

26 would be £2 10s., and of 27, £2; 52 would be worth £7 10s. a year. A lease for twenty-one years might affect the selling value, but I do not think it would affect the annual value. Section 22 would be worth about £7 10s., and section 53 about £5. Section 66 would be worth about £5 to £7 10s. The position of section 52 is this: About twelve months ago the General Government possessed themselves of it, and have retained possession ever since. They have placed Mr. Corr's store upon it.

The COMMISSIONERS: Do you admit that they are entitled to compensation, Mr. Mackay?—Provided the decision as to the legal and equitable position is in their favour.

WITNESS: Fourteen days before Mr. Mackay claimed the section, Mr. John Draghicavich and another person offered me £210 for sections 52 and 53, which I refused, because I wanted the sections. I claim leases for them in terms of the promises made by Mr. Curtis and Mr. Sharp. If the Government retain possession of 52, I claim £150, because it was the most valuable of the two, and I assess its value by fairly apportioning the amount offered for the two sections by Mr. Draghicavich.

By Mr. MACKAY: I cannot fix the date of the offer made by Mr. Draghicavich. I was not aware that you had made up your mind to take my section. I knew that you were going to move Corr's store, but I had no special means of knowing that you were going to put it on my section. You never consulted me upon the subject. I at first refused to give up possession of the section when I was told the Government wanted it, but afterwards, upon the advice of my legal adviser, I consented to give up possession. If you say that was in January, I am quite prepared to believe it. Before I left for Wellington this time last year, I heard that Corr's store was to be put on my section, but I had no intimation to that effect from you.

The COMMISSIONERS: If you refused to give up possession, you must have had an application for the section?—The District Engineer sent an officer to take possession, but no one acting under authority from Mr. Mackay ever came to me. I don't recollect Mr. Mackay having any conversation with me upon the matter.

Mr. MACKAY: On the 18th December, 1874, I saw you at Gilmer's Hotel, and you said, "So you are going to take my section 52 to put Corr's store on?" I said "Yes;" and you made no objection to the matter then. It was either the 18th or 19th January when you gave up possession of the section; and yet you say that fourteen days before it was taken from you, you had this offer from Draghicavich.

WITNESS: I wish the Commissioners to note my statement that fourteen days before the section was taken I got this *bonâ fide* offer of £210 for the property. I telegraphed to Roberts for his consent to the sale, but he refused.

Mr. MACKAY: I say that on the 18th December you were aware, to my knowledge, that I intended to take the section, and it must have been after the 1st January that you got this offer.

The COMMISSIONERS: Now, let us put the question to you, When you got that offer from Draghicavich, had you any idea that the section would be required for the purposes of the Government?—Certainly not; neither had the person who made the offer.

Mr. MACKAY: I am in a position to contradict that.

IVATT GRAVES proved the sale of the section to John Munro in July, 1873.

P. J. MCKENNA proved that he bought section 26 from John Clarke for £5, and sold it to Mr. Munro for £42.

J. DRAGHICAVICH, sworn: I remember making Munro an offer of £200 for sections 52 and 53. It was a *bonâ fide* offer. I said he could make it £5 more if he would make up his mind to sell. I was quite prepared to pay the money when I made the offer, but I had no idea that Corr's store was going to be put on section 52.

JOHN CORR, sworn: I do not remember the date upon which Mr. Mackay took possession of section 52 for the purpose of removing my store there. I see by the agreement placed in my hands that it was on the 18th December, 1874.

Mr. MACKAY: I had been speaking to you about a fortnight before about the matter, had I not?—I daresay you had.

It was notorious. Every one knew about it?—I do not know that they did.

Mr. Munro knew, did he not?—That I cannot say.

Mr. MACKAY, sworn: During my negotiations with Corr as to the removal of his store to No. 52, he told me that Munro had had a conversation with him upon the subject; that Munro was well aware that the store was to be removed to his section. This was on the 17th or 18th of December. I also had a conversation with Munro myself upon one of those days, when he said to me, "You are going to take my section, No. 52," and I said, "Yes."

By Mr. FISHER: My object in giving this evidence is to rebut Mr. Munro's statement to-day. I do not usually take notes of what people say to me, but I do take notes of every transaction I conduct, and I have a distinct recollection of what took place in reference to this matter. I came down here to represent the Crown. I first came here in November, 1874, when I told Mr. Bowen not to collect any more rents. As representing the Crown, I had a right to do so, and it was by virtue of the same authority that I took possession of Munro's section and placed Corr's store upon it. I first told Mr. Bowen he was not to receive rent for certain sections, but I afterwards told him not to receive rent for any sections. I represent no other person but the General Government. My instructions are to recognize no legal or equitable rights to leases on this reserve. I cannot recognize any encumbrance upon it. I do not know what became of the rent received by Mr. Bowen, nor did I give him any instructions with reference to money matters. I did not promise Corr a title to section 52. He is just as much liable to be removed now as he was before. I can give you no information as to whether the people are to get any rights to their sections.

By the COMMISSIONERS: The Commissioners are the proper persons to say what the rights of the people are, and say whether they are legal or equitable.

[Case closed.]