explained that there had been workings in the vicinity of it, and immediately adjoining the 50 acres. Hughes said, "Under these circumstances I shall go and see Acton; it is ridiculous to think of purchasing land in that locality; it was represented by Acton that it was two and a half miles from the workings." I saw Mr. Hughes some days afterwards, and he informed me that he had seen Mr. Wood (who was in town at the time), and that Mr. Wood had recommended the Government not to sell the land. Mr. Hughes said, "Had the land been out of the gold workings as represented, it might have been granted by the Board." I know the 50 acres, and am of opinion that it can be worked by miners in ordinary claims. I believe, if the lead continues through it, it would employ 100 men or thereabouts—that is, in ordinary claims. At Acton's sale the auctioneer only professed to sell the permission of the runholder to occupy the 50 acres, and enjoying the same rights as Acton previously had. I at the sale bid for the property purchased by Mr. Wood, but did not consider that I was bidding for any right to purchase the land, nor do I think that any person thought they would have any hold of the land if they had bought. It was known at the sale that Acton's application to purchase the land had been declined.