

1876.
NEW ZEALAND.

REPORTS OF PUBLIC PETITIONS COMMITTEE.

Presented to the House of Representatives, Session 1876, and ordered to be printed.

INDEX.

PETITION.	A.	PAGE
Adams, J. A. D., and Others	...	4
Akatoa, Little, Inhabitants of	...	3
Allen, J., and Tracey, J.	...	27
Allen, J. B., and Graham, H.	...	7
Aotea, Waipa, and Raglan, Settlers of	...	6
Archer, J. W.	...	11
Arnott, J., and Kerr, J.	...	16
Ashburton, Upper Ashburton, Rakaia, and Somers Road Boards, Chairmen of	...	25
Ashley Road Board, Chairman and Members of the	...	23
Auckland and Parnell, Inhabitants of	...	17
Auckland, Bishop and Clergy of Church of England at	...	3
Auckland, Captains, Merchants, Shipowners, and Others of	...	6
Auckland Gas Company	...	12
Auckland, Inhabitants of (No. 1)	...	10
Auckland, Inhabitants of (No. 2)	...	8
Auckland, Mayor of the City of	...	23
Auckland Province, Settlers on East Coast of the	...	13
Awamoko and other Districts, Settlers in the	...	15
	B.	
Banks Peninsula, Inhabitants of, (No. 1)	...	3
Banks Peninsula, Inhabitants of, (No. 2)	...	30
Barlow, W., and Small, J. S.	...	9
Barnes, G. H.	...	1
Baron Charles de Thierry	...	6
Bauke, H.	...	20
Beere, W. H.	...	20
Bishop and Clergy of Church of England, Auckland	...	3
Boyce, J., and Others	...	22
Brighton and Green Island, Landowners and Ratepayers at	...	12
Broderick, J.	...	21
Brogden and Sons	...	30
Brown, J., Nichol, J., and Damant, M.	...	22
Buchanan, W.	...	9
	C.	
Campbell, D., and Others	...	4
Captains, Merchants, Shipowners, and Others of Auckland	...	6
Carleton and Cust Districts, Residents in the	...	7
Carnarvon, Sandon, Palmerston, and Foxton, Settlers of	...	16
Carriers, Farmers, and Others, Province of Canterbury	...	11
Catholic Church, Parnell, Members of the	...	11
Catlin's River, Settlers at	...	27
Caversham, Landowners and Electors in the Electoral District of	...	2
Caversham Road Board, Members of the	...	7
Caversham Road District, Inhabitants of the	...	7
Christchurch, Male and Female Residents of	...	7
Church of England, Bishop and Clergy of, Auckland	...	3
Clutha District, Settlers and Residents in the	...	10
Coal Mine, Lessees of the Kamo	...	24
Coffey, M. F.	...	18
Connell, J. A., and Moodie, J.	...	13
Courtney and Halkett, Residents in the District of	...	11
Craig, T.	...	21

I.—6.

II.

PETITION.	D.	PAGE
Dalton, W. J.	24
Damant, M., Nichol, J., and Brown, J.	22
De Thierry, Baron Charles	6
De Thierry, G. H.	16
Dilworth, J.	18
Dihars, L.	22
Douglas, J.	16
Dunedin, Citizens of	25
Dunedin, Inhabitants of	8
Dunedin, Mayor and Council of (with minutes of evidence)	33
Dunstan, Residents in Electoral District of	12
E.		
East Coast, Province of Auckland, Settlers on the	13
East Coast, Province of Wellington, Settlers on the	2
Education, Central Board of, Nelson	3
F.		
Farmers, Carriers, and Others, Province of Canterbury	11
Farnall, H. W. (on Petition No. 1)	11
Farnall, H. W. (No. 1 on Petition No. 2)	14
Farnall, H. W. (No. 2 on Petition No. 2)	19
Farr, T., and Others	28
Fern Town School Committee	9
Final Report	32
Foley, E. and D.	9
Foxton, Sandon, Carnarvon, and Palmerston, Settlers of	16
Fraser, J. D.	6
G.		
Gas Company, Auckland	12
Gas Company, Thames	12
Giffard, R. P.	16
Gill, W., Tudehope, A., and Harker, J.	1
Godfrey, J.	31
Goodfellow, J.	11
Graham, H., and Allen, J. B.	7
Grahamstown and Tairua, Inhabitants of	25
Grahamstown Borough Council	28
Grahamstown, Representatives of a Meeting at	26
Green Island and Brighton, Landowners and Ratepayers at	12
Greymouth and Hokitika Tramway Company	10
H.		
Halkett and Courtney, Residents in the Districts of	11
Harding, J.	8
Harker, J., Gill, W., and Tudehope, A.	1
Heberley, J.	29
Hokitika and Greymouth Tramway Company	10
Hospital, Wairarapa, Committee of Management of	24
Hutt, W., and Others	15
I.		
Immigrants, C. Schröder and Other	4
Iveson, C., and Others living on the Banks of the Wanganui River	19
J.		
Jackson, J.	10
Jackson's Bay, A. Stenhouse and Other Residents at	26
Jones, J., and McMillan, R.	30
Jones, J. P., and Others	4
Joyce, T.	17
K.		
Kaipoi, Lyttelton, and Leathfield, Residents in	7
Kaipoi, West Eyreton, and Oxford, Inhabitants of	25
Kaikoura, Settlers of	17
Kaipara District, Residents in the	23
Kaipara District, Settlers in the	23
Kakanui Harbour Board, Members of the	19
Kamo Coal Mine, Lessees of the	24
Katikati Highway District, Ratepayers of the	25
Kaukapakapa, Settlers of	8
Kelling, C., and Others	14
Kelly, M. A.	5
Kensington and South Dunedin, Inhabitants of	7
Kerr, J., and Arnott, J.	16
Kilmister, J. and H.	9
L.		
Laney, J.	9
Le Bons Bay, Inhabitants of	3
Leedom, T.	31
Little Akaloa, Inhabitants of	3

PETITION.

	PAGE
Lumb, G., Settlers of Otago, relative to Appointment of	14
Lundon, J.	28
Lyttelton, Leathfield, and Kaiapoi, Residents in	7

M.

Macartney, D.	1
Mackay, A.	10
Mahoney, P.	1
Mahurangi, Residents of	24
Malvern District, Inhabitants of	26
Manawatu District, Settlers in the (No. 1)	24
Manawatu District, Settlers in the (No. 2)	22
Manawatu District, Settlers in Townships in the	16
Marsden, Settlers in County of	2
Marsden, Settlers of Wairau, County of	25
Mataura, Lower, Inhabitants of Wyndham and other Parts of	26
Maxwell, W.	27
McCombie, Ellen, now Tourney	23
McCreery, N.	29
McDermott, P.	15
McGaven, G.	28
McKay, J.	18
McKeever, W.	13
McKellar, J., and Others	6
McKensey, J.	22
McKnight, R.	3
McLeod, J.	10
McManus, E.	15
McMillan, R., and Jones, J.	30
Melanesian Trust, Trustees of the	14
Merchants, Captains, Shipowners, and Others of Auckland	6
Miller, J. P.	4
Moa Flat, Residents at	24
Moodie, J., and Connell, J. A.	13
Moore, C. G., and Others	29
Moran, J.	19
Morris, G. B.	23
Motueka, Inhabitants of	4
Motueka Valley Road Board, Members of the	2
Mount Ida District, Residents in the	12
Muir, J.	25
Murphy, J.	20

N.

Nelson Central Board of Education	3
New Plymouth, Chairman and Members of Town Board of	13
New Plymouth, Pioneer Settlers of	2
Ngaruawahia, Settlers of	5
Nichol, J., Damant, M., and Brown, J.	22

O.

O'Connor, E.	21
O'Connor, M.	21
O'Donoghue, D.	12
Okain's Bay, Inhabitants of	3
O'Neill, A.	24
Otago, Settlers of, relative to Appointment of G. Lumb	14
Otago, Western, Landowners and Traders of	11
Otauhu Highway District Board, Members of the	15
Oxford, Kaiapoi, and West Eyreton, Inhabitants of	25

P.

Palmerston, Sandon, Carnarvon, and Foxton, Settlers of	16
Parnell and Auckland, Inhabitants of	17
Parnell, Members of the Roman Catholic Church at	11
Pavletich, T. (No. 1)	3
Pavletich, T. (No. 2)	4
Peninsula District, Otago, Landowners and Householdors in the	6
Petrie, J.	16
Phillips, C. (with Petition and Minutes of Evidence)	45
Piako and Waikato, Inhabitants of	26
Pioneer Settlers of New Plymouth	2
Port Chalmers, Electors of	24
Potaua, Hori, and Others	5
Poverty Bay, Settlers of	24
Power, E. H.	30
Pritchard, C. E.	14
Pukekohe Railway Station, Chairmen and Members of Road Boards near the	5
Purau Bay, Residents and Owners of Property in	3

Q.

Queenstown, Wakatipu, Freeholders, Traders, and Other Residents of	13
--	----

R.

Raglan and Waipa, Settlers of	28
Raglan, Waipa, and Aotea, Settlers of	6
Rakaia, Ashburton, Upper Ashburton, and Somers Road Boards, Chairmen of the	25

PETITION.	PAGE
Raleigh Town Board, Chairman of the	27
Rattray, W.	12
Reid, H. J.	23
Reid, H., Sisson, R., and Whitelaw, J.	2
Report, Final	32
Reynolds, F., and Others	3
Rhodes, R. H., and Wilkin, R.	19
Rochfort, S. (No. 1)	21
Rochfort, S. (No. 2)	20
Roman Catholic Church, Parnell, Members of the	11
Roslyn, Residents, Ratepayers, and Landowners in the District of	17
Rowley, S. G.	14
Russell, H. R.	30
Rutherford, R., and Other Members of the Caversham Road Board	7

S.

Sanderson, T., and Others	26
Sandon, Carnarvon, Palmerston, and Foxton, Settlers of	16
Schröder, C., and Other Immigrants	4
Shearer, J.	20
Sheehy, M.	20
Shipowners, Captains, Merchants, and Others of Auckland	6
Sisson, R., Reid, H., and Whitelaw, J.	2
Small, J. S., and Barlow, W.	9
Smith, J., and Others	8
Smythies, H.	8
Somers, Ashburton, Upper Ashburton, and Rakaia Road Boards, Chairmen of the	25
South Dunedin and Kensington, Inhabitants of	7
South Dunedin Municipality, Mayor and Council of the	7
South Dunedin, Ratepayers of	4
Southland, Owners and Occupiers of Land in	28
Stalker, James	6
Stead, L. T.	17
Stenhouse, A., and Others	26
Stevens, F. W.	24
Stewart, P.	17
Stitt, A.	18
St. Kilda Municipality, Mayor and Council of the	7
St. Kilda, Ratepayers of	4
Switzers, Residents at	19
Symons, J., and Others	9

T.

Tairua and Grahamstown, Inhabitants of	25
Taiwhanga, H.	29
Tauranga, Settlers of	26
Taylor, J.	31
Te Whaua, H., and Others	25
Thames District, Inhabitants of the	4
Thames Gas Company	12
Thames Highway Boards	24
Thompson, A.	10
Thompson, J., and Others	4
Thorp, J. W.	22
Timms, W.	3
Tourney, Ellen, formerly McCombie	23
Town Board of New Plymouth, Chairman and Members of the	13
Tracey, J., and Allen, J.	27
Tramway Company, Hokitika and Greymouth	10
Triphook, T. D.	13
Tucker, F.	2
Tudehope, A., Gill, W., and Harker, J.	1
Tulman, Brothers	13

W.

Waikato and Piako, Inhabitants of	26
Waioatahi Road District, Chairman and Members of the	24
Waipa and Raglan, Settlers of	28
Waipa and Waikato, Settlers and Residents in	3
Waipa, Raglan, and Aotea	6
Waipu and the Surrounding District, Settlers of	2
Wairarapa Cottage Hospital, Committee of Management of	24
Wairau, County of Marsden, Settlers of	25
Waitepeka, Settlers of	7
Waiuku, Settlers of	8
Wanganui River, C. Iveson and Others living on the Banks of the	19
Wangarei and Wairoa, Chairman and Settlers of	2
Wardell, T. J.	15
Webster, F. L., Chairman of the Raleigh Town Board	27
Wellington Province, Settlers on the East Coast of the	2
Western Otago, Landowners and Traders of	11
West Eyreton, Kaiapoi, and Oxford, Inhabitants of	25
Westport, Residents in the Town of	27
White, J.	13
Whitelaw, J., Sisson, R., and Reid, H.	2
Wilkin, R., and Rhodes, R. H.	19
Wilkinson, W. F.	29
Wilson, J. C., and Others	8
Wyndham and Other Parts of Lower Mataura, Inhabitants of	26

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REPORT ON PETITION of WILLIAM GILL, ARCHIBALD TUDEHOPE, and JOHN HARKER.

THE petitioners pray that compensation be made to them for loss sustained in defending actions brought against them by the Auckland Improvement Commissioners, for removing buildings from land belonging to the Commissioners, for which the petitioners had contracted with the Colonial Government.

The Committee having taken evidence in the matter, directed me to report as follows:—The Committee recommend that the petitioners be paid the sum of £80 2s. 9d. for legal costs, attendance at Courts, and compensation for loss of time incurred in defending actions taken against them by the Auckland Improvement Commissioners.

29th June, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of GEORGE HENRY BARNES.

THE petitioner prays that the House will redress his grievance in the matter of a loss of £129 19s. 6d., being money collected by him, as Bailiff, after office hours, on Saturday, 29th May, 1875, and stolen from the cupboard in his office, where he placed it for safety, between that time and Monday the 31st.

The Committee, having taken evidence in this matter, have directed me to report as follows, viz.,—That the Committee consider that, under the circumstances of the case, the petitioner ought to be reimbursed all the money proved to have been collected by him, after office hours, on the 29th May, 1875.

29th June, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of DAVID MACARTNEY.

THE petitioner states that he took his discharge from the Imperial army, in New Zealand, believing that he would obtain 60 acres of land, but he found that he could not obtain the usual grant of land given to discharged soldiers in Wellington. He prays that relief be afforded him.

The Committee have made inquiry into this case, and find that the Act which allowed discharged soldiers to obtain land in the Province of Wellington was repealed some years before petitioner took his discharge.

I am directed to report that this Committee find, on inquiry, that the petitioner was not entitled by law to select land when he took his discharge, and they cannot therefore recommend his prayer to the favourable consideration of the House.

4th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of PATRICK MAHONEY.

PETITIONER states that he took his discharge from the 57th Regiment, at Wanganui, in the year 1865, to reside in Canterbury; that he continued to reside in Wanganui, and did not take up his land. He prays that land be allotted to him.

The Committee have made inquiry into petitioner's case, and find that he could not have obtained land in Canterbury as a discharged soldier; and if he had taken his discharge to settle in Wellington, the Act allowing discharged soldiers to select land had been repealed previously.

I am directed to report that the Committee find, on inquiry, that the petitioner was not entitled by law to select land when he took his discharge, and they cannot therefore recommend his prayer to the favourable consideration of the House.

4th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of PIONEER SETTLERS of NEW PLYMOUTH.

THE petitioners state that they are a portion of the pioneer settlers of New Plymouth, and were promised by the Plymouth Company grants of an acre of land as an inducement to emigrate to New Zealand; that they were in possession of land in New Plymouth, and were subsequently dispossessed. They pray that compensation be given them.

The Committee have taken all the evidence procurable on this case, and have directed me to report that, no evidence having been submitted to show that the petitioners have a claim against the colony, the Committee cannot recommend the prayer of the petitioners to the favorable consideration of the House.

4th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of FRANCES TUCKER.

THE petitioner states that she was employed in the Telegraph Department at Nelson, and that her services were dispensed with on account of ill-health. That such ill-health was brought on by the bad sanitary condition of the Nelson office, and prays that an inquiry be instituted and redress accorded to her.

The Committee have taken evidence on this matter, and have directed me to report that they have no recommendation to make, as the matter is one of Executive administration.

4th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of CHAIRMAN and SETTLERS of WANGAREI and WAIBOA, County of Marsden; SETTLERS in WAIPU and surrounding District, County of Marsden; RICHARD SISSON, H. REID, and JAMES WHITELAW, County of Marsden.

THE petitioners pray for the construction of roads and other public works in various places within the county, in order to open up the unsold waste lands and coal mines, and to give greater facilities for the transit of agricultural produce.

The Committee, having taken evidence on the subject-matter of the above petitions, have directed me to report that, considering the extent and population of the County of Marsden, the expenditure of public money within the county has been insufficient; but the Committee, believing the question to be one of public policy, cannot do more than recommend the prayer of the petitioners to the favourable consideration of the Government and the House.

5th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of LANDOWNERS and RESIDENTS in the present Electoral District of Caversham.

THE petitioners prays that the boundaries of the Caversham and Roslyn Electoral Districts be altered so as to include them in the Roslyn Electoral District.

I am directed to report that the subject-matter of this petition forms part of the large question of the readjustment of the boundaries of electoral districts throughout the colony. In the opinion of this Committee, there is no pressing necessity for an alteration in this particular case until the whole question is dealt with by a Special Committee or otherwise, as the House may direct; and the Committee direct the attention of the Government to the matter.

6th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of MEMBERS of the MOTUEKA VALLEY ROAD BOARD.

THE petitioners enumerate the public works which are urgently needed within their district, and pray that a special grant be made to the district for the construction of roads.

The Committee, having taken evidence on the subject, have directed me to report that, pending the decision of the House as to the construction and management of local and main roads, the Committee have no recommendation to make.

6th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of SETTLERS on the EAST COAST of WELLINGTON PROVINCE.

THE petitioners pray to be relieved from payment of educational rates, from which they receive no benefit.

I am directed to report that, as it appears probable that the House will have an opportunity of dealing with the subject of education during the session, the Committee have no recommendation to make.

6th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of CENTRAL BOARD of EDUCATION, NELSON.

THE petitioners pray that no general alteration be made in the existing system of primary education in the Province of Nelson without allowing the petitioners full opportunity of considering the proposed change, and addressing the House on the subject.

I am directed to report that the Committee recommend the prayer of the petition to the favourable consideration of the House.

6th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of RESIDENTS and OWNERS of PROPERTY in PURAN BAY, BANKS PENINSULA; INHABITANTS of OKAIN'S, LITTLE AKALOA, and LE BON'S BAY; and RESIDENTS in LITTLE AKALOA.

THE above-mentioned petitioners pray that greater facilities be given to them for communicating by sea, by the means of subsidized boats, with the Port of Lyttelton.

The Committee, having taken evidence on the subject-matter of these petitions, have directed me to report that, pending the decision of the House as to the distribution of provincial revenues, the Committee have no recommendation to make.

6th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of SETTLERS and RESIDENTS in WAIPA and WAIKATO.

THE petitioners pray that the agreement entered into by the Government with the purchasers of the Piako Swamp lands, be given legal effect to.

I am directed to report that the question having already been considered and dealt with by the House, the Committee have no recommendation to make.

6th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of WILLIAM TIMMS.

THE petitioner states that during the Native war, in 1869, he got wounded at Waitotara, and prays that a grant of land be given to him, as was given to the man who was wounded at Turu Turu Mokai.

The Committee have taken evidence on this case, and it appears that the petitioner has received a pension for life at the rate of 1s. 6d. per diem, and that the grant of 20 acres of land was given to men who defended the redoubt at Turu Turu Mokai, for special and distinguished gallantry.

I am directed to report that the Committee are of opinion that the petitioner is not entitled to any special consideration, and they cannot therefore recommend his prayer to the favourable consideration of the House.

6th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of ROBERT MCKNIGHT.

THE petitioner states that he took his discharge from the 58th Regiment in 1858, for the purpose of settling in the Australian Colonies, believing that he could obtain a grant of 60 acres of land, and prays that the same be granted to him.

The Committee have taken evidence on the subject, and it appears that the petitioner did not comply with the requirements of the Waste Lands Act, which enabled soldiers of the Imperial army, who took their discharge to settle in any particular province, to obtain a grant of land. There was also ample opportunity for the petitioner to select land from 1859 to 1863, if he was by law entitled.

I am directed to report that the Committee cannot recommend the prayer of the petitioner to the favourable consideration of the House.

6th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of the BISHOP and CLERGY of the Church of England, Auckland.

THE petitioners pray that no greater facilities be given than at present exist for the sale of intoxicating liquors on Sunday.

I am directed to report that the Committee have no recommendation to make to the House on the subject-matter of this petition.

6th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of FRANCES REYNOLDS and 2,000 Others.

THE petitioners pray that greater powers of objecting to the issue of new licenses for the sale of intoxicating liquor be given to persons residing in the vicinity of the house for which the license is applied for.

I am directed to report that the Committee have no recommendation to make to the House on the subject-matter of this petition.

6th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of THOMAS PAVLETICH.

THE petitioner prays that measures be adopted to secure better steam communication with the Australian Colonies.

I am directed to report that the Committee consider that the subject-matter of the petition is a question for the consideration of the Government, and the Committee have no recommendation to make to the House.

7th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JAMES POLAND MILLAR.

THE petitioner prays that "The Otago Presbyterian Church Conveyance Validation Act, 1876," be not passed into law in its present shape.

I am directed to report that the Committee see no reason to express any opinion to the House on the subject-matter of the petition.

13th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JOHN PUGH JONES and Others, Ratepayers of St. Kilda; DUGALD CAMPBELL and Others, Ratepayers of South Dunedin.

THE petitioners state that great injustice will be inflicted on them if any action is taken to carry out drainage works undertaken by them.

I am directed to report that the subject-matter of this petition having been considered by a Committee specially selected by the House for the purpose, and that Committee having made a report, this Committee do not think it necessary to offer any opinion to the House.

13th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JOHN A. D. ADAMS and 1,757 Others, Inhabitants of Otago.

THE petitioners pray that the opinion of the inhabitants of any Licensing District be taken with respect to the granting of a license, in the usual electoral manner.

I am directed to report that the Committee have no recommendation to make to the House on the subject-matter of this petition.

13th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JOSEPH THOMPSON.

THE petitioner states that he served in the 57th Regiment during the Maori war, from 1861, and with the Wellington Volunteers under Colonel McDonnell; that he is unable to do hard work, and prays for consideration.

The Committee, having taken evidence in the case of the petitioner, have directed me to report that the Committee cannot recommend the prayer of the petitioner to the favourable consideration of the House.

13th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of INHABITANTS of MOTUEKA.

THE petitioners pray that a subsidy be granted for regular steam communication between Nelson, Motueka, and Golden Bay.

I am directed to report that, pending the decision of the House as to the distribution of the provincial revenues, the Committee have no recommendation to make.

13th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of C. SCHRODER and other IMMIGRANTS.

THE petitioners state that they were induced to emigrate and pay their own passages, believing that they could obtain land orders that would be useful to them when they landed, but that, on arriving in the colony, they find that they can obtain no land that they can utilize, and they pray for relief.

The Committee have taken evidence in the case of the petitioners, and, having carefully considered the question in its general bearing, have directed me to report as follows:—

The Committee are of opinion that the present system of granting land to immigrants who have paid their own passage to the colony is not calculated to promote the settlement of the waste lands, and that for the future it should be discontinued.

That, with respect to the settlement of claims that have already been exercised, the Committee are of opinion that actual residence on the land should not be insisted on, but that improvements should be enforced.

That claims which have been registered, or which may hereafter be registered, should be converted into land scrip available for the purchase of any waste land open for sale, and in payment for land sold on deferred payments, subject to improvements.

14th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of THOMAS PAVLETICH.

THE petitioner states that, in the course of his business as a licensed victualler, he has been made aware of the evils arising from the present system of pawnbroking, as large numbers of the people pawn

everything for drink, leaving their children a burden to the community, and themselves a pest to society.

He prays that the matter have the consideration of the House.

I have been directed to report that it appears not unreasonable to suppose, from the allegations of the petitioner, that the evils complained of are induced more by his own business, that of a publican than by the existing system of pawnbroking, and that the remedy might be found in a direction not contemplated by the petitioner. The Committee have no recommendation to make.

T. KELLY,
Chairman.

18th July, 1876.

REPORT ON PETITION of HORI POTAU and 3 Others.

THE petitioners state that they have done some road work for the Government, and are entitled to the sum of £23 11s. 6d., and pray that they be paid.

I am directed to report that the Committee have made inquiry, and cannot obtain any evidence on the matter; the Committee, therefore, recommend that the Government make inquiry into the subject, and if the Natives are found to be entitled to payment for work done, that payment be made accordingly.

T. KELLY,
Chairman.

18th July, 1876.

REPORT ON PETITION of 1,219 INHABITANTS of the THAMES DISTRICT.

THE petitioners pray that no greater facilities be given for liquor traffic on Sunday than at present exist.

I am directed to report that, should any proposition come before the Legislature to legalize the sale of spirituous liquors on the Sunday, this petition be recommended to the favourable consideration of the House.

T. KELLY,
Chairman.

18th July, 1876.

REPORT on the PETITION of 1,088 INHABITANTS of the THAMES DISTRICT.

THE petitioners pray for such an alteration of the licensing law as will give effective power to two-thirds of the residents in any licensing district to prohibit the issuing of licenses for the sale of intoxicating liquors.

I am directed to report that the subject-matter of this petition being now under the consideration of the Legislature, the Committee recommend the petition to the consideration of the House.

T. KELLY,
Chairman.

18th July, 1876.

REPORT ON PETITION of CHAIRMEN and MEMBERS of ROAD BOARDS near the Pukekohe Railway Station.

THE petitioners pray that the road to the railway station be metalled, and that a special grant be made for the purpose.

I am directed to report that, pending the decision of the House as to the construction and management of local and main Road Boards, the Committee have no recommendation to make.

T. KELLY,
Chairman.

20th July, 1876.

REPORT ON PETITION of 85 SETTLERS of NGARUAWAHIA.

THE petitioners pray that the upset price of the suburban land at Newcastle be reduced, from the present prohibitory price, to from £2 to £5 an acre.

The Committee have made inquiry into the case of the petitioners, and directed me to report that, as the colony is expending a considerable sum of money in constructing a line of railway into the district, the Committee are of opinion that the Government are justified in declining to reduce the present upset price of suburban land in the vicinity of Newcastle.

T. KELLY,
Chairman.

20th July, 1876.

REPORT ON PETITION of MARY ANN KELLY.

THE petitioner prays that compensation be granted on account of special services rendered by her late husband in improving the registering of documents in the Registrar of Deeds Department.

The Committee, having made further inquiry into this case, have directed me to report that, having made a recommendation in the petitioner's case during the last Session of Parliament, they do not consider it necessary to take any further action in the matter.

T. KELLY,
Chairman.

20th July, 1876.

REPORT ON PETITION of SETTLERS of WAIPA, RAGLAN, and AOTEA.

THE petitioners pray that a line of road be made to connect the settlements of Raglan and Aotea with the Waikato District.

The Committee, having taken evidence on the matter, have directed me to report as follows:—The Committee consider that the construction of this road is desirable, but, pending the decision of the House as to the distribution of provincial revenues, the Committee have no special recommendation to make.

20th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of J. D. FRASER.

THE petitioner prays that he be refunded the sum of £200, which he forfeited because he did not provide sureties for the performance of a contract, for which he tendered within a specified time.

The Committee have taken evidence on the petitioner's case, and have directed me to report as follows:—It appears, from the evidence, that the petitioner did not comply with the conditions on which he tendered for performing the contract, and, as the forfeiture of the deposit is in accordance with the usual rule of the Public Works Department, the Committee cannot recommend his prayer to the favourable consideration of the House.

20th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JOHN McKELLAR and Others.

THE petitioners pray that the building at present occupied as Court House and Gaol at Switzer's, be removed to Waikaia, for the greater convenience of the public.

I am directed to report that the Committee are of opinion that the petition be referred to the Government for inquiry and consideration.

20th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of LANDOWNERS and HOUSEHOLDERS, Peninsula District, Otago.

THE petitioners pray that the construction of the Dunedin, Peninsula, and Ocean Beach Railway be prevented, on the ground that it will injuriously affect their interest.

The Committee have taken evidence on the matter, and find that ample opportunity was given to the petitioners to object to the present line of railway, and that, with few exceptions, they neglected to do so.

I am directed to report that the Committee are of opinion that the prayer of the petitioners is not entitled to the favourable consideration of the House.

20th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of CAPTAINS, SHIPOWNERS, MERCHANTS, and Others.

THE petitioners pray that a lighthouse be erected on Busby Head, Whangarei.

I am directed to report that the subject-matter of this petition is one for the consideration of the Government.

20th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JAMES STALKER.

THE petitioner is a signalman at Cobden, and states that he has no boat provided for performing his duties, and that his salary has been reduced. He prays that a boat be provided him, and relief afforded.

I am directed to report that, as the case of the petitioner is one for the consideration of the Provincial Governments of Nelson and Westland, the Committee have no recommendation to make.

26th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of CHARLES BARON DE THIERRY.

THE petitioner states that he has made application to the Government to be appointed a Native interpreter, and that his application has not been granted, and that no opportunity has been given him to explain or defend any conduct on his part, which may have been the grounds for refusal by the Government. He prays that inquiry be made into the allegations he has made, and relief afforded him.

The Committee, having made inquiry into petitioner's case, have directed me to report as follows:—

The Committee are of opinion that the petitioner has been hardly used by the refusal of the Government to appoint him a Native interpreter; the more so as he has been deprived of the means of obtaining a livelihood, without being informed of the reasons for such refusal. The Committee are also of opinion that the interests of both races would be better attended to if every competent person who made an application was appointed a Native interpreter, instead of, as at present, allowing the appointment to rest solely with the Government.

The Committee therefore recommend that the petitioner's application to be appointed a Native interpreter be granted, and that the present system be at once discontinued; or, if it is deemed expedient to place some check on the appointments, the examination as to general competency should then be conducted by some non-political body, whose decision should be final.

26th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION OF ROBERT RUTHERFORD and other MEMBERS of the CAVERSHAM ROAD BOARD, INHABITANTS of KENSINGTON and SOUTH DUNEDIN, and two PETITIONS of INHABITANTS of CAVERSHAM ROAD DISTRICT.

THE petitioners state generally that they are averse to a portion of the Caversham Road District being included in the boundaries of St. Kilda and South Dunedin Municipality, and pray that the House will refuse to allow more than one local government in the Caversham District.

I am directed to report that the Committee do not think it necessary to make any recommendation to the House on the subject-matter of these petitions.

26th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITIONS of the MAYOR and COUNCIL of SOUTH DUNEDIN MUNICIPALITY, and MAYOR and COUNCIL of ST. KILDA MUNICIPALITY.

THE petitioners pray that relief be granted them, by the passing of a Bill to validate a Proclamation by the Superintendent of Otago, creating their respective Municipalities.

I am directed to report that the Committee do not think it necessary to make any recommendation to the House on the subject-matter of these petitions.

26th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of RESIDENTS in the CARLETON and CUST DISTRICTS.

THE petitioners pray that the West Eyreton Railway be completed to Bennett's Station, on the Rangiora and Oxford line, and that a goods shed be erected at Bennett's Station.

The Committee, having inquired into the subject-matter of the petition, have directed me to report as follows:—That, when the colony undertakes the construction of branch railways, this line is one which deserves favourable consideration.

26th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of HUGH GRAHAM and JOHN B. ALLEN.

THE petitioners state that they constructed two and a half miles of road in the Reefton District, at a cost of £700, and thus saved the local Board an expenditure of £300 in the construction of a public road. They pray that relief be afforded them.

The Committee, having made inquiry into the subject, have directed me to report that, as the matter is one for the consideration of the local governing body, the Committee cannot recommend the prayer of the petitioners to the favourable consideration of the House.

26th July, 1876.

T. KELLY,
Chairman.

REPORT ON PETITIONS of RESIDENTS in LYTTLETON, LEITHFIELD, and KAIAPOI; SETTLERS of RANGIORA and Neighbourhood; and Male and Female RESIDENTS of CHRISTCHURCH and Vicinity.

PETITIONERS pray that no measures be sanctioned for extending the hours during which alcoholic liquors may be sold, or for the opening of public-houses on Sunday.

They also pray that Justices of the Peace and police officers may have the right to enter licensed houses by other doors than the front, so as more effectually to prevent gambling and other breaches of the law.

I am directed to report that, should any proposal come before the Legislature to increase the hours for the sale of intoxicating liquors, these petitions be recommended to the consideration of the House.

1st August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of SETTLERS of WAITEPEKA.

THE petitioners pray that the Southern Trunk Line of Railway be taken through the Waitepeka Valley, instead of by the route proposed by the Government.

Having taken evidence on the subject-matter of the petition, the Committee have directed me to report as follows:—

That the line by Waitepeka, while it will only increase the distance by one mile, at an estimated cost of from £12,000 to £17,000, will benefit a much larger number of people than the Four-Mile Creek route.

That a branch line of railway would serve the petitioners better than this deviation, while the line by the Four-Mile Creek would be the best for the general public.

That, unless such branch line is made, the petitioners have a claim to favourable consideration.

8th August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of J. CRACROFT WILSON and Others.

THE petitioners pray for the construction of a bridge across the River Waiau, in the Amuri District.

I am directed to report that the Committee are of opinion that the subject-matter of this petition involves a question of policy with respect to the construction of public works, on which the Committee do not consider it necessary to offer any opinion to the House.

8th August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of INHABITANTS of the PROVINCE of AUCKLAND.

THE petitioners are in favour of a Permissive Licensing Bill, and pray for certain alterations in the law relating to the sale of spirituous liquors.

I am directed to report that the Committee have no recommendation to make to the House on the subject-matter of this petition.

8th August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of INHABITANTS of DUNEDIN.

THE petitioners pray that the House will not pass the Bill known as "The Local Option Licensing Act, 1876," on the grounds that some of its provisions are arbitrary and tyrannical.

I am directed to report that the Committee have no recommendation to make to the House on the subject-matter of this petition.

8th August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JOSEPH HARDING.

THE petitioner prays that relief be afforded him because of loss sustained in consequence of the pressure of a new Licensing Act, under which he could not obtain a renewal of his license.

I am directed to report that the Committee cannot recommend the House to interfere with the action of the Licensing Bench in the petitioner's case.

8th August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITIONS of JAMES SMITH and Others, and HENRY SMYTHIES.

THE Committee, having carefully considered the case of the petitioners, have directed me to report that "The Law Practitioners Act, 1871," should be altered as indicated by the following clauses, viz.,—

"Notwithstanding anything in section 8 of the said Act, the period for which the further hearing of the petition shall be adjourned, shall be forty-five days, and the said section shall read as if the words 'forty-five days' were inserted therein, instead of the words 'one calendar month.'"

"Notwithstanding anything in section 9 of the said Act, the petitioner shall cause at least forty days' notice to be given, instead of thirty days, as in the said section is provided, and the words 'thirty days' in the said section shall be read as if the words 'forty days' were inserted therein, instead of the words 'thirty days.'"

"At the adjourned hearing, the Judges shall only receive evidence to establish such facts and circumstances as shall have been mentioned to the petitioner by the Judge at the first hearing, or notice of which shall have been given to the petitioner, either by serving the same personally on him, or by leaving the same with the Registrar of the Supreme Court, at the place at which his application shall originally have been made, at least ten days before the day appointed for the adjourned hearing."

"No person shall be prevented from again applying to be re-admitted, as provided for by the said Act and this Act, on account only of his having made an application previously to the passing of this Act; and any Judge shall have power, upon an *ex parte* application, at any time to allow any person, the prayer of whose petition shall have been refused, to again petition the Supreme Court upon sufficient grounds disclosed in affidavits filed by the petitioner."

17th August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITIONS of SETTLERS of KAUKAPAKAPA, and SETTLERS of WAIUKU.

THE petitioners pray that a telegraph station be established in their districts.

I am directed to report that these petitions be recommended to the favourable consideration of the House.

22nd August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JOHN and HENRY KILMISTER.

THE petitioners pray that relief be afforded them. That in consequence of erroneous information being afforded them as to the boundaries of their land, they built their homesteads and made clearings in an adjoining Native Reserve.

I am directed to report that the Committee are of opinion that the petitioners are entitled to consideration, and recommend that the Government purchase that portion of the Native Reserve, consisting of 47 acres, occupied by the petitioners under the impression that it included land purchased by them from the Provincial Government; the petitioners being charged for such purchase the present value of the land without improvement.

22nd August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JOHN SYMONS and Others.

THE petitioners state that they bought land in the Township of Westport, fronting the Coal Reserve, on the understanding that such reserve would only be dealt with for the purposes for which it was made. That such reserve has been dealt with, by occupation, by holders of business licenses, by which petitioners are injured.

I am directed to report that the Committee cannot recommend the prayer of the petitioners to the favourable consideration of the House.

22nd August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of EDMUND and DENIS FOLEY.

THE petitioners claim compensation on account of loss sustained by having to pay for survey of Native land, and payments on account of rent, which the Natives concerned agreed to lease to petitioners, but which was subsequently purchased by the Government.

I am directed to report that the Committee are of opinion that the petitioners have some claim for consideration; they therefore recommend the Government to make inquiry into their case.

22nd August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of WILLIAM BUCHANAN.

THE petitioner prays that 40 acres of land be awarded him, which he was entitled to select under an Auckland land order.

I am directed to report that, in the opinion of the Committee, the petitioner's case is entitled to consideration; and they recommend that legislative power be given to the Provincial Government of Auckland to inquire into this and similar cases, and to award land out of the provincial estate, if, after inquiry, it appears desirable to do so.

22nd August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of FERN TOWN SCHOOL COMMITTEE.

THE petitioners state that the Education Bill before the House is subversive of the principle "that the State should educate," and pray that the Bill be not allowed to pass.

I am directed to report that the Committee have no recommendation to make on the subject-matter of this petition.

22nd August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of J. S. SMALL and W. BARLOW.

THE petitioners state that, becoming aware that misappropriation of public property was being made in the Engineer Volunteer and Militia Corps, they made the Government acquainted with it, which resulted in an officer being found guilty, and another officer found innocent, contrary to the evidence. That as petitioners lost their position in the corps, and incurred great personal expense, they pray that the House will afford them relief.

I am directed to report that the Committee are of opinion that the Government should make inquiry into the petitioners' case, and award reasonable compensation for expenses incurred by them.

22nd August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JAMES LANEY.

PETITIONER prays that compensation be given him on account of injuries he sustained by an attack made on him by a Native a short time before the massacre of Timothy Sullivan.

I am directed to report that the Committee do not consider it necessary to alter the decision arrived at during the last Session of the Assembly.

22nd August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of INHABITANTS of the PROVINCE of AUCKLAND.

THE petitioners state that they look with alarm on any attempt to legalize the sale of intoxicating liquors on Sunday. They pray that no further facilities be given; but that if any alteration is made in the law, it will be in the direction of making the prohibition of the liquor traffic on Sunday more effective.

I am directed to report that, should any proposition come before the Legislature to legalize the sale of spirituous liquors on Sunday, this petition be recommended to the favourable consideration of the House.

22nd August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of ANDREW THOMPSON.

THE petitioner prays that his grievances against the Provincial Government of Otago be redressed, because of money lost by him in purchasing lands in the Township of Hawkesbury, on the faith of certain public buildings and public works being constructed.

I am directed to report that, as the petitioner sets forth no fresh evidence on the question which was under consideration last Session, the Committee have no recommendation to make.

22nd August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JOHN McLEOD.

THE petitioner states that, in 1872, he introduced several new inventions of his own, and made modifications in the existing saw-mill machinery in the Province of Auckland, that entirely removed difficulties which then existed in the way of the profitable application of machinery to the production of marketable timber, which had up to that time proved insuperable. The petitioner prays the House to take his case into consideration and grant him relief.

Having made careful inquiry into the petitioner's case, the Committee direct me to report as follows:—That, in the opinion of the Committee, the petitioner has not established any claim to consideration, on account of having been the first to bring into practical operation a profitable system of working a kauri forest, and making improvements in saw-mill machinery.

25th August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of the HOKITIKA AND GREYMOUTH TRAMWAY COMPANY.

THE petitioners pray that compensation be granted to them on account of loss of traffic in a tramway made by them, under protection from the County Council of Westland, by the construction of a Government road, it being one of the conditions of protection that, in the event of a Government road being made that would compete with the tramway, such compensation as the County Council should deem fit should be given to the owners of the tramway.

The Committee, having made careful inquiry into the petitioner's case, have directed me to report that, as it appears that the Government of the County of Westland agreed to give 400 acres of land for each mile of tramway made by the Company, as compensation for loss sustained by the making of a road that competed with the tramway, the Committee recommend that this compensation be made out of land within the Province of Westland, to be selected in blocks of not less than 640 acres.

25th August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of ALEXANDER MACKAY.

THE petitioner prays that compensation be given him on account of loss sustained by him from Natives occupying a portion of his land, and being obliged to remove his family to a place of safety.

I am directed to report that the petitioner's case was fully inquired into and reported on last Session, and, as he has offered no new evidence in his case this Session, the Committee see no reason to alter the decision they came to.

29th August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JOHN JACKSON, of Wanganui.

THE petitioner prays that compensation be given him for loss of a lease of flax land which he states was promised him by the Government.

I am directed to report that the petitioner's case was fully inquired into and reported on last Session of Parliament, and the Committee see no reason to alter the decision then come to.

29th August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of SETTLERS and RESIDENTS in the CLUTHA DISTRICT.

THE petitioners pray that the Southern Trunk Line of Railway be proceeded with by the Four-Mile Creek, and not by the deviation proposed by way of Waitepeka Valley.

I am directed to report that, having made a report on the petition of the settlers of Waitepeka, which deals with the question, the Committee have no further recommendation to make.

29th August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of MEMBERS of ROMAN CATHOLIC CHURCH, Parnell.

THE petitioners pray that no opportunity be allowed by the House to legalize the sale of spirituous liquors on Sunday.

I am directed to report that the Committee have no opinion to offer to the House on the subject-matter of this petition.

29th August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of CARRIERS, FARMERS, and Others, in the PROVINCE of CANTERBURY.

THE petitioners pray that "The Width of Tires Ordinance, 1875," of the Province of Canterbury, be amended.

I am directed to report that the Committee are of opinion that the Legislature should make such provision as will enable the local authorities to deal with such matters.

29th August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JAMES WILLIAM ARCHER.

THE petitioner prays for compensation for loss of land by floods, caused by the cutting away of the bush which protected his land, for making coal tracks, and for providing for up-country traffic.

I am directed to report that the case of the petitioner having been fully inquired into and dealt with by the Provincial Council of Nelson, the Committee cannot recommend the prayer of the petitioner to the favourable consideration of the House.

29th August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of RESIDENTS of the DISTRICTS of COURTNEY and HALKETT.

THE petitioners pray that a daily mail, instead of a bi-weekly one, be established, and that a daily coach is necessary through the district.

I am directed to report that the Committee recommend the petition to the consideration of the Government.

29th August, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JOSHUA GOODFELLOW.

THE petitioner was a contractor for the formation of the Waitahuna and Tuapeka section of the Tokomairiro and Lawrence Railway, and he states that he omitted to carry out the sum of £240 in the schedule, reducing his tender by that amount. That, owing to the incapacity and neglect of the local Engineer, Mr. Paisley, he suffered great loss by delay caused by not replacing necessary pegs, and showing accurately and promptly the centre of the line of railway. He prays that his case may be inquired into, and relief afforded him.

The Committee have fully inquired into this case, and direct me to report as follows:—That, with respect to the claim for £240 not carried out in the tender, there has been no evidence offered to show that the Government should depart from their usual departmental custom. That, with respect to the claim for compensation on account of being delayed in carrying out his contract, the Committee are of opinion that the petitioner has suffered loss through the carelessness or incapacity of a Government Engineer, and is entitled to compensation; but as the Committee have not sufficient evidence before them to arrive at an accurate estimate of the amount of such loss, they recommend the Government to make inquiry with a view to a fair settlement.

5th September, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION (No. 1) of H. W. FARNALL.

THE petitioner occupied the position of Immigration Agent in the United Kingdom, and states that he was dismissed, without notice, from his office by the late Agent-General. He prays that the case be investigated, and relief given to him.

The Committee have made inquiry into petitioner's case, and are of opinion that he is entitled to the following sums, which the Committee recommend be paid him without any deduction on account of any contra claim made by the General Government, viz.:—For return passage to New Zealand, £75; salary for June, 1873, £27; office furniture, £10; in lieu of notice, £27; total, £139.

5th September, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of LANDOWNERS and TRADERS, WESTERN OTAGO.

THE petitioners complain that the Provincial Government have not proceeded quickly enough with a line of railway in the district, and state that there are circumstances which induce the public to believe that the Provincial Government and its officers are implicated in the contract. They pray that the work be proceeded with, and that an inquiry be instituted into the conduct of the Provincial Government and its officers.

I am directed to report that, with respect to the grievances of the petitioners against the Provincial Government of Otago as to delay in constructing the railway, the Committee have no recommendation to make. But with respect to the charge contained in the 4th section, that the Provincial Government and its officers are implicated in the contract, the Committee consider that no evidence has been offered to justify the charge, or to necessitate any inquiry.

5th September, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of WILLIAM RATTRAY.

THE petitioner claims forty-two days' rent from the General Government, because of delay in furnishing him with the result of an arbitration for damage done to the fixtures of his shop, which had been occupied by the Post Office Department of the General Government.

I am directed to report that the Committee cannot recommend the prayer of the petitioner to the favourable consideration of the House.

5th September, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of RESIDENTS in the MOUNT IDA DISTRICT.

THE petitioners pray that the ideas contained in the Local Option Licensing Bill be given effect to.

I am directed to report that the Committee have no recommendation to make to the House on the subject-matter of this petition.

5th September, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of LANDOWNERS and RATEPAYERS at GREEN ISLAND and BRIGHTON.

THE petitioners pray that a branch line of railway be constructed from Green Island to Brighton, and from thence to the mouth of the Taieri River.

I am directed to report that when the colony undertakes the construction of branch railways, this line is one which deserves favourable consideration.

5th September, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of DAVID O'DONOGHUE.

THE petitioner's case was taken into consideration by the Committee during the last Session of Parliament, and a report was brought up to the following effect, viz.,—"The Committee are of opinion that the petitioner has a claim on the Government for medical attendance on immigrants, and recommend the Government to settle the same; but, failing any arrangement being come to, that the petitioner be allowed to take his case before a Court of justice."

I am directed to report that the Committee see no reason to alter this decision, and recommend the same course to be adopted.

5th September, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of the THAMES GAS COMPANY.

THE petitioners pray that the Municipality Bill be amended, by introducing a provision precluding governing bodies from erecting competing gasworks, or purchasing gasworks already constructed where a statutory company exists, other than by agreement.

I am directed to report that the Committee have no opinion to offer to the House on the subject-matter of this petition.

12th September, 1876.

REPORT ON PETITION of the DIRECTORS of the AUCKLAND GAS COMPANY.

THE petitioners pray that the Municipal Bill be amended, so that competing gasworks shall not be allowed to be constructed by municipalities, and that municipalities shall not have the power of purchasing existing gasworks without consent of proprietors.

I am directed to report that the Committee have no opinion to offer to the House on the subject-matter of this petition.

12th September, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of RESIDENTS in the ELECTORAL DISTRICT of DUNSTAN.

THE petitioners pray that the Electoral Districts of Dunstan and Wakatipu be constituted a county under the Counties Bill.

I am directed to report that this petition be referred to the consideration of the Government.

12th September, 1876.

T. KELLY,
Chairman.

REPORT on PETITION of FREEHOLDERS, TRADERS, and other RESIDENTS of QUEENSTOWN, WAKATIPU.
THE petitioners pray that the county boundary proposed by the Government in the Counties Bill be given effect to.

I am directed to report that this petition be referred to the consideration of the Government.

T. KELLY,
 Chairman.

12th September, 1876.

REPORT on PETITION of 29 RESIDENTS on the EAST COAST, PROVINCE of AUCKLAND.
THE petitioners pray that the law be altered so that brewers shall not be allowed to sell less than five gallons of beer to Natives.

I am directed to report that the Committee have no recommendation to make to the House on the subject-matter of this petition.

T. KELLY,
 Chairman.

12th September, 1876.

REPORT on PETITION of T. D. TRIPHOOK.

THE petitioner was formerly in the employ of the Provincial Government of Canterbury, but in 1871 entered the service of the Colonial Government, in the Public Works Department, where he continued until the works on which he was engaged were completed in 1876. His services were then dispensed with. He prays the House for redress by being placed in a position by which he would become entitled to a retiring allowance as a Provincial Government officer.

I am directed to report that the Committee cannot recommend the prayer of the petitioner to the favourable consideration of the House.

T. KELLY,
 Chairman.

12th September, 1876.

REPORT on PETITION of CHAIRMAN and MEMBERS of the TOWN BOARD of NEW PLYMOUTH.

THE petitioners state that when the town was originally laid out reserves to the extent of 35 acres were made within the town for the endowment of the town, and a town belt of 374 acres; that subsequently such reserves were appropriated for other purposes, and the unsold town lands were, in 1858, reserved for educational purposes. They pray that, as the town has been deprived of reserves, an endowment of land of equal value to that taken be given in lieu thereof.

The Committee, having made inquiry into this case, have directed me to report as follows, viz.,—
THE Committee recommend that the Government transfer to the town authorities of New Plymouth such original reserves in the town as may not be required for General Government purposes, and which have not been granted for specific public purposes.

T. KELLY,
 Chairman.

12th September, 1876.

REPORT on PETITION of JOHN A. CONNELL and J. MOODIE.

THE petitioners pray that the right of third parties, who have given valuable consideration for Volunteer scrip, be placed on a satisfactory footing.

I am directed to report that, as the persons who were entitled to exercise the Volunteer scrip issued to them have not complied with the law, the Committee cannot recommend the prayer of the petitioners to the favourable consideration of the House.

T. KELLY,
 Chairman.

12th September, 1876.

REPORT on PETITION of TULMAN BROTHERS.

THE petitioners pray that redress be given them for loss sustained by the action of the Provincial Government of Otago, in building a bridge across the Clutha River, at Roxburgh, which destroyed the trade of their punt.

I am directed to report that the Committee cannot recommend the prayer of the petitioners to the favourable consideration of the House.

T. KELLY,
 Chairman.

12th September, 1876.

REPORT on PETITION of JOHN WHITE.

THE petitioner states that he has at various times been in the employment of the Government, and given satisfaction. He prays that he be again employed.

I am directed to report that this case is one for Government consideration; but the Committee suggest that, in the event of a vacancy occurring in any office which the petitioner is capable of filling, his case be considered by the Government.

T. KELLY,
 Chairman.

12th September, 1876.

REPORT on PETITION of W. McKEEVER.

THE petitioner prays that a grant of land be given him for his services as a military settler in the Second Waikato Regiment.

I am directed to report that, as it appears from the evidence given before the Committee that the petitioner deserted before serving his three years as a military settler, the Committee cannot recommend his prayer to the favourable consideration of the House.

12th September, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of TRUSTEES of the MELANESIAN TRUST.

THE petitioners pray that they be relieved from the claim for legacy duty made on the estate of the late Bishop Patteson.

I am directed to report that the Committee cannot recommend the prayer of the petitioners to the favourable consideration of the House.

12th September, 1876.

T. KELLY,
Chairman.

REPORT (No. 1) on PETITION (No. 2) of H. W. FARNALL.

THE petitioner states that he was appointed Immigration Agent for the Province of Auckland in the United Kingdom in 1873, and acted in that capacity for eighteen months; but no provision appears to have been made by the Provincial Council for this Agency; and as, by the legislation of the General Assembly, petitioner cannot now bring his case before the Provincial Council, he prays that the House will grant him relief.

The Committee, having inquired into the case of the petitioner, have directed me to report as follows:—That the Committee cannot recommend the prayer of the petitioner to the favourable consideration of the House.

12th September, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of S. G. ROWLEY.

PETITIONER states that he left the service of the Provincial Government of Nelson in January, 1873, because of failing eyesight.

That a sum of £112 10s. was placed on the estimates of the Provincial Council as compensation for past services, but was struck out by the Council.

The petitioner prays that the House will grant him relief.

I am directed to report that the case of the petitioner having been dealt with by the Provincial Government of Nelson, this Committee have no recommendation to make.

12th September, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of CHARLES KELLING and Others.

THE petitioners pray that, as the telegraph line passes through Upper Moutere, a telegraph station be erected there.

I am directed to report that the prayer of the petitioners be recommended to the favourable consideration of the Government.

12th September, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of 400 RESIDENTS of OTAGO, relative to the Appointment of GEORGE LUMB as a REVENUE OFFICER.

THE petitioners enumerate the services performed by Mr. Lumb, lately employed by the Provincial Government of Otago; and they pray that his sphere of action be enlarged by employing him in the General Government service.

I am directed to report that the Committee have no recommendation to make on the subject-matter of this petition.

12th September, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of C. E. PRITCHARD.

PETITIONER states that, in consequence of letters received in England from the General and Provincial Government in New Zealand, an association, consisting of gentlemen of means, position, and influence, was formed for carrying out a special settlement.

That the petitioner has come, at considerable expense, to New Zealand for the purpose of entering into a contract for a special block of land to be formed into a special settlement; and he prays that the House will be pleased to grant him such redress as to the House shall seem fit.

The Committee have inquired into the case of the petitioner, and have directed me to report as follows, viz.:—The Committee are of opinion that the petitioner has not established a case for redress, inasmuch as the land applied for does not come within the terms of "The Auckland Waste Lands Act, 1874," relied on by the petitioner.

The Committee, however, are of opinion that if the settlement of population on the block of land applied for could be arranged on satisfactory terms, it would promote the interests of the colony; but the Committee refrain from making any specific recommendation, as the subject is one for the consideration of the Executive Government.

12th September, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of SETTLERS in the AWAMOKO and other Districts.

THE petitioners pray that the Awamoko Branch Railway be extended for half a mile, so as to cross the Marewhenua River, and reach the township of Duntroon.

I am directed to report that the Committee do not consider it necessary to offer any opinion on the subject-matter of this petition, but refer it to the favourable consideration of the Government.

12th September, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of E. McMANUS.

THE petitioner states that he was an apprentice to one W. L. Roth, and because of his absence from the service of his master, he was, on complaint, sentenced by certain Justices of the Peace to one month's imprisonment with hard labour.

He prays for inquiry into his case, and such relief as the House may think fit.

I am directed to report that, in the opinion of the Committee, the petitioner has suffered wrong in being sentenced to a month's imprisonment with hard labour for absenting himself from his master's service. And the Committee direct the attention of the Government to the fact that two Justices of the Peace inflicted a penalty for an offence which does not appear to be known to the law.

19th September, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of F. J. WARDELL.

THE petitioner states that he served as an ensign in the 3rd Waikato Regiment, and selected land as a military settler, but was subsequently compelled to give up his selection for Native purposes. That his second selection was land of less value by £250.

He prays the House for compensation.

I am directed to report that the Committee consider that the petitioner has no claim for consideration, and cannot therefore recommend his prayer to the favourable consideration of the House.

19th September, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of PHILIP McDERMOTT.

THE petitioners states that he received an injury by the discharge of guns on the Queen's birthday, on the 24th May, 1869, and prays for relief.

I am directed to report that the Committee cannot recommend the prayer of the petitioner to the favourable consideration of the House.

19th September, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of MEMBERS of the OTAHUHU HIGHWAY DISTRICT BOARD.

THE petitioners state that they are entitled, in accordance with the provisions of the existing law, as capitation grant, to the sum of £46 19s. 10d. for the year 1876; that the payment of this money has been refused, the reason alleged being that the Board had in 1874 undertaken the construction of a road to the Railway Station.

That this statement the petitioners say is contrary to fact, and they pray that the money be paid.

The Committee have made inquiry into the case, and it appears that there was a proposal made to the Public Works Department to contribute £300 towards the cost of this road, the money to be raised by subscription; and it appears that when the work was completed, and the Board called on to pay the money, the subscribers declined to pay their promised subscriptions.

I am directed by the Committee to report that the Committee recommend the Government to ascertain whether the Board have any legal remedy against the persons who promised subscriptions to the amount of £300; and, if so, that they supply the Board with the means to sue the defaulting subscribers.

29th September, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of WILLIAM HUTT and Others.

THE petitioners are holders of land orders issued by the New Zealand Company, giving rights of selection in the Manawatu Block. That they have waited patiently for thirty years without getting possession of the land for which they paid the said Company; and, seeing no prospect of acquiring the land, they pray that their case be inquired into, and compensation awarded them.

I am directed to report that the Committee are of opinion that the petitioners' claims should be settled by the issue of land scrip to the holders of the New Zealand Company's unexercised land at orders, the rate of 30s. value of scrip for each £1 value of the land orders; such scrip to be available in the purchase of waste lands of the Crown within the Province of Wellington within two years from the issue of such scrip.

3rd October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JOHN DOUGLAS.

THE petitioner states that he, with other persons, became the purchaser of a block of 21,400 acres of land in the Rangitikei-Manawatu District, under an Order in Council, in September, 1874. That the purchase money, at the rate of 12s. 6d. an acre, has been paid, but that the conditions of settlement have been prevented, because they have not been put in peaceable possession of the land by the Government; the Natives having prevented him carrying on his drainage operations by seizing the instruments of the surveyors, and moving him off the ground. That great pecuniary loss has been entailed on petitioner by these proceedings, which are rendered greater by the non-issue of the Crown grant by the Government.

The petitioner prays that his case be considered, and relief afforded him.

I am directed to report that the Committee recommend the Government to make inquiry into the case of the petitioner, and afford relief, if the equity of the case demands it.

3rd October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of 452 SETTLERS of SANDON, CAERNARVON, PALMERSTON, and FOXTON.

PETITIONERS state that a company known as the Douglas Company purchased 22,000 acres of land from the Government, at 12s. 6d. an acre, subject to the conditions that within two years from date, seventy families should be settled on 7,000 acres of land on deferred payment, and £10,000 spent by the Company on improvements. They have heard with alarm that the settlement conditions are likely to fall through, and they pray that the conditions be insisted on.

I am directed to report that, as the Committee have recommended the Government to make inquiry into the case on the petition of John Douglas, the Committee have no further recommendation to make.

3rd October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of G. H. DE THIERRY.

THE petitioner states that he has applied to Sir Donald McLean, on the recommendation of Judge Fenton, for the renewal of his interpreter's license, but that such renewal has not been granted. He prays that his case be taken into consideration.

The Committee have made inquiry into petitioner's case, and it appears that all interpreters' licenses lapsed when the Native Lands Act of 1873 came into operation, and under that Act interpreters are appointed by the Government. The petitioner's application to be appointed was not entertained, owing, it is stated, to the petitioner having involved a Native chief in land transactions which met with the disapproval of the Government. It does not appear that the petitioner was informed of the reason of the refusal of his application, and no opportunity was afforded him of defending or explaining the charges made against him.

I am directed to report that the Committee are of opinion that the petitioner should have the opportunity of explaining or rebutting the charges made against him before a Judge of the Native Lands Court, and that he be appointed an interpreter if the report of such Judge is in his favour.

3rd October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of RICHARD P. GIFFARD.

THE petitioner states that his property has been damaged by the frontage on the main road being taken away by the construction of the Napier and Pakipaki Railway, and that he has received no compensation.

He prays that adequate compensation be given him.

I am directed to report that, as the matter appears to be one for the consideration of the Government, the Committee have no recommendation to make.

3rd October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JAMES KERR and JOHN ARNOTT.

REPORT ON PETITION of JOSEPH PETRIE.

THE petitioners separately state that they contracted with W. H. Revell, Returning Officer for Grey Valley, to print 125 copies of the electoral roll at certain specified rates; that the work was duly performed to the satisfaction of that officer, and vouchers signed by him for the payment, and sent to the Colonial Secretary; but that payment was refused on the ground that the work had been given to two printing offices, and only one could be paid.

The petitioners pray for relief.

The Committee, having made inquiry into these cases, find that the Returning Officer misunderstood his instructions, and gave a separate contract of the whole roll to two parties, instead of half the roll to each. But as it appears that the contracts have been duly entered into, I am directed to report that the Committee recommend the prayer of the petitioners to the favourable consideration of the House.

3rd October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of SETTLERS of KAIKOURA.

THE petitioners pray that the Kaikoura District be made a separate county. I am directed to report that the Committee are of opinion that this petition should be referred to the Government.

T. KELLY,
Chairman.

3rd October, 1876.

REPORT ON PETITION of LEWIS T. STEAD.

THE petitioner states that he was incarcerated for twelve months for non-payment of costs in an action instituted by him against J. N. Watt, Sheriff and Native Protector, for the destruction of a document between petitioner and certain Natives.

He prays that his case be inquired into, and relief awarded him.

I am directed to report that, having inquired into the petitioner's case, the Committee direct me to report as follows:—That the petitioner's case appears to be a hard one, but that whatever claims he may have against Mr. J. N. Watt, or the Natives interested in the reserves, he has no claim against the colony.

T. KELLY,
Chairman.

6th October, 1876.

REPORT ON PETITION of 200 RESIDENTS, RATEPAYERS and LANDOWNERS in the DISTRICT of ROSLYN.

THE petitioners pray that a branch line of railway from two to three miles long be constructed up the Kaikorai Valley, to connect with the Dunedin and Clutha Railway.

I am directed to report that the subject-matter of this petition is one for the local authorities to deal with, and the Committee have no recommendation to make.

T. KELLY,
Chairman.

6th October, 1876.

REPORT ON PETITION of THOMAS JOYCE, of Greymouth.

THE petitioner states that he commenced an action in the Supreme Court of New Zealand, against William Horton Revel, Resident Magistrate and Warden at Greymouth, and Frederick John Elmer, bailiff of the Warden's Court, to recover £1,000 damages against the defendants for wrongful conversion of certain goods the property of petitioner. That between the time the said action was at issue, and the time within which it would have been tried, a Bill was introduced into the House, and subsequently became law, entitled "The Wardens Court Proceedings Validation Act, 1872." That immediately the said Act became law, the defendant, by leave of the Judge of the Supreme Court, pleaded the said Act in bar to the said action, and, in consequence thereof, petitioner had to pay large expenses incurred in prosecuting the said action, in addition to the costs of defendant.

The petitioner prays that his case be taken into consideration, and relief afforded him.

The Committee, having made inquiry into petitioner's case, have directed me to report that, in consequence of the passing of "The Wardens Court Proceedings Validation Act, 1872," which had retrospective action, the petitioner was debarred from prosecuting a suit which he had commenced in the Supreme Court, by which he sustained considerable loss. The Committee recommend that the sum of £368, the amount of petitioner's costs be paid him, and a further sum of £30, being his expenses to and from Wellington, as full compensation for his claim against the colony.

T. KELLY,
Chairman.

9th October, 1876.

REPORT ON PETITION of PETER STEWART.

PETITIONER states that he entered into a contract with the Minister for Public Works to construct the Palmerston Tramway extension for the sum of £8,876 8s. That subsequently material alterations were made in the work, which entirely altered the contract to petitioner's prejudice. That it was a condition of the contract that the Government were to supply him with sleepers of a width and depth of 9 inches, but that the sleepers supplied varied from 6 to 13 inches, which entailed considerable extra labour.

He prays that his case be inquired into, and relief afforded him.

The Committee, having taken evidence in this case, direct me to report as follows:—That the petitioner is entitled to an allowance for extra labour incurred in laying the sleepers of irregular sizes supplied by the Government, for ballast laid on the line over the quantity specified in the contract, and for driving more piles than is proportionate to the reduction of the timber from the original quantities.

That the Government make inquiry into the matter, and make a fair allowance for the above extra work and material supplied by the petitioner.

T. KELLY,
Chairman.

9th October, 1876.

REPORT ON PETITION of 143 INHABITANTS of the CITY of AUCKLAND and PARNELL.

THE petitioners state that they have been deprived of access to the wharf at the end of Short Street, Official Bay, by the construction of the Auckland and Mercer Railway. That they have tried all means in their power to obtain redress.

They pray that the House will afford them relief.

The Committee, having taken evidence on this case, have directed me to report as follows:—It appears that the public have enjoyed the uninterrupted use of the road to the wharf for about twenty-eight years, and this right has been taken away by the Public Works Department. The Committee are of opinion that facility of access to the wharf should be given to the public direct from Short Street.

9th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION OF ALEXANDER STITT.

THE petitioner states that he contracted with the General Government for the formation of seven and a half miles of road for £6,220. That large slips came down from the hills on portions of the road finished, but not taken over by the Engineer, carrying away the road in many places, and in other places filling it with soft mud, necessitating clearing and new formation and re-metalling. That the extra cost to petitioner to clear away slips and repair damages caused by them on portions of the road already formed was £1,560.

The petitioner prays that his case be investigated, and a sum placed on the estimates to give him relief.

I am directed to report that the Committee have taken evidence in the case of the petitioner, and it appears that slips occurred of an unusually heavy character, and such as could not be fully estimated for in tendering. The work also appears to have been carried out to the satisfaction of the department, and the Engineer in charge recommended the payment of the sum of £800 on account of the extra work done by petitioner, which might be considered fairly outside his contract.

The Committee direct me to report that the sum of £800 be paid to petitioner, as recommended by Mr. Dobson, the Government Engineer.

9th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION OF JAMES MCKAY, of Dunedin.

THE petitioner prays that a refund of £500 be made to him, being his deposit on tendering for the construction of a portion of a railway known as "The Kartigi Contract."

It appears that the petitioner was the lowest tenderer for this section of railway, and when called on declined to sign the contract.

That the Public Works Department called for fresh tenders for the work, and obtained a tender below petitioner's, which tender was accepted.

I am directed to report that the Committee cannot recommend the Government to refund the deposit of £500 made by petitioner.

9th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION OF JAMES DILWORTH.

THE petitioner states that a former petition of his was referred to and reported on by the Public Petitions Committee unfavourably, on deficient evidence, and he prays that his case be reconsidered and relief afforded.

It appears that petitioner's claim for consideration consists in that he purchased from Mr. J. Graham, in 1848, 59 acres 27 perches of land, for which a Crown grant had been issued, being a portion of 81 acres 2 roods purchased from Natives in 1844 under certificate of pre-emption. Mr. Graham also sold to Mr. Dilworth, by separate deed, all his interest in the 23 acres 1 rood 13 perches, being the balance of the original purchase. This balance had been made a public reserve by the Governor before the issue of the Crown grant of the 59 acres 27 perches to Mr. Graham, and Mr. Graham was informed of such reservation before the grant was issued. No fees were paid by Mr. Graham on the land reserved; but the usual fees of 10s. per acre and 20s. per acre on the reserved tenths on the land granted to Mr. Graham were duly paid.

The Government have never recognized Mr. Graham's right to the land in question, but have always dealt with it as a public reserve.

I am directed to report that the Committee are of opinion that if Mr. Dilworth has any claim at all, it is against Mr. Graham. The Committee have, therefore, no recommendation to make.

10th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION OF MARTIN FRANCIS COFFEY.

PETITIONER states that during the war of 1868–69 in the Patea district, his public-house and store were taken possession of by the officer in command of a detachment of the Colonial Forces, by which he sustained considerable loss.

He prays that relief be afforded him.

I am directed to report that the Committee have taken evidence in the petitioner's case, and find that he has sustained loss, owing to Captain Spiller, the officer commanding a detachment of the Colonial Troops in 1868–69, forcibly taking possession of petitioner's house and stock-in-trade, by which most of the stock was lost, and the building materially damaged. The Committee recommend the Government to make local inquiry, and pay to the petitioner such amount as he may be found entitled to in consequence of loss occasioned by the action of the Colonial Forces.

10th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION OF JAMES MORAN.

PETITIONER contracted to supply 10,000 railway sleepers for the use of the Waikato Railway, but finding that he could not complete his contract without heavy loss, he offered to deliver to the Government 2,000 sleepers without cost, and forfeit his deposit of £15, on the condition that he was relieved from his contract. The offer was accepted. But he subsequently learned that other contractors, somewhat similarly circumstanced, were relieved from their contracts, their sleepers paid for, and their deposits refunded.

He prays that relief be afforded him.

The Committee, having made inquiry into petitioner's case, find that other contractors for sleepers in similar cases have not had their deposits refunded or sleepers paid for.

The Committee cannot therefore recommend that any allowance be made to petitioner.

10th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION OF CLIFFORD IVESON and 29 Others living on the Banks of the WANGANUI RIVER.

THE petitioners state that the Government of New Zealand are building a railway bridge across the Wanganui River, which will prevent the passage of sea-going vessels, and cause serious loss and inconvenience to the petitioners. They pray the case may be investigated.

The Committee have made inquiry into the petitioner's case, and direct me to report that the bridge in question allows a space of 30 feet between the bridge and high water, which will allow the passage of barges, but not of sea-going vessels; and as the construction of the bridge is well advanced towards completion, the Committee cannot recommend the prayer of the petitioners to the favourable consideration of the House.

10th October, 1876.

T. KELLY,
Chairman.

REPORT (No. 2) on PETITION (No. 2) of H. W. FARNALL (referred back to the Public Petitions Committee).

THE Committee, having examined petitioner and the late Provincial Secretary of Auckland, Mr. Sheehan, M.H.R., have directed me to report as follows:—

The petitioner was appointed Immigration Agent, by the Superintendent of Auckland, in 1873, under the provisions of "The Auckland Waste Lands Act, 1867;" but at the time the appointment was made the 21st section of the Act of 1867, which gave the Superintendent authority to make such an appointment, had been repealed by "The Auckland Waste Lands Act, 1870." The Committee consider the appointment was not legally made, as no salary was appropriated by the Provincial Council for the service; but as the petitioner appears to have accepted the appointment in good faith, and performed some service for the province, the Committee consider that he has some claim on the province for the service he rendered.

11th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION OF R. H. RHODES and ROBERT WILKIN.

THE petitioners state that, owing to a conflict in the Nelson Scab Act of 1868, they were compelled to pay a fine of 2d. per head on 5,196 sheep when they were clean. They pray that the fine be remitted.

I am directed to report that it appears that owing to a conflict in "The Nelson Scab Act, 1868," the petitioners took out a license, which the clean condition of their sheep at the time did not require; and, judging from the penalties which have been inflicted in such cases, your Committee are of opinion that justice would be done by remitting the amount paid for the said license, deducting five pounds (£5) the penalty hitherto imposed by the Courts in such cases; such refund to be charged against the Province of Nelson; and your Committee therefore recommend the prayer of the petitioners to the favourable consideration of the House.

11th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION OF MEMBERS of the KAKANUI HARBOUR BOARD.

THE petitioners state that they are short of money to carry out important harbour works at Kakanui, and pray that relief be afforded them.

I am directed to report that, as the subject-matter of this petition has been before the House, the Committee have no recommendation to make.

11th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION OF RESIDENTS of SWITZERS.

THIS petition, having no signature, is informal; and the Committee have directed me to report that it cannot be received.

12th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JOHN SHEARER.

THE petitioner states that he was the master of the schooner "Boyd," of Auckland, and that, owing to the sails being blown away and the anchors and chains parting, he was obliged, in order to save life and property, to run the vessel ashore.

That he sold some rum and beer, belonging to the owners, to the Natives, at Opotiki prices, as the Natives would not allow it to be taken away.

That he was arrested by the Opotiki Magistrates for this act, and sentenced to three months' imprisonment.

That he was also committed for trial for making away with cargo; and duly tried and acquitted, as it appeared in the trial that he was justified, as master of a stranded vessel, to deal with the cargo.

That he was remanded back to prison to serve the remainder of the Magistrates' sentence.

That he has been illegally imprisoned, and discharged without money or clothes, and his professional prospects ruined. He prays that his case be inquired into and relief afforded him.

I am directed to report that the Government should inquire into the case, and afford such relief as the equity of the case demands.

12th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of HENRY BAUCKE.

THE petitioner's grievances consist in the alleged illegal withholding from him by the Government of a sum of £300, awarded him by the Public Petitions Committee, but which the Government paid to another person, who, the petitioner states, had no moral or legal claim against him.

The matter has been the subject of an action in the Supreme Court, which appears to have been adverse to the petitioner.

He prays that relief be afforded him.

I am directed to report that the case of the petitioner has been frequently before the Public Petitions Committee, and dealt with; and the Committee see no reason to alter the former decisions come to on the petitioner's case.

13th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION (No. 2) of SINGLETON ROCHFORD.

THE petitioner prays that the Bill before the House to enable the holder of the office of Attorney-General to be at the same time a member of either House of the Legislature be disallowed, as it would materially interfere with the high duties of the office, and lower his influence and moral repute in the public esteem.

I am directed to report that, as the subject-matter of this petition is under the consideration of the Legislature, the Committee do not consider it necessary to make any recommendation.

13th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of MICHAEL SHEEHY.

THE petitioner prays that he be paid for extra services rendered as Hospital Dispenser and Quarter-master-Sergeant, whilst serving in the Engineer Volunteer and Militia Corps, in the Province of Auckland.

I am directed to report that sufficient evidence has not been adduced to show that the prayer of the petitioner should be granted; but the Committee recommend the Government to make inquiry into the petitioner's claim, with the view of a settlement of it according to equity.

13th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of W. H. BEERE.

THE petitioner prays that some compensation be given him, because he was unable to obtain in the Province of Auckland, in 1865, any land of suitable quality to settle on, and to which he was entitled as a retired officer of Her Majesty's service; and because he was induced to believe that he should obtain an appointment in the public service as compensation for loss of land.

I am directed to report that the Committee cannot recommend the prayer of the petitioner to the favourable consideration of the House.

13th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JAMES MURPHY.

THE petitioner states that his services as messenger were dispensed with, and that he only received four months' pay in compensation for loss of office. He considers that he is entitled to another month's pay under the Civil Service Act, and prays for relief.

The Committee have made inquiry into petitioner's case, and find that he has been paid the full allowance authorized by law for loss of office. The Committee cannot therefore recommend the prayer of the petition to the favourable consideration of the House.

13th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of MICHAEL O'CONOR.

THE petitioner states that on the occasion of the attack by rebel Natives on the Turuturumokai Redoubt, resulting in the killing, by the first fire, of the officers and non-commissioned officers, he took command and held the redoubt till he was relieved. That for such conduct he was recommended by Lieut.-Colonel McDonnell for the New Zealand Cross.

He prays that such recommendation be given effect to.

The Committee have inquired into the petitioner's case, and directed me to report as follows:— That the petitioner appears to have behaved well on the occasion of the attack on the Turuturumokai Redoubt, and his conduct was recognized by the Government awarding him a grant of land; but the Committee do not consider that there is sufficient evidence to warrant them in recommending that the New Zealand Cross be awarded him.

13th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of THOMAS CRAIG.

THE petitioner states that he obtained a right to cut timber on certain Native land in 1862, with the consent of the Government; but that the land was subsequently dealt with by the Native Lands Court, and the Natives in whom the land was vested ignored the former agreement entered into, and made new arrangements, which resulted in vesting the land in other Europeans:

That, in consequence of such action, petitioner was involved in ruinous litigation to protect his saw-mill interest, on which some £10,000 had been expended, by which he was ultimately ruined.

He prays the House to afford him relief.

The Committee, having inquired into the case of the petitioner, direct me to report that whilst admitting the case to be a very hard one, yet, as his losses were occasioned by action taken in the Courts of law, the Committee see no way of affording him relief.

13th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION (No. 1) of SINGLETON ROCHFORD.

THE petitioner states that he was appointed District Judge of the District Court of Hawke's Bay in 1870, and held it till 1873, when the Court was abolished.

That the Court was subsequently revived in the same year, but another Judge was appointed to the office to which he was entitled.

That other Judgeships became vacant, and petitioner applied for the office, but his application was not entertained. Petitioner attributes his failure to Sir Julius Vogel's influence, and states that he sent a protest to the Governor against his appointment as Agent-General, and prays that the House will not pass any resolution in favour of Sir Julius Vogel, until a memorial, which he is preparing, shall be laid before the House.

The memorial, he alleges, will show something like privy between the Government of 1869, and what he terms "The Hawke's Bay Land Ring."

I am directed to report that the Committee have no recommendation to make to the House on the subject-matter of this petition.

16th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of EUGENE O'CONOR.

PETITIONER states that he held five sections of land in the Town of Westport, under business licenses, under "The Gold Fields Act, 1866," and had expended a considerable sum of money on buildings, clearing, and draining.

That in December, 1872, the Governor, by Proclamation, withdrew land from the operation of the Gold Fields Act, which included the town sections occupied by the petitioner.

That such Proclamation has virtually deprived petitioner of his vested interest in the property, and he prays that his case be inquired into and relief afforded him.

I am directed to report that the Committee have made careful inquiry into this case, and find that petitioner occupied five sections of land under business license which were taken for railway purposes. Petitioner's claim, along with others, was referred to a Commission appointed by the Governor for the purpose of ascertaining the amount of compensation to which the claimants were entitled, and an award was made which was unsatisfactory to the petitioner.

The Committee are of opinion that inadequate compensation was given by the Commissioners, and that petitioner's interest in the land in question should be dealt with in the ordinary way in which lands taken under the Immigration and Public Works Act are dealt with when required for railway purposes.

16th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JOHN BRODERICK.

PETITIONER prays that land be granted to him to which he was entitled as a discharged soldier. It appears that petitioner took his discharge after the law which entitled discharged soldiers to select land had been repealed.

I am therefore directed to report that the petitioner has no claim, either against the Province of Auckland or the colony, for land.

16th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JOHN BOYCE and 86 Others.

THE petitioners pray that some relief be afforded John Boyce, who was a constable in the Otago Police Force, but was rendered unfit for further service by an accident which occurred while performing his duty.

I am directed to report that, as it appears that the petitioner's case has been considered and dealt with by the Provincial Government of Otago, the Committee have no recommendation to make.

T. KELLY,
Chairman.

16th October, 1876.

REPORT ON PETITION of JAMES MCKENSEY.

THE petitioner states that in 1865 he received a land order as a discharged soldier, entitling him to select land in the Province of Auckland, but, owing to several circumstances, he did not make the selection.

He prays that relief be afforded him.

I am directed to report that, as the petitioner did not comply with the conditions on which the land was granted, the Committee cannot recommend his prayer to the favourable consideration of the House.

T. KELLY,
Chairman.

16th October, 1876.

REPORT ON PETITION of JOHN NICOL, MARY DAMANT, and JESSIE BROWN.

THE petitioners state that the wife of John Nicol, and the mother of the other petitioners, was lawfully possessed of 300 acres of land at Mutai Huka, near Waikanae, which was improperly taken and alienated to the Crown.

They pray that relief be afforded them.

The Committee have inquired into this case, and find, from the evidence of Mr. Wi Parata, that the land claimed was owned by a Native called Nga Huka, and on which Mr. John Nicol had but a small claim, and which does not appear to have been pressed when the land was sold to the Government in 1853-54.

In the absence of other evidence, the Committee have no recommendation to make to the House.

T. KELLY,
Chairman.

18th October, 1876.

REPORT ON PETITION of J. W. THORP.

THE petitioner states that he agreed to purchase certain interests in a block of land from Natives in the Thames District, held by them under Crown grant; and when he appeared before Captain Fraser, R.M., to witness the Native signatures, he refused, stating that he had received positive instructions from Sir Donald McLean and the Hon. Dr. Pollen not to witness any Native signatures to petitioner's deeds. He states that in consequence of such refusal he has suffered considerable loss, and prays that relief be afforded him. Section 85 of "The Native Lands Act, 1873," requires that all instruments dealing with Native lands shall be signed in the presence of and attested by a Judge of the Native Lands Court or a Resident Magistrate.

The petitioner appears to have applied to Captain Fraser, Resident Magistrate of the Thames, to witness signatures of Natives to a deed conveying certain interest in land to the petitioner. This Captain Fraser refused to do, in obedience to instructions received from the Native Minister.

The Committee are of opinion that such interference of Ministers with the statutory duties of Resident Magistrates is highly detrimental to the public service, and ought for the future to be discontinued.

T. KELLY,
Chairman.

18th October, 1876.

REPORT ON PETITION of 102 SETTLERS in the MANAWATU DISTRICT.

THE petitioners state that the Provincial Government have not expended a fair proportion of the revenue received from the sale of land in the district, and pray that the balance of the moneys due for lands sold on deferred payments in the district be applied to construct a horse tramway between Foxton and Sandon.

I am directed to report that the Committee are of opinion that this work is of a local character that ought properly to be undertaken by the County Government, when constituted; the Committee have, therefore, no recommendation to make to the House.

T. KELLY,
Chairman.

18th October, 1876.

REPORT ON PETITION of LOUIS DIHARE.

THE petitioner prays that, in consideration of services rendered by him to the Government and the colony in his capacity of Native Interpreter and Negotiator during the war, that his claims be taken into consideration, and such relief as he is entitled to receive afforded him.

I am directed to report that, as the responsibility of employing public officers rests with the Government, the Committee have no recommendation to make.

T. KELLY,
Chairman.

20th October, 1876.

REPORT ON PETITION of the MAYOR of the CITY of AUCKLAND.

THE petitioner prays, on behalf of the Councillors and citizens, that the allotment of land granted in trust for free baths and wash-houses by Sir George Grey, Governor, in 1850, be restored to the citizens of Auckland.

I am directed to report that the Committee have inquired into the matter, and find that the reserve in question is now Crown land, having been so declared by "The Public Domains Act, 1860." The Committee recommend the Government to take steps by Act of Assembly to restore this reserve to its original purpose.

20th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of ELLEN TOURNEY, formerly McCOMBIE.

THE petitioner prays that she may be allowed the claim to land to which her late husband Alexander McCombie was entitled as a member of the New Zealand Fencibles, and of which he was deprived on technical grounds.

The Committee, having made inquiry into the case of the petitioner, find that the late husband of the petitioner had a claim, which was disallowed on technical grounds.

The Committee recommend that a sum of £25 be paid to the petitioner as the estimated value of the land scrip to which the petitioner's husband would have been entitled; such sum to be charged against the land revenue of the Province of Auckland.

20th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of G. BENTHAM MORRIS.

THE petitioner states that he contested the seat for the Electoral District of East Coast at the late election, against Captain Read and others.

That Captain Read was declared elected, and that petitioner petitioned against Captain Read retaining his seat on account of his having used bribery to obtain such return. That upon the said petition, Captain Read was declared unseated, and petitioner declared the sitting member.

That petitioner's expenses were £596 12s, and the amount of expenses allowed petitioner by the Committee was £150. Petitioner prays that for this relief be granted him,

I am directed to report that the subject having been referred to and dealt with by a Special Committee, this Committee do not think it desirable to revise their decision. But the Committee consider that the law on the subject of disputed elections is very unsatisfactory, and recommend that the law be assimilated to that of England.

20th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of 57 RESIDENTS in the KAIPARA DISTRICT.

THE petitioners pray for the extension of the Kaipara Railway to Auckland.

I am directed to report that the Committee have no opinion to offer to the House on the subject-matter of this petition, as it is a matter for the consideration of the Government.

21st October, 1876.

T. KELLY,
Chairman.

REPORT ON the PETITION of 143 SETTLERS of the KAIPARA DISTRICT.

THE petitioners pray for the construction of a Wharf at Helensville.

I am directed to report that the Committee have no opinion to offer to the House on the subject-matter of this petition, as it is a matter for the consideration of the Government.

21st October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of H. J. REID.

THE petitioner prays that land to which he would have been entitled as a discharged soldier, if he had remained in Auckland for three years after making his selection, be now granted him.

I am directed to report that the petitioner forfeited his claim to the land by not fulfilling the conditions on which it was given; the Committee cannot therefore recommend his prayer to the favourable consideration of the House.

21st October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of CHAIRMAN and MEMBERS of the ASHLEY ROAD BOARD.

THE petitioners pray that the House will, by enactment, allocate such a proportion of the land fund of the district as will enable the Board to meet the reasonable requirements of the settlers.

I am directed to report that as the Government measures now before the House deal with the subject-matter of this petition, the Committee do not consider it necessary to make any recommendation to the House.

21st October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of 400 Electors of PORT CHALMERS.

Petitioners pray for the reinstatement of Mr. Reid as Returning Officer.

REPORT ON PETITION of 95 ELECTORS of PORT CHALMERS.

Petitioners pray that the prayer of the former petition be not complied with.

I am directed to report that the Committee consider that the subject is one of Executive administration, and have no recommendation to make with respect to either petition to the House.

21st October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of F. W. STEVENS.

THE petitioner prays that he be allowed to pay to the Government the fee of £15 for the second term for securing patent of water-wheel, the money having been presented at the Patent Office a day too late.

I am directed to report that as it appears there is no authority under the Patent Act to allow payment for the second term of the patent, except within the time named by the Act, the Committee have no recommendation to make.

21st October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of ALLEN O'NEILL.

THE petitioner prays that consideration be given him in the matter of advances of money made to Native chiefs for the purpose of survey, but which surveys were stopped by the Government ordering the surveyors off the land.

I am directed to report that there has not been sufficient evidence before the Committee to enable them to come to a decision in the case.

The Committee therefore recommend the Government to make inquiry and deal with the case, if the petitioner has any just claim for consideration.

21st October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of COMMITTEE of MANAGEMENT of COTTAGE HOSPITAL, WAIRARAPA.

THE petitioners pray that the Hospital be endowed with land in the Wairarapa District, in order to carry out in a more efficient manner the objects of the Hospital.

I am directed to report that the Committee have no recommendation to make to the House on the subject-matter of this petition.

21st October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of W. J. DALTON.

THE petitioner prays for consideration with respect to surveys made on Native land, for which the Government have entered into negotiation, and for advances made to Natives.

I am directed to report that the Committee have made inquiry into this case, and find that the Government have made payment to Mr. J. E. Dalton, who appears to have made the survey, which was approved by Captain Heale, Inspector of Surveys. The Committee cannot therefore recommend the prayer of the petitioner to the favourable consideration of the House.

21st October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of RESIDENTS of MAHURANGI.

THE petitioners pray for a road to Auckland.

PETITION of SETTLERS of POVERTY BAY.

THE petitioners pray for the construction of public works in their district.

PETITION of LESSEES of KAMO COAL MINE.

THE petitioners pray for the construction of a tramway.

PETITION of HIGHWAY BOARDS, THAMES.

THE petitioners pray for a bridge across the Kauaeranga River.

PETITION of RESIDENTS of MOA FLAT.

THE petitioners pray for the construction of a bridge over the Molyneux River.

PETITION of SETTLERS in the MANAWATU DISTRICT.

THE petitioners pray for the construction of a road from Paikakariki to Wakanae.

PETITION of CHAIRMAN and MEMBERS of the WAIOTAHU ROAD DISTRICT.

THE petitioners pray for the construction of roads in their district.

PETITION of INHABITANTS of TAIRUA and GRAHAMSTOWN.

THE petitioners pray for the construction of a road to the Tairua Gold Fields.

I am directed to report that the Committee are of opinion that the public works petitioned for in these different petitions are of a desirable character, but, in consequence of the passing of the Counties Bill, are unable to make any specific recommendation to the House with reference to them.

23rd October, 1876.

T. KELLY,
Chairman.

REPORT on PETITION of JOHN MUIR.

THE petitioner prays that more adequate compensation be granted to him for his land taken for railway purposes.

I am directed to report that the petitioner's claim having been inquired into and dealt with by the Court appointed by law to investigate such cases, the Committee do not think it desirable to make any recommendation.

23rd October, 1876.

T. KELLY,
Chairman.

REPORT on PETITION of HORI TE WHANA and 29 Others.

THE petitioners pray that compensation be given them for the loss they sustained by the war in 1863-64, and for which an award was made in 1868 by the Compensation Court.

I am directed to report that this claim is one of a large number for losses sustained during the Native war; and the Committee recommend the subject-matter of the petition to the consideration of the Government.

24th October, 1876.

T. KELLY,
Chairman.

REPORT on PETITION of CHAIRMEN of the ASHBURTON, UPPER ASHBURTON, RAKAIA, and SOMERS ROAD BOARDS.

THE petitioners pray that the inequalities of the distribution of the land revenue be taken into consideration, and relief afforded them.

I am directed to report that, as the Government measures now before the House deal with the subject-matter of this petition, the Committee have no opinion to offer.

24th October, 1876.

T. KELLY,
Chairman.

REPORT on PETITION of SETTLERS of WAIRAU, COUNTY of MARSDEN.

THE petitioners pray that the evils arising from a twofold system of legislation in local matters be done away with, and a well-considered Act for highways, fencing, impounding, &c., be passed for the whole colony.

I am directed to report that the subject-matter of this petition is one for the consideration of the House, and the Committee have no recommendation to make.

24th October, 1876.

T. KELLY,
Chairman.

REPORT on PETITION of CITIZENS of DUNEDIN.

THE petitioners pray that the Legislature may not be induced to legislate in the matter of the wharves and quays, prejudicially to the interests of the Municipality of Dunedin.

I am directed to report that, the matter having been dealt with by the House, the Committee have no recommendation to make.

24th October, 1876.

T. KELLY,
Chairman.

REPORT on PETITION of RATEPAYERS of the KATIKATI HIGHWAY DISTRICT.

THE petitioners pray that a sum of money be placed on the estimates to provide for the construction of bridges over certain creeks and rivers in their district, and the formation of the road to Ohinemuri.

I am directed to report that, as the works petitioned for are of a local character, to be constructed by the local authorities, and as provision has been made by the Counties Bill, the Committee have no recommendation to make.

25th October, 1876.

T. KELLY,
Chairman.

REPORT on PETITION of INHABITANTS of KAIAPOI, WEST EYRETON, and OXFORD.

THE petitioners state that it was intended that the narrow-gauge railway running from Kaiapoi in the direction of Oxford should be extended so as to join the Oxford and Rangiora line.

That the necessary land has been surveyed and acquired by the Government, and plans prepared. That the estimated cost of the extension is under £4,000.

They set forth the advantage to be derived from this extension, and pray that steps may be taken to hasten the completion of the work.

I am directed to report that when the colony undertakes the construction of branch lines of railway, this is one which deserves favourable consideration.

25th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of INHABITANTS of the MALVERN DISTRICT.

THE petitioners state that the extension of the Malvern Branch of the Great Southern Railway Line, for a distance of six miles, would be a great benefit to the district, and give rise to flourishing industries in connection with coal and other minerals and building stone.

They pray that this want be supplied.

I am directed to report that the railway petitioned for is deserving of consideration if the colony undertakes the construction of branch railways; but the Committee, in the meantime, have no recommendation to make.

25th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of THOMAS SANDERSON and Others.

THE petitioners pray for the extension of the Great Northern Line of Railway, in the Province of Canterbury, to the Hurunui River, a distance of twenty-five miles.

I am directed to report that, in the opinion of the Committee, the construction of this railway is a matter for the consideration of the Government.

25th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of REPRESENTATIVES of a MEETING at GRAHAMSTOWN.

PETITIONERS point out the great advantage which would result from the construction of a line of railway from Thames to Waikato, and state that the country over which the railway would pass is almost level, and presents no engineering difficulties.

They pray that the House will authorize the construction of this railway, or give such a guarantee as might lead to its construction by private enterprise, or afford them some other relief.

I am directed to report that, in the opinion of the Committee, the construction of this railway is a matter for the consideration of the Government.

25th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of INHABITANTS of WAIKATO and PIAKO.

PETITIONERS state that the Waikato River at Hamilton is crossed by a punt, which becomes useless in flood time and dangerous at low water, and will shortly require considerably outlay for repairs.

The revenue derived from the punt is estimated at £500 a year.

That a bridge could be constructed across the Waikato at Hamilton at a cost of about £5,000.

The petitioners pray that this bridge may be constructed, or other relief afforded them.

I am directed to report that this bridge would be a very useful and desirable work; but provision being made by the Counties Bill, which has passed the House of Representatives, for local government, the Committee consider that this is a work to be undertaken by the local government bodies. They have therefore no recommendation to make.

25th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of RESIDENTS of WYNDHAM and other Parts of LOWER MATAURA.

THE petitioners point out the advantages to be derived from the formation of a branch railway from the Mataura line at Edendale to the town at Wyndham, a distance of three miles and a quarter. They state that the Provincial Council, in two succeeding sessions, agreed to authorize this work. A survey was made, the estimated cost being £12,180; but nothing further has been done in the matter.

They pray that their case may be taken into consideration, and relief afforded them.

I am directed to report that when the colony undertakes the construction of branch railways, this line is one which deserves favourable consideration.

25th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of SETTLERS of TAURANGA.

THE petitioners state that their district is shut out from all road communication with other settlements and markets in the province, and that a road connecting Tauranga with Cambridge has long been promised them.

They pray that this work may be completed without delay.

I am directed to report that the Committee consider that this road will be of very great advantage; but the Counties Bill having passed the House of Representatives, the Committee have no recommendation to make.

25th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of ANDREW STENHOUSE and Others.

THE petitioners state that sad occurrences, attended with loss of life, take place owing to there being no ferries and bridges on the overland track between Hokitika and Jackson's Bay. That the track is in many places impassable.

They pray for a subsidized monthly steam-boat calling in at all the navigable rivers between Hokitika and Jackson's Bay.

I am directed to report that the subject-matter to which the petition refers having been dealt with by the House, the Committee have no recommendation to make.

25th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of 12 RESIDENTS in the TOWN of WESTPORT.

THE petitioners state that land which they were entitled to hold under business licenses under the Gold Fields Act, on what is known as the Colliery Reserve in the Town of Westport, has been taken for railway purposes, and that the compensation awarded by the Commissioners appointed by the Government is inadequate, and they pray that relief be afforded them.

I am directed to report that the petitioners' interest in the land in question should be dealt with in the ordinary way in which land taken under the Immigration and Public Works Act is dealt with when required for railway purposes.

26th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of SETTLERS at CATLIN'S RIVER.

THE petitioners pray that a sum of £2,000 be appropriated for the removal of a rock which obstructs the navigation of Catlin's River, on the ground that up to the present time no money has been expended in the improvement of the harbour.

I am directed to report that the Committee are of opinion that the subject-matter of this petition is one of local concern and not colonial, and should be dealt with by those locally interested, aided by the governing body.

26th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of WILLIAM MAXWELL.

THE petitioner prays that compensation be given him for serious losses sustained by him during Heke's war in the Bay of Islands.

I am directed to report that the case of the petitioner is one of many others whereby loss has been occasioned by Native war.

The Committee consider that the question of compensation is one of policy, which rests with the House. The Committee do not therefore consider it necessary to make any recommendation to the House.

26th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JOHN TRACEY and JOHN ALLEN.

THE petitioners complain of unjust treatment in respect of their position as contractors under the Public Works Department, and pray that relief be afforded them.

I am directed to report that the Committee find on inquiry that there is no evidence to be obtained in Wellington on this case; and as there is not sufficient time before the termination of the session to obtain evidence from Napier, the Committee have no opinion to offer to the House.

26th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of F. L. WEBSTER, Chairman of the Town Board of Raleigh.

[Addressed to the Minister for Public Works, and referred to the Public Petitions Committee for consideration.]

THE Petitioner states that considerable inconvenience and injury has resulted from the erection of the Railway Goods Shed in the centre of Queen Street, one of the main thoroughfares of the town, and prays that it be removed to adjacent land in the hands of the Government. The Committee having examined Mr. Carrington, Superintendent of Taranaki, and Mr. Carruthers, Engineer-in-Chief, find that a remonstrance was made through the Superintendent by the residents of Raleigh when it was publicly known that a railway building was to be erected in the centre of Queen Street, one of the main streets of the town, and the street closed to traffic. An offer was made to pay the expense of removal, then estimated at £25. The wishes of the Superintendent and residents were not given effect to by the Government, as the Public Works Department did not agree with the proposals made, and the building was proceeded with regardless of the protest made by the Superintendent and the residents of Raleigh.

The Committee are of opinion that an unnecessary injury has been inflicted on the town by this arbitrary act of the Public Works Department, and recommend that the Goods Shed be removed clear of Queen Street, and a suitable crossing made with as little delay as possible.

26th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of GEORGE MCGAVIN.

THE petitioner prays that he be relieved from the penalty of £500 imposed on him by the Public Works Department for not completing his contract for the building of the Waitaki Bridge within the stipulated time, and that he be compensated for losses arising from delay occasioned by the Public Works Department.

I am directed to report that no evidence having been offered by the petitioner to substantiate his claim, and evidence having been given by the Engineer-in-Chief rebutting the allegations made in the petition, the Committee cannot recommend the petitioner's claim to the favourable consideration of the House.

27th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JOHN LONDON.

THE petitioner states that in 1874, 300 duly attested claims by persons entitled to vote at the election of a member to represent the district in the House were lodged with the Returning Officer within the time prescribed by law. That petitioner's brother, Mr. P. London, was the attesting witness to 156 of the said claims. That Mr. Williams, the Returning Officer of the district, objected to and disallowed 155 of the claims so attested by Mr. London.

That in 1875, the said Returning Officer objected to the claims of persons claiming to be entitled to vote as aforesaid after the expiration of the time allowed by law for making such objection.

Petitioner prays that relief be afforded him.

I am directed to report that the Committee are of opinion that the Government should make inquiry into the truth of the allegations made by petitioner, which are of a serious character, by the appointment of some impartial and competent person, not being an officer of the Government or a resident in the district, who should make local inquiry, and report the facts to the Government.

27th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of THOMAS FARR and Others.

THE petitioners state that they object to the passing of any Act to legalize the taking of any portion of the land in the Town of Oamaru for the formation of a tramway, or for any other object which may interfere with the purpose for which the reserves were set aside. They consider that the railway proposed to be formed will not be of advantage to the inhabitants generally.

They pray that the House will not pass any Act authorizing the using of any parts of the reserves of the town for this purpose.

I have the honor to report that the Committee cannot recommend the prayer of the petitioners to the favourable consideration of the House.

27th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of SETTLERS of WAIPA and RAGLAN.

THE petitioners object to certain statements made by the Native Minister, and pray that the so-called King Natives be not allowed to settle in the Waikato.

I am directed to report that the Committee have no opinion to offer to the House on the subject-matter of this petition.

27th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of GRAHAMSTOWN BOROUGH COUNCIL.

PETITIONERS state that there is a large population on the Thames desirous of obtaining freehold land for settlement. They believe that suitable tracts of ground could be purchased from the Natives in the Thames Valley and adjacent districts.

They pray that your honorable House may give their petition favourable consideration, and devise such measures as will be the means of opening up large tracts of land for settlement by the people of the district.

I am directed to report that the Committee are of opinion that the Government should take steps to comply with the prayer of the petitioners, and obtain from the Natives, with as little delay as possible, lands suitable for settlement.

27th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of OWNERS and OCCUPIERS of LAND, SOUTHLAND.

THE petitioners state that the Southland District contains a large area of valuable swamp land, the resources of which lie dormant for want of drainage.

They believe that a suitable Drainage Act would be of great benefit, and would be a popular measure.

They pray for legislation in the matter.

I have the honor to report that the subject-matter of this petition is one which the Committee recommend to the consideration of the House.

27th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION OF JAMES HEBERLEY.

THE petitioner states that in 1840, 1841, and 1842 he lived at Worsser's Bay, in the Province of Wellington.

That the bay was then the fishing station of E. Puni and Waripori, Native chiefs of the Ngahaua tribe.

That he is related to the above-named chiefs through his wife Te Wai.

That in 1840, E. Puni, being then the owner, gave to petitioner and his wife a portion of the land lying between a place called Pinnacle Rock and the Cave, from the shore to the foot of the hills. That the land has been taken by the Government and sold to private individuals.

He prays for redress or compensation.

I have the honor to report that, as no sufficient evidence has been offered to the Committee with respect to this case, they have opinion to offer.

27th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION OF W. F. WILKINSON.

THE petitioner states that he was verbally instructed by Mr. Gow, the Government Inspector of the Waimea Water-race, to make a deviation from the original line of survey.

That this deviation necessitated petitioner driving a tunnel a distance of 4 chains and 61 feet, at a cost of £306 4s. 10d.

That his original contract was 5 chains and 4 links of ditching, at £12 per chain—total, £60 9s. 7d.

That he is thus a loser, through the deviation, of £245 15s. 3d., whilst the Government saves thereby a sum of £1,500.

The petitioner prays that your honorable House will take his case into consideration, and award him a fair and equitable amount.

I have the honor to report that, as there has not been sufficient evidence submitted to the Committee with respect to this claim, they have no recommendation to make.

27th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION OF C. GIFFARD MOORE and Others.

THE petitioners state that they are aware that it is proposed to introduce a Bill into your honorable House to empower the construction of a tramway through and across certain reserves in the Town of Oamaru. They consider that the construction of this tramway would be a great public benefit.

They pray that the Bill may receive favourable consideration.

I have the honor to report that the Committee recommend the prayer of the petitioners to the favourable consideration of the House.

27th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION (No. 5) of HIBINI TAIWHANGA.

THE petitioner prays that an Act be passed for the preservation of a valuable timber tree called by him the Manoao, which grows in the districts of Kaihu, Te Wairoa, Hokianga, and on to the Bay of Islands. The tree, he states, is strong and durable, and valuable for building bridges, wharves, fences, and houses, and that it will not decay for centuries, although it may be used in the sea or land. The Committee have taken evidence in the matter, and find that the tree is not known to any of the witnesses except the petitioner, who spoke in very decided terms of its durability and value.

I am directed to report that the Committee, having taken evidence which shows the existence of this timber, and that it is durable and valuable for piles, wharves, bridges, &c., and is soft and easily wrought, recommend that the Public Works Department should make investigation, with a view to the utilization of this timber, and its preservation from wasteful destruction.

27th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION OF N. MCCREERY, of AUCKLAND.

PETITIONER states that he has been compelled to sell his freehold property at a considerable sacrifice and pecuniary loss, in consequence of the illegal and arbitrary decisions of the Resident Magistrate, Dr. Ormond, and the heavy damages given against him for alleged trespass.

The Committee have made inquiry into this case, and find that the matter has been under the consideration of the Government, but the Government were advised that it was not usual for the Executive to revise the decision of Magistrates, except on very special grounds, such as glaring injustice or incapacity. If the allegations in the petition are true, of which the Committee are not in a position from want of evidence to judge, the Magistrate appears, *ex parte*, to have acted with injustice or incapacity.

The Committee recommend the Government to make inquiry into petitioner's grievance, with a view to affording him redress if the justice of his case demands it.

27th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of JOHN BROGDEN and SONS.

THE petitioners pray for an inquiry into their grievances against the Government, in the matter of their contracts for railways, and loss sustained by the introduction of immigrants; and that relief be given them.

I am directed to report that this being the last day of the session, and the Committee having to sit whilst the business of the House is proceeding, there is no time this session to inquire into and deal with the large and complicated questions involved in this petition.

The Committee have therefore no recommendation to make to the House.

28th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of INHABITANTS of BANKS PENINSULA.

FOR survey of a proposed line of railway to Akaroa, and a proposal to drain Lakes Ellesmere and Forsyth.

I am directed to report that, as the matter is under the consideration of the House, the Committee have no recommendation to make.

28th October, 1876.

T. KELLY,
Chairman.

REPORT on the PETITION of H. R. RUSSELL.

THE petitioner states that three years ago he purchased 6,800 acres of land in the Province of Hawke's Bay, close to the main road to Porangahau, and that he has no access to it.

That the Provincial Government refused his application that a line of road be laid off for him, on the ground that he has access to the land through his other private property.

The petitioner prays that relief be afforded him.

I am directed to report that, as far as the information offered to the Committee goes, the petitioner appears to have no right of road to 6,800 acres of land except through other property belonging to him. A right of road has been reserved through petitioner's land in continuation of a private road of some 60 chains, which connects it with the main line of road; but petitioner has no right-of-way over the fence of private road.

The Committee consider that the land laws of the province are very defective, and the administration lax, which permitted a block of waste land of 6,800 acres to be cut off from the main line of road by intervening purchases, which practically withdrew the land from public competition.

The Committee consider that, in this special case, a right-of-way should be granted to petitioner, and that legislative action be taken to enable the authorities to take necessary roads through all land on which 5 per cent. allowance has been made for roads, but which rights have lapsed owing to "The Crown Lands Act, 1861," having been passed.

28th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of ROBERT McMILLAN and JOSHUA JONES.

THE petitioners state that they entered into a contract with the Provincial Government of Taranaki to purchase 1,900 acres of land on deferred payment, under the special settlement clauses of "The Taranaki Waste Lands Act, 1874," and on the faith of this contract have expended considerable sums of money.

That such contract has not been carried out; the petitioners being informed that the Government have not power to grant the land.

They pray for redress.

I am directed to report that the Committee have made inquiry into petitioner's case, and recommend the Government to carry out the agreement entered into between the petitioners and the Provincial Government of Taranaki.

28th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION of E. H. POWER.

THE petitioner states that he is *de jure* owner of certain land of which he has not made a legal transfer.

That a certificate of title was issued under the District Land Act, though a caveat was lodged by petitioner.

That he gave a memorandum of sale and received part of the purchase money, and that, pending the issue of the Crown grant, another part was kept back until a valid title could be given.

That, in issuing the certificate of title, petitioner's lien has been ignored.

He prays to be reinstated in his former position.

I am directed to report that as it appears that the petitioner allowed the caveat to lapse by allowing three months to expire without taking any action to restrain the Registrar from issuing the certificate of title, as provided by law, he has therefore forfeited his claim on the Assurance Fund. But as no evidence is offered to the Committee to explain this apparent neglect on the part of the petitioner, the Committee have no recommendation to make.

28th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION OF JOHN GODFREY.

THE petitioner states that the Town of Picton was incorporated in 1876, and the first Mayor illegally elected by the members of the Picton Board of Works. That petitioner took action to test the validity of the election, and incurred expense.

That a clause has been inserted in "The Municipal Corporations Act, 1876," in the Legislative Council, which validates the illegal election, and constitutes the members of the Picton Board of Works Councillors of the borough.

He prays that the said clause shall not receive the sanction of the House.

I am directed to report that the non-election of Councillors by the ratepayers of the Borough of Picton, as required by law, appears to the Committee to have been an error of judgment, which is properly validated by the clause complained of by petitioner in the Municipal Corporations Act of 1876; and as it appears that the petitioner's legal expenses are to be refunded, the Committee consider that no further action is necessary.

28th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION OF JOSEPH TAYLOR.

THE petitioner prays that relief be afforded him in the matter of excessive penalties imposed on him for non-performance of his contract within the stipulated time; such non-performance being mainly caused by delays occasioned by the Public Works Department, and alterations made from the original contract.

I am directed to report that the Committee, having made inquiry into the case, are of opinion that a portion of the penalty should be remitted; but the amount should be a matter for the Government to determine.

28th October, 1876.

T. KELLY,
Chairman.

REPORT ON PETITION OF THOMAS LEEDOM.

THE petitioner states that he entered into agreements with certain Natives, who were entitled to certain lands, to lease 490 acres; that he entered into possession and expended a considerable sum of money in fencing and placing stock thereon, and paid the Natives over £100 in advance.

That a lease was prepared in accordance with a memorandum of agreement, and the petitioner asked the licensed interpreter to translate it into the Maori language. They informed the petitioner that they were forbidden to do so. That petitioner attended the Native office with the Natives concerned, when he was told by Mr Parris that his lease was worthless, and that when the individual grants were issued he should not have one foot of the land. He prays for relief.

The Committee have made inquiry into this case; but from the want of definite information as to the various chiefs through which the land in question has passed, the matter is not so clear as the Committee desire it should be. But it appears that the land in question is confiscated land handed back to a section of the Ngatiawa tribe residing at Waitara. That at the time the petitioner negotiated the leases, the title to the land had not been individualized, and the petitioner dealt only with the chief claimants. That subsequently the late Civil Commissioner, Mr. Parris, applied to the Government to be allowed to individualize the title. This was done, and the land was awarded to some eighty or ninety persons, in amounts varying from three to thirty acres.

The Civil Commissioner then advertised for tenders to lease some 170 acres of the land, and it was let at a higher rent than the petitioner agreed to give. The Committee have inquired into the allegations made by the petitioner with respect to the Civil Commissioner refusing to allow the interpreter to interpret, and find, on examining the Civil Commissioner, that the statement is correct, and that he justifies his action on the ground that it is necessary to assume the power occasionally in the interest of the Natives, and also to refuse to accept holders of publicans' licenses as witnesses in land transactions. With respect to the petitioner's claim, it appears that he supplied goods to Natives, who appear to have a claim on the land agreed to be leased to him; but as the evidence is not sufficient to enable the Committee to come to a decision on the matter, local inquiry should be made, with the view of ascertaining whether the Natives received the goods on account of rent, and, if such should be the case, that the rent to which the Natives concerned are entitled should be deducted, to pay for the goods received from petitioner.

With respect to the leasing of Native land, the Committee are of opinion that when Natives are entitled to Crown grants to land, they should be allowed to deal with it according to law, without the interposition of the Native Department; and that when Native reserves are to be leased, they should be dealt with on a uniform system, under regulations or by Waste Lands Boards. That, with respect to interpreters who are public interpreters, it is highly improper for any Civil Commissioner or other person to assume the power of refusing his services to any member of the community, and that the Government ought at once to stop such a practice.

28th October, 1876.

T. KELLY,
Chairman.

FINAL REPORT.

THE Committee have the honor finally to report that during the session 303, petitions have been dealt with or forwarded to other Committees; and that, to enable the Committee to make reports, 217 witnesses were examined; and the Committee sat 79 days to dispose of the petitions referred by the House to the Committee.

I am directed to report that, in consequence of the large number of petitions presented during the Session, and the probability of the number increasing each succeeding Session, the Committee consider that it is advisable to alter the present mode of dealing with them, so that the petitions be distributed to several Committees, and thus relieve the Public Petitions Committee from the excessive work which it has now to perform.

The Committee therefore recommend the House to adopt the following suggestions:—That the officers of the House be instructed, or a special Committee be appointed, to classify petitions, and forward them direct to such of the following Committees as may from its constitution be most competent to deal with them:—

1. Private Grievance Committee, to which should be referred all petitions of a personal character.
2. Public Grievance Committee, to which should be referred all petitions which complain of grievance in a public capacity.
3. Public Works Committee, to which should be referred all petitions affecting the construction of public works.
4. Native Affairs Committee, to which should be referred all petitions specially affecting Natives.
5. Waste Lands Committee, to which should be referred all petitions affecting waste lands.
6. Gold Fields Committee, to which should be referred all petitions affecting gold fields.

28th October, 1876.

T. KELLY,
Chairman.

PUBLIC PETITIONS COMMITTEE.

REPORT ON THE PETITION OF THE MAYOR AND COUNCIL, CITY OF DUNEDIN.

THE petitioners state that it has come to their knowledge that the Otago Harbour Board is taking action prejudicial to their interest in the matter of certain city reserves, more particularly the Wharves or Quays Reserves held under "The Dunedin Reserves Management Act, 1867," and they pray that Parliament may not be led in the matter to legislate detrimentally to their interest.

The Committee have made inquiry, and taken evidence in the matter of the reserves in question, and find that they were granted in 1866 to the Superintendent of Otago in trust as a site for public wharves.

In 1867 "The Dunedin Reserves Management Ordinance" vested the reserves in the Corporation of the City of Dunedin in trust for the purposes of the grant. The same Ordinance vested the management in the Corporation, and empowered the Corporation, with the consent of the Superintendent, to lease the reserves for twenty-one years. The rents derived from the reserves by the Corporation are directed by the Ordinance to be applied and disposed of in the manner provided by the 94th section of "The Otago Municipal Corporation Ordinance, 1865." This section provides that the Corporation funds shall be applied to municipal purposes.

I am directed to report that the Committee have no recommendation to make to the House on the subject-matter of this petition,

22nd September, 1876,

THOS. KELLY,
Chairman.

MINUTES OF EVIDENCE.

TUESDAY, 12TH SEPTEMBER, 1876.

The Hon. Mr. REYNOLDS, M.H.R., examined.

1. *The Chairman.*] Will you please state what you know in reference to this petition?—In the Session of 1865, a special Committee was appointed to take into consideration a claim in connection with part of the water-frontage reserves. The Weld Government opposed the appointment of this Committee, and only consented to its being appointed on condition that the whole Committee should be nominated by the Government. I agreed to their proposition, and the Committee was appointed. It consisted of Mr. R. Graham, of Auckland; Mr. Waring Taylor, of Wellington; Mr. A. J. Richmond, of Nelson, who is now a member of this Committee; Dr. Featherston; Mr. Wilkin, of Canterbury; the Hon. Mr. Stafford; and myself, from Otago. That Committee went over the whole of the papers in connection with these reserves of the New Zealand Company and Otago Association, and in doing so they found that, in a letter addressed by Mr. T. C. Harrington, the principal Secretary of the New Zealand Company in London, under date 20th October, 1846, addressed to Colonel Wakefield, the Company's principal Agent in the colony, he conveys the opinion of the Court of Directors regarding water frontages in Dunedin. "With regard to water frontages, the opinion of the Court, after consultation with Mr. Cargill, is that it will conduce more to the general advantage of the settlement if such frontages, instead of being sold to private individuals, remain in every instance the property of the public or of the Municipality as the representatives and trustees of the local public. The acquisition of them by private persons may indeed hold out an inducement for the early erection of wharves and quays; but such erections may be otherwise secured by the Municipality. And it is considered that, whatever may be the extent of the first advantage, it would be dearly purchased by a greater ultimate inconvenience." This opinion was subsequently confirmed by the following despatch from Mr. Harrington to Colonel Wakefield, dated 21st October, 1864:—"The draft of the despatch which I had yesterday the honor of addressing to you, Otago, No. 3-46, having been communicated to Mr. Cargill, that gentleman has addressed to me the letter of which a copy is now enclosed; and I am instructed by the Court to request that you will give effect to the several suggestions therein contained." The suggestions above referred to were conveyed in a letter addressed to Mr. T. C. Harrington, and dated 21st October, 1846. They are as follow:—1st. That Colonel Wakefield, in conjunction with the Governor or officer appointed, should make the requisite appropriations for fortifications, Custom House sites, and all other Crown purposes. 2nd. That all water frontages from about high-water mark be reserved for public use, as at Glasgow, Bordeaux, &c. Such parts of the same as could not be improved immediately, or required by the public, will of course be let by the Municipal authorities upon lease and on encouraging terms to private parties, but with due provision against anything like the permanent system on the River Thames in London. 3rd. That Colonel Wakefield, assisted by his surveyor, be requested to appropriate sites for all other purposes referred to in clause 12, not omitting each principal town; and, under the head of "Public Buildings," a site for a church, with school and play-ground for the children; and also in the case of Dunedin, a site for a college. It appears that these instructions were carried into effect by Mr. Charles Kettle, the principal surveyor of the New Zealand Company in Otago, and under whose directions the

Town of Dunedin was laid off, as notified by him in his letter to Colonel Wakefield, dated 18th June, 1847, and from which the following is an extract:—"I shall also attend to the throwing up of those sections in the upper town (Dunedin) mentioned in the postscripts of your letter, No. 9-47, to meet the views of the Court." This is also confirmed by a letter from Mr. T. C. Harrington to Captain Cargill, dated 25th November, 1847, and which runs thus:—"In my note this evening I forgot to mention that the instructions respecting the water frontages, &c., had been received, and directions given to Mr. Kettle to carry them out." The foregoing letter is backed, in the late Captain Cargill's handwriting, as follows:—"Instructions as to water frontages being reserved for public uses, received by Colonel Wakefield, and sent on to Mr. Kettle. This will so far alter the position of town allotments." Then, Sir, on very full evidence before it, the Committee reported, "That a Crown grant be issued in favour of the Municipality of Dunedin, as trustees and representatives of the local public, as was evidently the intention of the New Zealand Company, conveyed in the instructions of Mr. T. C. Harrington to Colonel Wakefield." In accordance with that recommendation, the Crown grants were issued in the name of the Superintendent in trust for wharves and quays in connection with the City of Dunedin.

2. Have you got a copy of the grant?—No; it can be got here. I know that is the position of it.

3. What is the date of the grant?—That is more than I can tell you. It would be after 1865. In 1874, the Provincial Council passed the Otago Harbour Board Ordinance; the Speaker of the Council, Mr. J. L. Gillies, being an *ex officio* member of the Board, but was subsequently appointed Secretary of the Board, at a salary of £500 per annum. In his double capacity of Secretary and Speaker, he addressed a circular to all the members of the Provincial Council, asking them to sign a certain reply, and this is what gives occasion for the petition from the Corporation of Dunedin:—

"SIR,—

"Provincial Council Chambers, Dunedin, 1st August, 1876.

"As Speaker of the Provincial Council, I have been requested to forward to each member of the Council the enclosed expression of opinion respecting certain public reserves, and have to request that you will return the same, signed or unsigned, as early as possible.

"I have, &c.,

"J. L. GILLIES,

Speaker.

"The Hon. W. H. Reynolds, M.H.R., M.P.C."

Upon this the Corporation also issued the circular attached (marked A). I may just state one point or two which may be necessary to prove one or two of the allegations contained in it. In 1867, an Ordinance of the Provincial Council, entitled "The Dunedin Reserves Management Ordinance," was passed by the Provincial Council, and was assented to by the Governor. The 4th section of that Ordinance shows that the revenues of the reserves contained in the First Schedule are to be applied in terms of the 94th section of "The Municipal Corporations Ordinance, 1865." Under that section, the funds were to be applied in repairing the streets, paying the salaries of Mayor and officers of the Corporation, providing sewerage, lighting, and all other improvements which were entered into for the benefit of Dunedin—quoted as follows:—"The funds of the Corporation shall be applied to and towards payment of the allowance (if any be made) to the Mayor, of the salaries, allowances, or commission of the Town Clerk and other officers whom the Council shall appoint, of the expenses which shall be necessarily incurred in carrying into effect the provisions of this Ordinance, and of such further expenses as under the direction of the Council shall be incurred for the public benefit of the inhabitants and repair of the streets, the sewerage, lighting, and all other improvements of the said city, and all such works, matters, and things may be entered upon and executed by virtue thereof." To show that it was fully intended the Corporation should have the revenues for this purpose, "The Dunedin Reserves Management Ordinance, 1867," makes different provisions with regard to other reserves; for example, in sections 5, 6, and 7, provision is made for letting the other reserves in the Second Schedule, but made certain restrictions, and insists on the rents being expended on the reserves themselves, and that the reserves should be used solely for the purpose for which they were set aside. I am now referring to the Second Schedule. The First Schedule contains reserve for pound, reserve for reservoir, reserve for cemetery, reserves for public wharves and quays, reserves for quarry purposes, and so on. The Second Schedule contains reserves for purposes of public recreation, and these sections provide that they may be let, but that the public are not to be deprived of access to them at all times; and further than that, the revenues derived from any of these reserves shall be applied towards improving them. Sections 8 and 9 provide for the letting of reserves under the Third Schedule, and this stands exactly in the same position as reserves for wharves and quays; so that the reserve under the Third Schedule is to be dealt with in the same way as those under the First Schedule, including the wharves and quays reserves, a reserve for a reservoir, market, &c. I quote this to show that it was fully understood at the time this Ordinance was passed that the reserves under the First Schedule were to be treated alike to the reserves in the Third Schedule, and the funds or revenues derived from the reserves under the First and Third Schedules were to be expended for general city purposes, while the revenues derivable under the Second Schedule were to be expended in improving these recreation reserves, and for no other purpose. When the Harbour Board Empowering Bill was before the House last Session, under my charge as political head of the Marine Department, objections were raised to its passing because it was indefinite, and it appears that the Harbor Board wished to acquire these wharf and quay reserves. A compromise was made with the then and present Secretary (who came up here to watch the passing of the Bill) that a clause should be introduced for the purpose of meeting this case. (Clause read as follows:—"Nothing in this Act contained shall be taken or deemed to destroy or abridge in any manner, or interfere or conflict with any of the rights, powers, or interests given to or conferred upon the Corporation of the City of Dunedin, in and by a certain Ordinance of the Superintendent and the Provincial Council of the Province of Otago, the Short Title whereof is 'The Dunedin Reserves Management Ordinance, 1867.'") I think that nothing can be more distinct than that it was the intention of the Legislature last Session that these reserves should remain the property of

the Corporation. I do not say it is incompetent for the Legislature to alter its decision this Session, but I do not think there is any reason it should do so, seeing that the Secretary of the Harbour Board, who has taken the action in this instance, has not made out any case to show that the Harbour Board has any claim to this reserve. I shall be glad to answer any questions that may be put to me, and to furnish what information I am in a position to convey to the Committee.

4. *The Chairman.*] To make it clear to the Committee, may I ask in what capacity do you appear? Is it behalf on of the petitioners?—No; I appear in the capacity of a member of the Legislature, and only wish to see justice done to all parties. I may make this statement, knowing the case for the last twenty-six years, and being thoroughly acquainted with the whole affair; and I thought it would save time if I made this statement to the Committee. To supplement my evidence, I may state that, at the time the Crown grants were to be issued, Mr. Domett stated to Mr. Mason, then Mayor of Dunedin, and to myself, that it would be necessary to specify the purposes for which the reserves were to be granted, and explained that, under "The Public Reserves Act, 1854," these purposes could be altered by Act or Ordinance to be passed by the Provincial Council, and thus transfer them from one purpose to another. Mr. Mason and I were not, therefore, at all particular as to the designation given to the reserves, but put down whatever came uppermost.

"To the Hon. the COLONIAL SECRETARY, Wellington.

"SIR,—

"I _____, member of the Provincial Council of Otago, representing the District of _____, having been informed that the Corporation of Dunedin is endeavouring to obtain the passing of an Act through the Assembly, amongst other things, to give a perpetual proprietary right to certain reserves set apart for various purposes, in which the province as a whole has an interest, and of which the said Corporation at present holds only the trusteeship 'for the like purposes for which they were originally set aside,' do hereby protest against such mal-diversion of the reserves in question, on the following grounds:—

- "1. That originally these reserves were set aside for specific purposes, in which the whole province had and has an interest.
- "2. That in 1867, when the trusteeship of these reserves was changed from the Superintendent of the province to the City Corporation, it was specifically declared in the Ordinance that they were 'to be held in trust for the like public purposes for which they were originally set apart.'
- "3. That, referring to the *Daily Times*' report of the discussion on the Ordinance referred to (11th May, 1867), the then leader of the Government, George Duncan, Esq., assured the Provincial Council 'that the House was not being asked to place these properties in the hands of the Corporation: they were only seeking to let the Corporation have the management of the reserves.'
- "4. That, as a representative of the _____ District, having mutually an interest with other districts of the province in conserving these reserves to their original purposes when required, or that they only be changed to some other purpose in which the whole public of the province may be interested, feel bound to protest against said reserves being so dealt with as to make them only beneficial to one Corporation, and that to the already largely-endowed (both in town and country) Corporation of the City of Dunedin.

"I therefore respectfully request that inquiries may be made into the whole question of these reserves with a view to their trusteeship being changed to those appointed to look after the specific purposes of the several trusts; and that, where it may be found desirable to change the purposes of the trust, such change shall only be to other purposes wherein the general public of the province may be interested; and also that you will be pleased to cause a copy of this protest and petition to be laid on the table of both Houses of Parliament now in session.

"I have, &c.,

Otago, August, 1876."

Mr. HENRY J. WALTER examined.

5. *The Chairman.*] Have you anything to state to the Committee?—After the clear and consecutive manner in which the matter has been laid before the Committee by Mr. Reynolds, it will be unnecessary for me to say much. The Board received every assistance from the Mayor and Corporation, and have always worked in harmony together. We believed the effect of all legislation in this matter to be that we would remain in undisturbed occupation of this reserve. We have conformed to the various Ordinances that have been passed; and the Corporation of Dunedin and citizens also have come to the conclusion that the time for any objections to be made was last year, when the Harbour Boards Empowering Act was before the Assembly. I do not know that I need say more than Mr. Reynolds has said.

6. The first thing the Committee would require would be to see the grants, and ascertain what the trusts are?—That can be easily ascertained.

Mr. MASSEY, Town Clerk, examined.

7. *The Chairman.*] Before these reserves came under the Corporation, were they leased by the Corporation?—They were not occupied by lessees.

8. When were they first leased?—Immediately after 1867, when this Ordinance became law. About two years ago the remaining portion of this Quays and Wharf Reserve was leased for twenty-one years in allotments, and they have now nineteen years to run.

9. What are the total rents derived from this particular reserve?—Between £450 and £500.

10. Is the whole of the eighteen acres let?—A good portion of it is taken by the Government for the Port Chalmers Railway. The railway runs right along it.

11. And the whole of the balance has been leased for a long period?—Yes.
12. And the total rents are?—Between £450 and £500 a year. It has been let on building leases.
13. The whole property at the end of that term comes into the hands of the Corporation?—The term of the Corporation building leases is that after the present lease has run out they are continued, but not at the same rent.
14. What does the Harbour Board claim?—Simply that they would like to get possession of this reserve. The Crown grant states that it is reserved for a wharf.
15. What is the nature of the trust in the grant?—For purposes of public utility.
16. For harbour improvements?—There is not a word of that; I can state that positively.
17. *Mr. Swanson.*] Does the drainage of the city not pass into the harbour?—*Mr. Walter:* A very small portion of it.
18. I suppose this Harbour Board will have considerable control over the foreshore?—*Mr. Massey:* Only control over its own endowment. Part of its endowment is now under water. They are arranging to pay the Government a price.
19. Is it very desirable that there should be a really good understanding between the two bodies?—There must be a complete understanding. They can only work unitedly.
20. It is not desirable that there should be a collision between them?—It is most undesirable there should be such a thing.
21. How is the Harbour Board elected?—At present they are all nominated by the Provincial Executive.
22. Do you not think it would be very desirable if the Chamber of Commerce had to appoint a member, and the City Council had power to nominate one, or two, or three of these men?—*Mr. Walter:* I believe the Bill now introduced will have the desired effect to make these bodies work in unison and harmony.
23. You say that £200,000 has been borrowed upon the security of the reserves?—*Mr. Massey:* Yes, on the security of all our property; and when, twelve months ago, we had to negotiate a large loan, we had to set forth in our prospectus, which was circulated over Great Britain, what were our rentals.
24. Was it not borrowed on the security of the rates as well as the Municipal estate?—On the security of the estate and rates.
25. What is the whole value (to sell) of the Municipal estate?—It has never been valued. I dare say it might be worth £300,000 or £400,000.
26. What do you value the reserve in question at?—It would be rather difficult to say; very likely it is worth £20,000.
27. *Mr. Dignan.*] Who pays the interest on the loans you have already borrowed?—The Corporation, out of annual income.
28. At the time you received the £200,000, did you state to those who lent it that these were the securities which the Municipality had for the payment of the principal?—Most clearly that was expressed in the prospectus published all over Great Britain, when the Bank of New Zealand last year negotiated the loan.
29. And by virtue of that you obtained the loan?—It assisted.
30. I presume the land is in the name of the Superintendent?—Yes.
31. Has he since transferred that to the Municipal Corporation?—No; they still remain in his name.
32. Do you utilize and use them?—The management of the reserves has been absolutely transferred, and the funds too, to the Corporation.
33. *The Chairman.*] When you issued this circular in Great Britain, was it the rents that the Corporation were receiving, or the capitalized value that you put forth?—Both.
34. How much appeared as rent?—£8,000 a year from all.
35. And from this particular one?—I could not say. That £8,000 showed that it was made up of certain reserves, of which this was one.
36. How much did you put this reserve at?—Between £450 and £500.
37. How long has the management of these endowments been in your hands?—Since 1867.
38. Has this reserve been let?—One-half was immediately let for fourteen years; then, by direction of the Superintendent, the remaining portion was only let from year to year, until it was known what would be required for railway purposes. Since then the remainder has been let for twenty-one years, and much larger rents will be obtained.

WEDNESDAY, 13TH SEPTEMBER 1876.

MR. DONALD REID examined.

38A. Will you please state to the Committee what you know of this matter?—There seems to be a difference of opinion between the Corporation and the Harbour Board. The Corporation claims these reserves under the Ordinance of 1867.

39. Can you give the Committee any information with respect to this reserve in question, as to the origin of the trust, and when the Crown grant was issued?—My belief is that the Crown grant is to the Superintendent, in trust for wharves and quays. In 1867, there was an Ordinance passed to hand over the management of these reserves to the City Corporation. I have looked for a copy of the *Daily Times* of that date to see if there was any discussion in the Council as to the terms on which the management was to be handed over. My impression is that it was explained in the Council that the object for which the management was to be handed over was simply to have some local body who would have charge over these reserves. At that time there were a great many people coming to Dunedin, and they were squatting over the land, and it was becoming rather a nuisance; and the

Corporation wished to have control over them; and as there was no other body in existence, the control of the reserves was vested in the Corporation. The Ordinance states explicitly "that the land is to be held in trust for the like purposes for which such lands are now held." It is quite true that the Ordinance gives all the moneys received by the Corporation for the rents of the lands. It would appear there was a conflict in the clauses of the Ordinance; but it must be remembered that a great many reserves are referred to in this First Schedule, and as there was no revenue accruing from the Wharves and Quays Reserve at the time the Ordinance was passed, this might be overlooked; and my impression is, that the full intention of this Ordinance in regard to wharves and quays was simply to give the Corporation the management and control of the reserves. They could not lease without the consent of the Superintendent; and it is only very recently that the Superintendent gave them power to lease. It is now contended that it was the intention of this Ordinance to vest the lands absolutely in the Corporation. If that is contended, I would like to point out the distinction there is between the Ordinance of 1867, which simply gave them the control, and the Ordinance of 1871, which absolutely vested a portion of the estate. By "The Dunedin Reserves Management Ordinance, 1871," the portion transferred is designated reserve for public wharves and quays. The purposes of the trust is altered here. This absolutely alters the object of the reserve. The Ordinance of 1867 carefully provides that the objects for which the trust has been created shall not be altered, although it does provide that the proceeds shall be applied to the use of the town for the time being.

40. Did that clause with respect to the disposal of the rents appear in the Bill as originally sent down to the Council?—I rather think it did.

41. Is the Committee to understand that the Harbour Board claim this reserve as belonging to the Harbour Trust?—I do not know that they have taken any action in the matter as a Board. Many members of the Board consider this property part of their estate, and that they should have the rents from the lands.

42. *Hon. Mr. Reynolds.*] You stated that the grants were issued to the Superintendent in trust for wharves and quays?—I believe so.

43. Do you know how the grants were issued for the other reserves under the same Schedule?—I presume for the objects for which they are named in the Schedule.

44. Did the Provincial Council not grant the Corporation full control over all the reserves in the First Schedule?—I believe that all the reserves in the First Schedule are referred to in the 2nd section of the Act.

45. Upon that ground, this reserve for a pound would be held for a pound. Is it occupied as a pound?—I do not know. If the Corporation choose to erect a pound on some other site more eligible, we do not interfere.

46. The reserve for a reservoir is that used for a reservoir?—I am not aware that it is. There is a reserve for a reservoir at the top of Maclaggan Street.

47. Could you erect wharves and quays on that reserve? Is it not being closed in by reclamation?—That is a different matter. The harbour improvements are closing it in. They are doing exactly what they are doing in Wellington. They are reclaiming, and putting the wharves further out, instead of deepening the water up to the reserves.

48. Do you know how these reserves were set aside originally by the New Zealand Company and Otago Association?—I know a little about it. I do not think that has a great bearing on the subject.

49. You stated that they could not lease these reserves without the consent of the Superintendent. Can they lease any others?—Not on the same footing. I believe they could lease the land vested by the Ordinances of 1871, without reference to the Superintendent.

50. You quoted the Ordinance of 1871. Do you know what reserve that is?—Part of the Wharves and Quays Reserve, which has been given over absolutely. The Harbour Board do not lay any claim to this.

51. Do you consider that it stands in the same position as these others?—No; this Ordinance shows that it is vested absolutely.

52. But before that was passed? Yes, it did not stand differently then.

53. Do you know how the moneys are dealt with under "The Municipal Corporation Act, 1865"?—I have not looked it up, but I presume it is used for Municipal purposes.

54. Sections 5, 6, and 7 of the Ordinance of 1867 provides that the revenues derived from certain reserves shall be expended on the reserves themselves?—Yes; reserves for recreation purposes, &c.

55. Sections 8 and 9 refer to the Third Schedule, Market Reserve. That is exactly in the same way as the reserve under the First Schedule?—Exactly, with this difference: that the one is for the use of the inhabitants of the city, the other for the province generally. The Market Reserve is vested absolutely in the Corporation. The vesting of the Wharf and Quay Reserve is a very different thing.

56. *Mr. Hislop.*] What construction do you put upon the two sections of the Act together—that the reserves are to be vested in the Corporation for the same purposes as they were previously held? Was it not that they might lease them for purposes of public wharves and quays?—I believe it was explained in the Provincial Council that the management was handed over to the Corporation to prevent squatting, and if any revenue accrued, the Corporation was entitled to it until the lands were required for the Harbour Trust or improving the harbour. I believe it was never understood by the Council that they were diverting this estate from the trust to which it was set apart.

57. Was it possible at that time to have wharves and quays there?—I do not believe it was ever contemplated that they should have wharves and quays over the whole of the reserves. They are now bringing solid land in connection with the shipping. I do not see why it is imperative that wharves and quays should be by piles and water. I do not think the opinion was that the land should be for wharves and quays, but that the land should be available to assist in their construction, and to secure the water frontage.

58. Do you say that of your own knowledge?—All these trusts show the Crown grants. Nothing will go behind the Crown grants.

59. Had the City of Dunedin in 1867 anything whatever to do with the harbour?—I am not quite clear whether we gave them any control of the wharves. I do not think so.

60. The Provincial Council had control of the harbour?—Yes; it could not well manage reserves in the city lying unimproved.
61. They could manage education reserves?—Yes.
62. Could not they have managed this reserve as well as others for general purposes?—So they might.
63. If the Dunedin people were not absolutely entitled to these rents, was there any reason the land should be given to them?—They did not lay claim to the rents further than that the reserves were becoming a nuisance, and they wished to have control over the whole town.
64. *Mr. Swanson.*] Dunedin has been borrowing some money recently?—Yes; a great deal.
65. Is this any part of the security they gave?—I do not think they could very well. I presume that what they have given is their income.
66. This forms part of it?—I do not think they could properly give it as security, because the Ordinance of 1867 says that the money is to be appropriated to the purposes for which the land is set apart.
67. Is the rent now paid over to the Harbour Board?—No.
68. Does not the City Council apply it to their own purposes?—Yes.
69. I understand that if they have borrowed under their endowments, they have exceeded their power?—Yes; the Act simply empowers them to borrow on their rates. Under the power conferred by the 98th section of the Ordinance—the power to borrow on rates—if they have borrowed on the security of the Wharves and Quays Reserve, it appears to me they have exceeded their powers.
70. Is it not desirable that any collision between these two authorities should be prevented; and is it not in the interests of the people of Dunedin and Otago that they should work hand in hand together?—I do not find that these bodies generally assist each other much.
71. Is it desirable that the City Council and the Harbour Board should have a united interest?—It would be very desirable if the City Council could see its way to think of the harbour as much as the city. We look upon the harbour as a matter that applies to the province, city, and all, but unfortunately the City Council look at it more from a city point of view.
72. *Hon. Mr. Reynolds.*] What are the harbour endowments estimated as worth?—Very little, until a great deal of money is spent on them. Until something like a quarter of a million is spent on them, they will not be available for anything.
73. What will the endowments be worth then?—I have no idea.
74. Would they be worth £800,000?—I cannot give an opinion.
75. *Mr. Swanson.*] Is that Harbour Board represented by all the bodies that own land there?—The frontage of the reserve does not extend much beyond the city. It is vested in a nominated Board. The Provincial Council would not agree to an elective one; we wished for it. There is a Bill now before the House for an elective body.
76. *Mr. Murray.*] Was that part of the Wharf and Quay Reserve set apart in 1867?—I think it was set apart before 1867.
77. If the title claimed by the Municipality through the Ordinance of 1867 had been sufficiently good, was there any necessity of having a special conveyance of $1\frac{1}{2}$ acres?—That, I think, was not included. The one Ordinance absolutely vests the land in the Corporation; the other, simply devotes the proceeds under certain conditions.
78. Do you think an alteration of the purposes of the trust in one case is an excuse why there should be an alteration in another case?—No. Moreover, I think that probably it could be shown that neither a pound nor reservoir is required, but there is a very great necessity for wharves and quays.
79. If the money has been raised on an alleged security through error of the Municipality, would you consider that a claim why they should get a valid title to the land?—Most assuredly there would be no claim at all. It would not be a claim; but I do not think it has been so raised, although possibly they may have attached to their statement the rates and income, and what their properties were, to show that they were in a good position, perhaps. This property may have been included by mistake. I do not think it could form part of the security at all.
80. *Mr. Dignan.*] Did the Municipality apply for power to borrow?—I believe so.
81. They did not object to their doing so?—Not to borrowing money on the rates or other legal securities.
82. Was there any application made by the Harbour Board to the Provincial Council, to get possession of this land?—I do not think so. I believe they always looked on it as belonging to the wharves and quays.
83. The Provincial Government has never attempted to take it out of the possession of the Municipality for the last nine years?—No; we only had a Harbour Board in 1874.
84. Is it suitable for the construction of wharves?—It was, if we had not thought of reclamation; but we are reclaiming the frontage of the land, and making a larger block.
85. Do not the rates derived from this property go into the hands of the Municipality?—Yes.
86. Not to the Harbour Board?—No; the Ordinance gives the Corporation the use of the money at present for the purposes for which the reserve was set apart.

THURSDAY, 14TH SEPTEMBER, 1876.

MR. GILLIES examined.

87. *The Chairman.*] Can you give the Committee any information on the subject of this petition?—As Secretary to the Harbour Board, I am requested to give evidence with regard to this petition. The Harbour Board has taken no action up to the present time to interfere with this reserve. They did not take any action until the Corporation, by the Dunedin Municipal Bill, thought to make the reserve for wharves and quays corporate property, which it was not and is not at the present time. It is simply held in trust for wharves and quays and for the like public purposes. The

Ordinance of 1867 did not transfer or change the purposes of the trust, and did not make that reserve Corporate property. That is very clearly borne out by a reference to the clause itself. Although the trusteeship is changed from the Superintendent to the City Council, the purposes of the reserve were never changed. (Clause 2, Ordinance 1867.) In 1866, a similar Ordinance was introduced in the Provincial Council. The same clause was not so clearly worded, and the Ordinance was refused.

88. When was it first Crown-granted?—In 1866. In 1867, the Ordinance was exactly the same, except in that one particular clause. In 1869, the Ordinance changed the specific purposes of a reserve as well as the trust. The Hospital Reserve, for instance, is changed to a market reserve. The ground upon which these reserves were granted to Dunedin by the Assembly in 1865 was that they had been set aside for that specific purpose prior to Mr. Mantell setting them aside for the Maoris. In 1866, when the Crown grants were issued, the one for 1 acre 2 roods 34 poles was Crown-granted for the inhabitants of Dunedin. The Crown grant for 18 acres was issued for purposes of public utility for the province. The 1 acre 2 roods 34 poles is in quite a different position from the 18 acres, because the purposes of that trust were changed to the Corporation of Dunedin, or for any purpose. What the Harbour Board maintains is that that endowment was set aside as a reserve for wharves and quays, and that the management only was transferred for the time being to the Corporation. Now that a Harbour Board is created, it is claimed that it was the intention of the Legislature that the management of these reserves should be handed over to the Harbour Board. With regard to the question of endowment, I may say that the Corporation of Dunedin are largely endowed throughout the whole province. The Corporation at the present time has a very large revenue throughout the whole province. The Harbour Board derives nothing at all now. The City Council's revenue, I am told, is something like £7,000 or £8,000 a year, whereas the Harbour Board does not derive one penny from endowments. The Corporation derives a revenue from all the reserves shown on the map produced.

89. How do you reconcile these two facts; if the trust is not altered, how is it that the Corporation receives the rents?—The Corporation were to have the management, because there was no body in existence to undertake the charge of those reserves. Mr. Duncan, Secretary of Public Works, explained in the Provincial Council that it was not their intention to make these endowments corporate properties, but simply to hand over the management of them until they were required for specific purposes. Had the Provincial Government continued and voted money for the harbour, I do not believe the Corporation would ever have been troubled; but the Harbour Board feel that they have got a large work to carry out, and little funds to do it with, and they say the foresight of granting this reserve for wharves and quays was a wise one, and the Board should have the revenues and management of that trust. It is distinctly declared by the Ordinance that the intention of the Council was that they were to be held for the purposes for which they were originally set aside.

90. *Mr. Dignan.*] Has the Corporation expended any money from other sources on this reserve, in the way of drainage, &c.?—No.

91. *Mr. Richmond.*] I suppose they borrowed money on this reserve?—Neither a private individual nor a corporate body has the right to pledge any property they hold in trust.

92. I suppose the people taking the debentures looked upon this reserve as part of the security?—No one can pledge property that is only held in trust.

93. Would the people advancing the money know that it was only held in trust?—Of course, I do not know what was submitted to them.

94. Do you think it will lessen their security?—I do not think so. It is rates they look to more than that.

95. *Mr. Shrimski.*] What is it the Harbour Board claims?—That this original reserve for wharves and quays, now that the Harbour Board is constituted, should be handed over to them, as the body who ought to be trustees.

96. Why claim it if it is for the whole of the province?—Because it is a reserve for wharves and quays. The Harbour Board is for the whole of the province.

97. When you were created a Board, you got a certain amount of endowment in land?—Yes; 421 acres all below high watermark.

98. It does not include these eighteen acres?—No.

99. *Hon. Mr. Reynolds.*] You addressed a circular to the members of the Provincial Council. Who requested you to address it?—A deputation of the members of Council.

100. Who were they?—Messrs. Allan, Henry Clarke, and Donald Henderson, three members of the Provincial Council.

101. Where these members in the Council in 1867, when the Ordinance was passed?—Mr. Allan and Mr. Henderson were, I think. I am not sure as to Mr. Clarke.

102. Are the present members of the Provincial Council the same as were in the Council when the Ordinance of 1867 was passed?—Not all.

103. Is there half?—I should think so.

104. Is it supposed that those who were not there knew anything of these reserves?—I cannot say.

105. Can you tell me how many years the Corporation of Dunedin have been in undisputed possession of the revenues of these reserves?—Since 1867. I might qualify that by saying that the Provincial Government, recognizing that they had a right to them, have taken possession of some of the reserves for buildings.

106. And with the consent of the Corporation?—And the Harbour Board also.

107. With the consent of the Corporation, this Bill has been introduced this session?—I have heard so.

108. You say the Ordinance of 1867 did not make this corporate property?—Yes.

109. Did it make other properties in Schedule I. corporate property?—None of them belong to the Corporation. The Corporation hold these reserves in trust for the Province.

110. And yet they are permitted to expend the revenues in any way they think proper, in the

meantime receiving the benefit?—Clause 2 says they are to hold them “for the like public purposes for which such lands are now held,” &c.

111. Clause 3 transfers the management to the Corporation?—Yes.

112. And states that the revenues shall be dealt with in the manner provided by the 94th section of the Corporation Act?—Yes.

113. What does that 94th section provide?—That the money shall be devoted to general Corporation purposes—bridges, streets, roads, salaries, &c.

114. You say that clauses 5, 6, and 7 provide for letting the reserves in Schedule II. for purposes of recreation?—The difference is that the revenues are to be applied for the improvement of these properties. My contention is that the Legislature did not intend to change the purposes of the trust in appointing the Corporation trustees of the reserves.

115. Are you aware there was an opposition to the Harbour Empowering Act passing by the Corporation of Dunedin because it interfered with those other reserves?—I am aware that the Corporation wrote to the Harbour Board, asking if they had any objection to allow a certain clause to be introduced into our Ordinance, and they replied that certainly they had no objection, because they were advised it was not worth the paper it was written on.

116. Do you not remember that I told you the Government would not agree to the passing of that Act unless this clause was inserted?—That clause was inserted in the Bill which I brought up from Dunedin with me.

117. Are you not aware that the insertion of that clause was the condition on which that Bill was allowed to pass?—I did not understand that the Board was to be shut out at all from raising this question.

118. Was that acre odd part of the Wharves and Quay Reserve?—Yes; it was so originally set aside under the same Schedule.

119. Had the harbour continued under the Provincial Government, the question as to the ownership of this reserve would not have arisen?—It is quite possible, though I do not say it would not.

120. *Mr. Gibbs.*] These reserves are for purposes of public utility for the province, not particularly for Dunedin?—Yes; my view of it is that these reserves were originally set aside as endowments for specific purposes, and as occasion required, the trustees were to be called upon to give them up.

121. *Mr. Hislop.*] What is your objection to the Dunedin Municipal Corporation Act?—Because one clause gives them the right to these reserves in perpetuity.

122. Supposing there were wharves and quays there, would not Dunedin be entitled to the revenue?—Undoubtedly not; but when that Ordinance was passed, the very fact that there was a kind of conflict in the Ordinance was pointed out, and the Government explained to the House that the intention was not to make it Corporation property, but simply to put the management under the Corporation for the time being. Now another body has been created for the purpose of looking after that specifically, and what we contend is that the reserve originally set aside for that specific purpose should be under the management of that body, so as to be applied to that purpose.

123. *Mr. Swanson.*] How long is it since the school was built on a portion of this reserve?—Before the Harbour Board was constituted.

124. Did the Superintendent and Executive Council undertake to build that without the consent of the Corporation?—It was originally built, I believe, in spite of the Corporation.

125. Is it not a fact that the Corporation gave their consent to the provincial authorities?—Not that I am aware of.

126. Has the Corporation borrowed any money lately on this reserve?—Not that I am aware of. I only know from what I hear.

127. Did not they place a loan on the market?—I know that; but I do not suppose they would borrow on property they hold in trust. If so, they acted very improperly.

128. If the Board gets this reserve, have you any intention of coming on the Corporation for back rent?—Certainly not.

129. They have a good title to what they have received?—Undoubtedly. The Corporations are rich and largely endowed throughout the province, and the Harbour Boards are rather short of revenues. We claim that this reserve was originally set aside as an endowment for the harbour.

130. Have you any other claim to it other than that it was set aside for wharves and quays?—No other claim.

131. Had it been called by another name, you would not have claimed it?—Certainly not. The simple claim is to the name. It is specified in the Crown grant “wharves and quays,” and in the Ordinance, 1867, “the like public purpose.”

132. Supposing it had been called Seafield View, would you have claimed it?—Certainly not.

133. Have the city authorities no power to dictate where streets are to be, and how wide they ought to be?—I do not think they have.

134. What you want is to deprive the city of the revenue and transfer it to the Board?—Exactly.

135. You think the Corporation have got possession of the revenue and use it wrongfully?—Not wrongfully, but I think the time has arisen when the reserve should be devoted to the purpose for which it was originally set aside.

136. Did you not think it quite as well that you and they should have the use of this reserve?—As far as the Harbour Board is concerned, we tried to do that.

137. *Mr. Murray.*] Were these Wharves and Quays Reserves originally fronting on the sea?—Yes.

138. Will the works constructed by the Harbour Board make those back sections?—Yes, according to the proposed plan.

139. At whose expense has this land been reclaimed?—The Harbour Board borrowed the money to do it.

140. Do you consider that their incurring that expense would be any plea for depriving them of any title the Board might have in the original Wharves and Quays Reserve?—I think not.

141. From your recollection as a member of the Provincial Council, was it the general belief that it would not be too much to get all the rents to be derived for the mere purpose of looking after it?—I know at the time it was squatted on. The management was put into the hands of the Corporation, so that some one might take special charge of the reserves and look after them.

142. Could not an officer of the Provincial Government have been appointed to look after them quite as well as the Municipality?—I do not think the Government liked the odium at that time. Sir Julius Vogel was in the Government, and a great deal was done in the matter for popularity.

143. Are you aware that considerable grants have been devoted by the provincial authorities to the improvement of the harbour?—Certainly.

144. *Mr. Tole.*] Are the rentals derived from these reserves mentioned in any list to the debenture-holders?—I do not know what the City Council may have submitted.

145. Are you aware that several acres of this land were taken for the Dunedin and Port Chalmers railway?—Yes, four and a half acres, I think.

146. Do you know if the City Council were consulted or their consent given to this being taken for the railway?—I am not aware.

147. Would the Harbour Board be rated for this reserve the same as holders of other property?—Yes.

148. Then there is no objection to the reclaimed land being treated by the Council in the same way as other property?—None whatever.

149. Then there would be no difficulty whatever if the Council drains roads and streets through it the same as through other private property?—None.

150. *Mr. Gibbs.*] The ground which is reclaimed will be for building purposes as well as wharves?—Yes, for docks, wharves and other purposes.

151. Will the buildings on that reclaimed property be rateable by the Corporation?—Undoubtedly; they are doing it now.

152. And the streets would be under their jurisdiction?—That is one point on which I wish to be clear. There is a dispute going on between the Board and the Corporation with regard to the street line and the maintaining of the streets. If the Board is to have the responsibility of metalling these streets, then some special power of taxing must be given, for at the present time they have no revenue which could be applied to the making of these streets.

153. *Mr. Walter.*] Are you not aware that the site on which the Normal School is built has been the result of a positive exchange made between the Council and the Government?—I am aware that the Normal School site was a reserve, but I am not aware that the Albury Street School site was an exchange.

154. Are you aware that the site of the present Fire Brigade Station is an exchange for the Normal School site?—I know there was an exchange, but I do not know what it was.

155. *The Hon. Mr. Reynolds* to *Mr. Massey.*] Did the circular you borrowed on contain a list of the whole reserves belonging to Dunedin?—We sent to the banker a list of each of our reserves.

156. Included in that was the Wharves and Quays Reserve?—Yes.

TUESDAY, 19TH SEPTEMBER, 1876.

Mr. STOUT, M.H.R., examined.

157. *The Chairman.*] Have you any statement to make to the Committee?—I really know very little about these reserves. All I can say is this: that in 1866 there was an Ordinance passed, and I think that at that time the Crown grants had not been issued. In 1867 another Ordinance passed, which said that the reserves were to remain for the same purposes set apart in the grant, and that all the revenues derived from them were to go to the city, to be applied for general city purposes. Since that date the city have had the reserves, and desire now that they should have them absolutely. The Harbour Board have also desired this reserve, on the grounds that being for wharves and quays the Board ought to have it, as they have the management of wharves and quays. In reply to that, it ought to be stated that when the Harbour Board got a specific endowment, they did not then claim the Wharf and Quay Reserves, and I understood they were not to claim them. Nothing was said about them, but it was understood that if they could get all the land formerly Crown-granted to the Superintendent for harbour purposes, they would not claim them. Now they claim them on the ground that as they were set apart for specific trusts, and that trust not having been changed, the Corporation ought to be made to expend the money for the purposes of the trust, namely, for wharves and quays in the city. That is all I know.

158. Then the Committee are to understand that these reserves were Crown-granted in the first instance for the purpose of wharves and quays?—Yes.

159. That subsequently they were dealt with by Provincial Ordinance?—Yes.

160. And the objects of the trust not altered?—Yes.

161. But the revenues?—Were to go for general city purposes.

162. And the Harbour Board claim the reserves, because they were granted for harbour purposes?—Yes, for wharves and quays; and they, having the management of wharves and quays, think they have a right to them.

163. Then, if both parties really have a claim—one to the purposes for which they were originally granted, and the other has got a vested interest in the rents, would it not be fair to divide?—My own opinion is that if the reserves were taken from the city (the Harbour Board having got a harbour endowment) they could be applied for general purposes for the province, if they chose. I believe that if the Provincial Council had been in session this dispute would not have arisen.

164. But, supposing the Provincial Council was in session, the Council and Superintendent have got full power to alter them?—Yes, under the Public Reserves Act of 1854. They are prohibited under the Act of 1862 from dealing with Recreation Reserves.

165. So that if the Provincial Council was in session, the Council and Superintendent could deal with these reserves as they thought fit?—Yes; the reserve in question is not vested in anybody. The Superintendent is still the freeholder of the land.

166. But supposing the trust had been altered, and the land vested entirely in the Harbour Board or Municipality, then, I presume, the Provincial Council could not deal with it?—No; once they had been vested. It was only the management of the reserve that was vested in the Corporation. The Superintendent is the registered freeholder of the land, and the title is in him; but the management is vested in the Municipal Council, and the Council have leased, I think, almost all of it, except a piece taken for a school—that is, the Superintendent and City Council have united in the leases, I think, for fourteen years. These leases have all been entered into by the Superintendent with the consent of the Council. That is the form of the leases.

167. Subject to these leases, the Superintendent, with the consent of the Provincial Council, could do what they thought proper with the reserve?—I think so, because the management only is vested, not divested.

168. *Mr. Hislop.*] Have they the right to alter the trust?—Yes, under the Public Reserves Act.

169. More than once?—I do not think so.

170. Is it not an alteration to say that the revenues are to go to the city?—The Ordinance says that the reserves are still held for the like purposes for which they were Crown-granted, and that the revenues go to the general city funds. I do not think that would be an alteration of the trust, except a temporary alteration. Of course, the money has gone into the general city funds.

171. *Hon. Mr. Reynolds.*] You say that if the Provincial Council had been sitting, they would either have vested it directly in the city, or granted them for other purposes?—Yes, I think so.

172. Might I ask what reason you have to suppose that they would have interfered with an Ordinance passed nine years ago vesting the revenue in the Corporation?—I go by the feeling of some members, if the question of revenues had come up. In 1873, Sir John Richardson moved in the Provincial Council for a return, and then stated his intention of having all these reserves dealt with. That was in consequence of the Middle School Site Reserve, and there had been a dispute in this way: that it had been originally set apart for education purposes, and then for city and recreation purposes. There is a Dunedin Reserves Bill now before the Legislative Council making that right.

173. You say the title to this reserve is vested in the Superintendent?—Yes.

174. Is the title to all these reserves not vested in the Superintendent?—Most of them. I may say that, previous to my being Provincial Solicitor, it had been the habit almost to simply vest the management. It was only in rare cases that they vested the reserves themselves. When I came into office, I said the proper course would be to vest the reserves absolutely, and that has been done since, so that the Superintendent should only have the power of joining in the lease, not being the lessor. Under the Land Transfer Act, they may absolutely sell the reserves, recreation reserves and all.

175. Then the other reserves, you say, are exactly in the same position?—Yes, all. The Hospital Reserve was changed to a Market Reserve.

176. All in the First Schedule are vested in the Superintendent?—Yes.

177. And are these specially for city purposes?—Yes; all the reserves in Dunedin, I may say, except one or two, are vested in the Superintendent for purposes of public utility. The reserves in Schedule I. are all in the same state as the Wharves and Quays Reserve.

178. And you consider the Superintendent and Provincial Council could interfere with any of them?—There was a very strong feeling against the City Council letting the land on the town belt. They let a strip along the bank of the Leith, and houses have been built on it.

179. That is not under Schedule I.?—I think it is. It is the Bath Reserve.

180. Do you know the Harbour Board Act of last Session?—Yes.

181. You know why the 14th section was inserted there?—So as not to interfere with the city reserves. It was specially mentioned that the Act of 1875 was not to interfere with any reserves granted to the city under the Reserves Management Ordinance of 1867. The reason was this: that under the Harbour Board Act of 1875, there was a general clause declaring that all reserves vested in the Superintendent for harbour purposes should vest in the Board, and the Superintendent was bound to convey. There was a clause put in to the effect that the Act was not to affect any of the reserves granted by the Ordinance of 1867.

182. *Mr. Murray.*] Could the Council lease without the consent of the Superintendent?—No; they both execute the lease.

183. Were any rents being received at the time the management of this reserve was vested in the Corporation?—Not a penny. There was a great outcry, I think, in 1865, by Mr. E. B. Cargill, calling attention to the fact that a great many people were squatting on this land down about Pelichet Bay. A motion was made in the Council to clear them off, and they were cleared off.

184. Do you know who it was that introduced this motion in the Provincial Council to have these rents given over to the Municipality?—If I recollect right, the Bill was moved by the Provincial Solicitor (Mr. Haggitt), and I think Mr. Duncan supported the Bill. It was a Government Bill.

185. Do you know if the object was to try, by a side-wind, to get some claim over this reserve by the Municipality?—That I cannot say; I cannot remember sufficient of the debates. They could not borrow on these reserves, or lease them, without the consent of the Superintendent.

186. Is there any reason why the Corporation should have granted to them land over which hitherto they have held a temporary trust for general purposes?—All you can say is that the Corporation has enough to do with its money, and wants all it can get. They have had possession for nine years.

187. Then you think the only ground on which this should be given to the Corporation is as a source of revenue to the Municipality?—I can answer that question in this way: I understand from Mr.

Reynolds and others that these reserves were really set apart for city purposes. I cannot give you the reasons why these reserves were set apart. The Ordinance giving the land to the city was passed in 1867.

188. Are there any other lands held by the Corporation?—Yes, several lots.

189. Are you aware it requires the Superintendent's sanction to the Corporation to any lease being granted for any other reserve?—I think his sanction is required for all.

190. For those conveyed in the Municipal Reserves Act of 1867?—Yes, all.

191. From your own knowledge of the circumstances, do you think that this putting of this reserve under the management of the Council was only of a temporary character, with a view to clearing off these squatters?—In reference to that, I may say what is always said with regard to construing an Act, that one can only judge of the intention of the Act by the Act itself. I cannot say that it is a temporary trust, except you take the opinion of the members who voted. Of that I am not cognizant. The reports of the newspapers may show.

192. *Mr. Dignan.*] Do you intend to deal with this reserve?—There is no special Bill saying that this reserve may be dealt with specially.

193. Are you aware that the reserves are now held by certain creditors for a loan?—I have been told so, but I do not think that is correct, for this reason: that the city has no power to borrow a shilling on its reserves. The Act of 1874 was an Act under which authority was given to borrow to the extent of £200,000 on the rates, not on the reserves at all. I have no doubt the city, in asking the lender for money, may have said that beyond our rates we have such and such coming in for general purposes; but the lenders could not seize even the rents of the reserves. I can imagine that when going to borrow money, the city authorities would say, "We have got so much from rates, and so much from rents, and would give a schedule and the amount of rents." All that I have no knowledge of. Further than that, they could not bind any one by saying that the reserves were to be security. It is incorrect to say that.

194. It is in evidence that the reserves were offered as part of the security?—They may have offered them, but had no legal authority to do so.

195. *Mr. Tole.*] I understand that the simple control and management of this reserve had nothing to do with carrying out the trusts?—The Ordinance says the original trust is held by the Superintendent, but authorizes this *quasi-trustee* (the Corporation) to apply the funds for general city purposes.

196. But the Superintendent has the legal estate?—Yes.

197. And is responsible for the due execution of this trust?—Except so far as it is altered by Ordinance. The purposes here are not altered; only the funds go to the city. The Superintendent has what one may term the naked legal estate.

198. Would he not be responsible for deterioration in the execution of the trust?—I think a Court of equity would consider the Corporation to be responsible if it violated the trust; but I think the Corporation has applied the funds to useful purposes.

199. Do you not think the Harbour Board the proper body to deal with this reserve?—If intended for wharves and quays solely, no doubt the Board is the proper body; but it cannot be strictly applied to that purpose if the harbour reclamation proceeds. The Board intends to reclaim in front of this land.

200. Still it would belong to them as an endowment?—Then you raise the question whether this land ought to go to them as an endowment or not. That is the sole question.

201. Have they put this in their schedule of securities?—I do not know. They may have done so.

202. They never consulted the Superintendent about it?—Not to my knowledge. I do not think so, or the document would have been forwarded to me.

203. *Mr. Dignan.*] Have you any idea of the annual rent of this endowment? I think the city gets £400 or £500 a year out of the Wharves and Quays Reserve.

204. And the Corporation have been in possession since 1867?—Yes.

205. Have they applied any of the rents to the purposes specified in the deed of trust?—No; because the Ordinance did not compel them to do so. They spend it in general city purposes.

206. *The Chairman.*] Under the Ordinance of 1867, could they apply any of the rents for this purpose?—I could not tell you until I saw the Ordinance of 1865. They were allowed to apply the funds from the reserve under the Ordinance of 1867 to general city purposes. What general city purposes are can only be learnt by referring to the Ordinance of 1865. The Corporation have never had anything to do with wharves and quays, or with placing anything on the sea, except erecting baths. The harbour has always been under the management of the Provincial Government until the Board was constituted.

207. Then the Committee are to understand that the Municipality could not advance these rents as security for the purpose of borrowing?—No; except in an indirect way.

208. As a collateral guarantee that they were able to pay interest?—Yes.

209. *Mr. Murray.*] Do you think a trustee would be justified in putting in some property he holds in trust for other purposes as security for the raising of money to be applied to his own purposes?—They could not have put this reserve in as security at all.

210. *Mr. Hislop.*] Are they not justified in paying the interest out of the rents?—Yes; because it is for general city purposes.

211. *Mr. Murray.*] If this trustee should take that course, do you consider that would be a good claim why the trust property should be conveyed to him?—I do not think the thing ever arose, except in the way I tell you. The money was lent on the mortgage of the rates. They may have submitted a schedule of the rents, and said, "We will be quite able to pay your interest and sinking fund;" but further than that I do not think the lender ever considered it. The Corporation are not in the position of absolute trustees.

212. *Mr. Gibbs.*] Are the Corporation bound to have the Superintendent's consent to lease any

of their local municipal estate?—I do not know what position certain reserves in the Taieri and down on the Peninsula are in until I look at the Ordinance.

213. *Hon. Mr. Reynolds.*] Had the City Council applied in 1872 to the Provincial Council, do you think there would have been any difficulty in getting the whole of these reserves vested in the Corporation?—Speaking for myself, I do not think there would have been. Major Richardson raised the question in the Provincial Council in 1873.

214. *Mr. Gillies.*] When was the Municipality first formed?—In 1865. The Town Board was in existence from 1856.

1876.

NEW ZEALAND.

COLEMAN PHILLIPS'S PETITION.

(REPORT OF PUBLIC PETITIONS COMMITTEE, AND MINUTES OF PROCEEDINGS.)

REPORT.

THE petitioner states that he made known to Sir Julius Vogel a scheme for instituting a company for trading with Polynesia; that he was promised compensation of £2,000 for such scheme; that he has received no compensation; and he prays the House to grant him relief.

The Committee, having examined Sir Julius Vogel and the petitioner, have directed me to report as follows, viz.,—

That it has been shown that Mr. Phillips supplied information relative to the Polynesian scheme; that he is entitled to the expenses he incurred in coming to Wellington, in reference to that subject, not exceeding £150; and that a sum of £150 be given him for his other expenses.

THOMAS KELLY,
Chairman.

19th September, 1876.

TO THE HONORABLE THE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF NEW ZEALAND, IN PARLIAMENT ASSEMBLED.

The humble Petition of Coleman Phillips, of Auckland, Barrister-at-Law, sheweth,—

1. That in the month of July, 1873, your petitioner made known to the Hon. Sir Julius Vogel, Premier of the colony, a scheme for instituting a company for trading with Polynesia.

2. That, in compliance with the request of the said Sir Julius Vogel, your petitioner forwarded to him the outline of the plan now commonly known as the Polynesian Scheme, of which document the following is a copy.

3. That, in accordance with the invitation of the said Sir Julius Vogel, your petitioner, in October, 1873, proceeded to Wellington; was there introduced to the Right Hon. Sir James Fergusson, Bart., at that time Governor of New Zealand, and fully explained the scope and design of the said scheme.

4. That in November of the same year your petitioner notified to Sir Julius Vogel his desire to issue a prospectus, as a first step towards the formation of a company to carry out the said scheme; and that the said Sir Julius Vogel advised your petitioner to "refrain from telling his plans to others, as the quieter he should be with regard to them the better."

5. That on February 14th, 1874, Sir Julius Vogel informed your petitioner that "he intended to carry out the plan himself, and declined to accept any assistance from your petitioner."

6. That, in consequence of these proceedings on the part of the Premier of the colony, your petitioner was reluctantly induced, under a promise of compensation of £2,000, to resign the carrying out of the said scheme.

7. That, on 21st July, 1874, the said Sir Julius Vogel proposed the Polynesian scheme to your honorable House, and, in a memorandum, called the attention of the House to the fact that "he considered your petitioner entitled to substantial compensation."

8. That nearly two years have since elapsed, and your petitioner has received no compensation.

9. That the said Sir Julius Vogel excluded from the Government papers relating to the South Sea Islands, presented to your honorable House by command of His Excellency the Governor, the original draft of the scheme which your petitioner submitted to him.

10. That for the past four years your petitioner has steadily devoted his energies to the advancement of commercial relations between New Zealand and the Pacific Islands.

11. That if the said Sir Julius Vogel had allowed your petitioner to carry out his original plan of floating a private company in England, instead of proposing the scheme as a Government measure, and burdening it with a heavy monopoly, whereby the minds of many persons became prejudiced, it is most probable that the idea would, long ere this, have been carried into effect; whereby New Zealand and the Islands would have been greatly benefited, and your petitioner rewarded for his labours.

12. That your petitioner can now only look to your honorable House for redress.

Wherefore your petitioner, feeling aggrieved that the original draft of the Polynesian scheme has not yet been incorporated in the papers laid before you, and for losses suffered in other respects, humbly prays that your honorable House will take this petition into consideration, and afford him such relief as to your wisdom may seem to meet.

And your petitioner, as in duty bound, will ever pray, &c., &c.

ORIGINAL DRAFT OF THE POLYNESIAN SCHEME.

PROPOSED SCHEME FOR A TRADING COMPANY FOR POLYNESIA.

(I touch lightly upon everything.)

Objects.—1. The supply of native labour in the Polynesian group and to the Australian colonies. 2. To take advantage of the dormant labour resident in the islands, by exchanging trade for island productions. 3. To acquire ultimate dominion.

Groups of Islands.—New Caledonia, Loyalty, Fiji, Tonga, Solomon, New Hebrides, Banks, Navigators, Society (or Tahiti), Paamutu, Marquesas, Ellice, Phoenix, Tukuteau, Marshal, &c., &c.; also, Eastern New Guinea.

Political and Social Status.—New Caledonia, Tahiti, Paamutu, and the Marquesas are under French protection, but France always loses her colonies. Fiji, Tonga, and Samoa are gradually forming themselves into petty kingdoms. I consider representative government quite unsuitable to them; besides, they have in themselves the seeds of early decay. The black cannot rule the white. The remaining groups are to be had for the taking. No census of the population is to be relied upon. I should consider that Polynesia contained two million natives. It is stated that Eastern New Guinea contains that number. Throughout all reigns the missionary influence; next in importance is the British, then the German. America is not in the field. France I avoid.

Mission (Wesleyan).—This influence must be courted and gained; I fancy that it can be gained. They cannot expect always to rule these islands. It will be better for them to work with a company than the adventurers who will only vilify them.

British Residents are the real and proper colonizers, having Manchester at their back, and the Australias to rely upon.

German Influence is gradually gaining ground. Large Hamburg houses (business firms) are establishing agencies to carry out, in a small way, the scheme which I am proposing, each working in opposition to the other. I am fully convinced that the scheme cannot be carried out in a small way (witness the numerous failures), and I feel sure, that these agencies will fail.

Generally.—No matter what influence may prevail, a powerful English company would carve out its own dominion—a company sufficiently powerful to *protect* its own agencies. I mean by this that the company should be able to plant an agency upon any island, with instructions to obey the laws *and trade*, but sufficiently powerful to protect that agency under any circumstance. Native consent should be taken, in no case asked for.

Native Population.—Cut up into petty tribes. Physically they do not approach the white; morally they are perfect cowards, and ever will be so. 250,000,000 Indians are ruled by very few whites; much easier will it be to rule Polynesia. A few (say three) well-armed schooners would keep the islands in subjection. 500 Maoris would put a Fijian army to flight. I strongly advised that Government to get down some Maoris.

Object No. 1.—To supply native labour in the Polynesian group, and to the Australian colonies.

(I may here state that object No. 1 or No. 2 can be worked by itself with a large profit, but in my opinion the three objects should be worked together.)

A native will not work on his own island, so, for the present, it is necessary to exchange them. The labour supply is being carried on in a wretched manner. Men and vessels are engaged in it, utterly unfitted for the trade. England is protecting the natives by prohibiting her subjects from doing any wrongful act. It would be better if England granted a charter to a powerful company to supply all labour, and held that company responsible. English (Australian) vessels are principally used; therefore Germany could not object, but would likely consent to join in this charter until her subjects should have vessels to put in the trade. The charter should apply to all English bottoms, and any opposition need not be feared. In this we have a great advantage, for the carriage supply rests in our hands. Auckland, if not too lavish of her timber, will have, some day, a large ship-building trade.

For the future the native is gradually being educated to work on his own island. The education I refer to is, firstly, one of decency (covering part of the body with calico), and, secondly, a desire to own European productions (Birmingham and Sheffield), for which payment must be made. The labour supply will always be a large branch of trade.

Mode of Procedure.—Plant stations on different islands. Let small vessels call at regular intervals. Contract with the natives for a three or five years' service, and particularly see that the native is returned punctually at the expiration of his time. Supply easily regulated, according to demand. Here the Mission influence would assist the company.

Object No. 2.—To take advantage of the labour resident in the Islands, by exchanging trade for Island productions. With a labour charter the course is easy. Each labour station of course would be a trading station, and there is ample room for a hundred trading stations. There are many islands

the population of which would support five to ten stations. Operations should be strictly confined to obtaining the natural productions of the Islands, which are principally—

Natural and Artificial Productions.—Cobra, cocoa-nut oil, cocoa-nut fibre, pearl shell, candle-nut, sandalwood, bêche-de-mer, fungus, tortoise-shell, arrowroot, &c., &c. All artificial productions (except at the chief agencies) should be avoided, such as sugar, cotton, and coffee. Not but that there is a profit to be made, but that men will not be found to make it. And here I may touch upon the great difficulty in the scheme,—*where to find agents*. The company will have to breed up its own agents; take cadets, and start them in couples. The work of the agency should be so simple that any youngster of eighteen could manage it; therefore no artificial productions should be commenced for the present.

No credit should be given; this a standing rule. I rely entirely upon the supply of cocoa-nut oil and fibre in exchange for trade. That supply is unlimited. Ceylon reckons each cocoa-nut tree to be worth 4s. per annum. There are millions of trees in Polynesia. The other natural productions would of course fall into the agencies, especially bêche-de-mer, pearl shell, and tortoise-shell.

Outfit for a Station would be very simple. A small store, containing the island wants of hard and soft ware, a machine for extracting the oil from the cocoa-nut (cobra) in a more expeditious manner than at present done, a few foreign labourers, three months' provisions, and a whale-boat, would be all that is required.

Visiting.—Stations should be visited every three months, supplying necessities, and gathering oil, &c. Each group should have one head station, which should be visited by schooners, collecting, for the present, to Sydney and Auckland, but the trade will be sufficiently large for direct communication with European markets.

Directors.—The board of directors would of course be in London, unless the German people would combine, which they should be induced to do, so that the charter should be an Anglo-Germanic one. If that could be obtained, the success of the company would be beyond a doubt. It will take two or three years for the company to establish itself. The making of immediate profit is to be avoided.

Finally and Generally.—If a labour charter be not obtained, the field of operations is unbounded. The profits to be made are simply enormous. There are scores of islands, hardly touched by commerce, and lagoon islands, where lie thousands of tons of pearl shell. This is well known. If any hitch occurs in the labour trade, drop it entirely, and incorporate in England as a trading company, and obtain a charter, if possible, for trade. Adverse influence must be fought. The missionary has fulfilled the object of his mission; he must not interfere with the next process of civilization—commerce. France should be directly opposed; the sooner the better. (Even at present we should object to her sending the scum of her useless population to Caledonia.) Germany and America should be asked to combine, but England should at once plant her flag on all islands not occupied by France.

Reasons for Britain taking possession of Polynesia.—There is very little land in the Southern Hemisphere, as compared with the Northern. Population is fast extending. Again, in the circle of the globe the Polynesian Islands are nearly the sole representatives of the insular land, peculiarly suitable to the above-named productions, lying fifteen degrees north or south of the equator. When the value of Ceylon and the Mauritius is taken into consideration, no hesitation should be made in taking possession of Polynesia; if not in taking possession, at least in granting a charter to Englishmen, which would enable them to carry out the third object above mentioned—ultimate dominion.

History affords instances of colonies planting colonies. May I suggest that New Zealand should look to her own position, and plant her flag on these islands? When they are annexed, it will soon be seen how valuable they are. I cannot see why we should allow European Powers to take up or decline at pleasure that which is ours by proximity. If New Zealand took the bold step of annexing these Islands, England, perhaps, would be glad to be relieved of the difficulty, and the New Zealand Legislature could then grant a charter to such a company as I propose.

Auckland, 25th August, 1873.

COLEMAN PHILLIPS.

MINUTES OF PROCEEDINGS.

THURSDAY, 20TH JULY, 1876.

PRESENT :

Mr. Kelly in the Chair.

Mr. Dignan,
Mr. Gibbs,
Mr. Hamlin,
Mr. Hislop,

Mr. Murray,
Hon. Mr. Reynolds,
Mr. Richmond,
Mr. Swanson.

Petitioner attended and made a statement of his case.
Consideration adjourned.

THURSDAY, 27TH JULY, 1876.

PRESENT :

Mr. Kelly in the Chair.

Mr. Bryce,
Mr. Dignan,
Mr. Gibbs,
Mr. Hamlin,
Mr. Hislop,

Mr. Murray,
Hon. Mr. Reynolds,
Mr. Richmond,
Mr. Swanson.

The Hon. Sir Julius Vogel attended and gave evidence.
Mr. Phillips attended.
Consideration adjourned.

THURSDAY, 3RD AUGUST, 1876.

PRESENT :

Mr. Kelly in the Chair.

Mr. Dignan,
Mr. Gibbs,
Mr. Hamlin,
Mr. Hislop,

Mr. Murray,
Mr. Richmond,
Hon. Mr. Reynolds,
Mr. Swanson.

Mr. Phillips attended and gave evidence.
Consideration adjourned.

TUESDAY, 22ND AUGUST, 1876.

PRESENT :

Mr. Kelly in the Chair.

Mr. Dignan,
Mr. Gibbs,
Mr. Hislop,
Hon. G. McLean,

Mr. Murray,
Mr. Richmond,
Mr. Shrimski,
Mr. Swanson.

The Hon. Sir Julius Vogel attended and gave evidence.
Mr. Phillips attended and gave evidence.
Consideration adjourned.

THURSDAY, 31ST AUGUST, 1876.

PRESENT :

Mr. Kelly in the Chair.

Mr. Bryce,
Mr. Gibbs,
Mr. Hamlin,
Mr. Hislop,
Hon. G. McLean,
Mr. Murray,

Hon. Mr. Reynolds,
Hon. Mr. Richardson,
Mr. Richmond,
Mr. Shrimski,
Mr. Swanson.

Mr. Richmond moved, That the Committee, having given the petitioner's case a most full and careful investigation, find that the petitioner undoubtedly did give Sir Julius Vogel information with reference to the South Sea Islands and their trade, &c. ; and it appears from the evidence that, if advantage had been taken of the information he had supplied to form a trading company, which was at that time

contemplated, he was promised substantial compensation, which Sir Julius Vogel would endeavour to obtain for him from the company when formed. But it does not appear that Sir Julius Vogel led the petitioner to suppose that the colony would be in any way responsible for such compensation. The Committee, therefore, cannot recognize that the petitioner has any claim against the Government, but would recommend that a sum of £150 be paid him for expenses incurred in coming to Wellington.

Mr. Swanson moved, as an amendment, That all the words after the word "that" be struck out, and the following words inserted:—"it has been clearly shown that Mr. Phillips supplied information relative to the Polynesian scheme, and that he has gone to expense in attempting to mature the same, and that he is entitled to £500 for his trouble and expense."

The Chairman put the question, That the words proposed to be struck out stand part of the original motion.

The Committee divided, and the names were taken down as follows:—

AYES, 3.		NOES, 5.	
Mr. Gibbs,		Mr. Hamlin,	
Hon. Mr. Reynolds,		Mr. Hislop,	
Mr. Richmond.		Mr. Murray,	
		Mr. Shrimski,	
		Mr. Swanson.	

So it passed in the Negative.

Mr. Swanson's motion was then put.

The Committee divided, and the names were taken down as follows,—

AYES, 4.		NOES, 4.	
Mr. Hamlin,		Mr. Gibbs,	
Mr. Hislop,		Mr. Murray,	
Mr. Shrimski.		Hon. Mr. Reynolds,	
Mr. Swanson.		Mr. Richmond.	

The Chairman gave his casting vote with the Noes; so it passed in the Negative.

The Hon. Mr. Reynolds moved, That the consideration of the subject be adjourned, and a full meeting of the Committee summoned.

Motion negatived.

Mr. Richmond moved, That it has been shown that Mr. Phillips supplied information relative to the Polynesian scheme, that he is entitled to the expenses he incurred in coming to Wellington, not exceeding £150.

Mr. Hislop moved, as an amendment, That "£150" be struck out, and "£700" inserted in lieu thereof."

The Chairman put the question, That the words proposed to be struck out stand part of the original motion.

The Committee divided, and the names were taken down as follows:—

AYES, 5.		NOES, 5.	
Mr. Gibbs,		Mr. Hamlin,	
Hon. G. McLean,		Mr. Hislop,	
Hon. Mr. Reynolds,		Mr. Murray,	
Hon. Mr. Richardson,		Mr. Shrimski,	
Mr. Richmond.		Mr. Swanson.	

The Chairman gave his casting vote with the Ayes; so it was resolved in the Affirmative.

Mr. Hislop moved, That after "£150" the following words be added:—"and that a sum not exceeding £350 be given him for his other expenses."

Consideration adjourned.

FRIDAY, 1st SEPTEMBER, 1876.

PRESENT:

Mr. Kelly in the Chair.

Mr. Dignan,		Hon. Mr. Richardson,
Mr. Gibbs,		Mr. Richmond,
Mr. Hamlin,		Mr. Shrimski,
Mr. Hislop,		Mr. Swanson,
Mr. Murray,		Mr. Tole,
Hon. G. McLean,		Mr. Tribe.
Hon. Mr. Reynolds,		

The Chairman said he had received a letter written by Mr. Coleman Phillips to the Hon. Sir Julius Vogel, which he desired to read to the Committee before proceeding to business.

The Hon. Mr. Reynolds moved, That the letter be read now.

Question put.

The Committee divided, and the names were taken down as follows:—

AYES, 8.		NOES, 5.	
Mr. Dignan,		Mr. Hamlin,	
Mr. Gibbs,		Mr. Hislop,	
Mr. Murray,		Mr. Shrimski,	
Hon. G. McLean,		Mr. Swanson,	
Hon. Mr. Reynolds,		Mr. Tole.	
Hon. Mr. Richardson,			
Mr. Richmond,			
Mr. Tribe.			

So it was resolved in the Affirmative.

The letter was read as follows:—

“SIR,—

“Wellington, 31st August, 1876.

“I am informed that the Chairman of the Public Petitions Committee, Mr. Thomas Kelly, is packing the Committee, in order to bring down a report adverse to my petition. Let me beg of you to allow those gentlemen who have heard the whole case to decide upon its merits. I have no desire to carry the matter beyond the Committee; but if members of the Ministry attend simply to vote against me, then I shall be compelled to take measures to prevent your leaving the colony until the matter be re-investigated. Allow me at the same time to recall the original position of this matter to your recollection. I submitted the plan to you. You were struck with the idea, and sent for me to explain it. You told me to be quiet about it. You determined to carry it out yourself. You came to Auckland; found fault with all I did; satisfied yourself with having promised me compensation, and told me to go about my business. Now what right had you to take the plan, or treat me as you have done?

“I have, &c.,

“COLEMAN PHILLIPS.

“The Hon. Sir J. Vogel, K.C.M.G.”

Mr. Gibbs moved, That the implied charge made by Mr. Phillips in his letter to the Hon. Sir Julius Vogel, of the Chairman having packed the Committee, is unfounded.

Mr. Murray moved, as an amendment, That all the words after the word “that” be struck out, and the following inserted:—“the Chairman is free from the imputation of packing the Committee.”

The amendment was negatived.

The original motion was then put and carried.

Mr. Hislop’s amendment, That after the words “£150” the following words be added:—“and that a sum not exceeding £350 be given him for his other expenses” was put.

The Committee divided, and the names were taken down as follows:—

AYES, 6.

Mr. Dignan,
Mr. Hamlin,
Mr. Hislop,
Mr. Shrimski,
Mr. Swanson,
Mr. Tole.

NOES, 6.

Mr. Gibbs,
Mr. Murray,
Hon. G. McLean,
Hon. Mr. Reynolds,
Hon. Mr. Richardson,
Mr. Richmond.

The Chairman gave his casting vote with the Noes; so it passed in the Negative.

Mr. Murray moved, That after the words “£150” the following words be added:—“that a sum not exceeding £150 be given him for his other expenses.”

Mr. Hislop moved, That the words “not exceeding” be struck out, and the word “of” substituted.

Carried.

Mr. Murray’s motion as amended was put and carried.

The original motion as amended was then put as follows:—“That it has been shown that Mr. Phillips supplied information relative to the Polynesian scheme, that he is entitled to the expenses he incurred in coming to Wellington in reference to that subject not exceeding £150, and that a sum of £150 be given him for his other expenses.

The Committee divided, and the names were taken down as follows:—

AYES, 7.

Mr. Dignan,
Mr. Hamlin,
Mr. Hislop,
Mr. Murray,
Mr. Shrimski,
Mr. Swanson,
Mr. Tole.

NOES, 5.

Mr. Gibbs,
Hon. G. McLean,
Hon. Mr. Reynolds,
Hon. Mr. Richardson,
Mr. Richmond.

So it was resolved in the Affirmative.

MINUTES OF EVIDENCE.

THURSDAY, 20TH JULY, 1876.

Mr. COLEMAN PHILLIPS examined.

1. *The Chairman.*] Would you state your views on this case to the Committee as briefly as you can?—I have prepared a short statement. Shall I read it?

2. *The Chairman:* Yes.

Witness read the statement as follows:—

POLYNESIAN SCHEME.—PETITION OF MR. COLEMAN PHILLIPS.

Statement of Petitioner.

1. That the petitioner does not desire to occupy the time of this honorable Committee by particularizing all the circumstances connected with this petition. It may be sufficient to state that the Hon. Sir Julius Vogel arbitrarily adopted the Polynesian scheme, as proposed by petitioner, and promised him the sum of £2,000 in compensation. The printed copy of the petition attached fairly explains the principal features connected with the matter.

2. That, in proof of the Hon. Sir Julius Vogel having adopted the scheme, the petitioner refers this honorable Committee to the "Papers relating to the South Sea Islands," as presented to Parliament in the year 1874, page 17; Despatch No. 5, from the Right Hon. Sir James Fergusson to Earl Carnarvon, clause No. 2.

3. That, in proof of aforesaid promise of compensation, reference is also made to aforesaid papers, page 7, in which the following passage occurs:—"I may add, I consider Mr. Phillips's share in the project entitles him to substantial compensation."

4. That the preparation and publication of the said papers, and the fact that "The Pacific Islands Trade Encouragement Bill, 1874," was read a first time, are sufficiently clear proofs of the intention of the New Zealand Government to carry out the scheme. The petitioner therefore cannot be held responsible, or be made to suffer now, because the Government did not proceed in its action.

5. That petitioner never opposed the action of the Hon. Sir Julius Vogel in consequence of Sir James Fergusson, Mr. Thomas Russell, and other gentlemen having strongly advised him not to do so. Those gentlemen all advised him to rely upon the promise made by the Premier.

6. That petitioner is informed that the Hon. the Premier now states that "he did not lead petitioner to expect any compensation, except from a certain company which was to be constituted; that the said company has not been so constituted, and that petitioner is not entitled to any compensation."

7. In reply, petitioner totally denies any such understanding, he having transacted this business solely with the Hon. Sir Julius Vogel, as Premier, and not with any company; that he knew nothing of any special company to be constituted until some months after promise of compensation was made; that he never looked to receive compensation from the company; and that, in the aforesaid papers, page 10, the following clause (No. 17) occurs:—"The promoters shall not receive any promotion-money or shares."

8. That, in accordance with the special directions of the Hon. the Premier, the petitioner sent in to him a claim for compensation, couched in almost the very words suggested by that gentleman, a copy of which is attached. Petitioner in doing so knew nothing of the Premier's private intentions, but simply did as he was requested. In taking away the scheme from petitioner, the Premier knew that he was doing a wrongful act. In asking petitioner to send in his claim for compensation, the Premier admitted the wrong.

9. That the Hon. the Premier now informs petitioner that "he never prevented him from carrying out his plans."

10. In reply, petitioner can only refer to the aforesaid papers, pages 6, 7, and 8; to the fact that the Premier must have considered that he had prevented petitioner from carrying out his plans, or there would have been no necessity for stating that "he considered petitioner entitled to substantial compensation." Moreover, by promulgating the scheme himself, the Premier placed it beyond the power of petitioner to carry out his own plans; for who would listen to a private proposal when the Government of New Zealand had the subject under consideration, and was preparing to offer a large subsidy upon a certain amount of capital to be subscribed.

11. That, in proof of the Hon. Sir Julius Vogel's peculiar conduct in this matter, petitioner is desirous of drawing the attention of this honorable Committee to the fact that the original draft of the Polynesian scheme was not included by him in the papers presented to Parliament.

12. That, in arbitrarily depriving petitioner of the said scheme, the Hon. the Premier committed a wrong to a private individual, which the Parliament of New Zealand can alone redress. Petitioner is especially desirous of respectfully pointing out to the notice of this honorable Committee that it is, in his opinion, quite beneath the dignity of the head of any Government to have acted in such a manner; and that, if such action be indorsed, a most baneful precedent will be established in the colony.

13. That, although the petitioner has heavily suffered, both in loss of time and loss of money, by the action of the said Sir Julius Vogel, yet, under the peculiar circumstances of the case, he does not wish to press for the full amount of the compensation promised; but that his reasonable expenses in connection with the origination of the scheme should at least be recognized and paid.

14. That the Hon. the Premier paid, on behalf of the Government, certain sums of money for certain information supplied in the aforesaid papers; and that petitioner is surely entitled to receive payment for the expense of originating a scheme for which others have been paid to support.

15. In order to show the position of matters after the Hon. the Premier had withdrawn the scheme from public attention, petitioner attaches copy of a letter dated 8th September, 1874, which fully explains itself.

Letter from witness to Sir Julius Vogel, dated 8th September, 1874, read:—

“DEAR SIR,—

“Wyndham Chambers, Auckland, 8th September, 1874.

“During my visit to England, it is my intention to take another step in Polynesian matters. You stated ‘that it was hopeless to expect Great Britain to take possession of all unoccupied Polynesia.’ I partly agree with that statement, but I shall endeavour to persuade England to do so. In doing this I seek your assistance and guidance. I have sketched out a plan of action to enable me to carry out this idea. The task is a severe one, but it will eventuate in much benefit to New Zealand. May I send you a copy of my ideas?

“The Polynesian scheme has been withdrawn. I see that it is your intention to visit England, I suppose, to carry out the scheme. This was my intention at first, but I cannot oppose you, as my only course is to rely upon your honor and promises. I fully believe that you will give me compensation, and also the position of secretary to the company, either in England or New Zealand. It may strike you that you took this scheme in your official capacity, and you have hardly the right to carry it out as a private enterprise; still, my best course is to entirely trust you, and assist whenever you require me.

“My London address is 47, Upper Bedford Place, Russell Square, so that, if at any time my services can be of any use, you will know where to command them.

“I have been duly admitted to the New Zealand Bar, but I am so much interested in Polynesia that I shall devote two or three years to Island matters before following my profession. I leave here about October 1st, and trust to receive a line from you before I go.

“I have, &c.,

“Hon. Julius Vogel, Wellington.”

“COLEMAN PHILLIPS.

3. *Mr. Swanson.*] Did the Premier reply to that?—He did not. The announcement of the scheme having been withdrawn had taken place.

4. *The Chairman.*] What do you mean by the announcement of its being withdrawn?—The public announcement in the House.

5. By whom?—By Sir Julius Vogel himself.

6. When was that made? Have you got a copy of it?—It was published in the *Daily Southern Cross* newspaper that the Bill was discharged.

7. On what date?—On 24th August.

8. *Mr. Swanson.*] Then it must have been made on the day previously?—Yes; this is a telegram.

9. How did this thing start? Had you correspondence with Sir Julius Vogel previous to that?—There is a large written correspondence. Of course, if the Committee wish to go into the whole matter, I am prepared to go into it.

10. *The Chairman.*] Were there many letters before you sent this draft?—A few letters.

11. Have you got them with you?—Yes. I thought I would not say anything myself, but take what Sir Julius Vogel said to the House; and there he says, “I think Mr. Phillips’s share in the matter entitles him to substantial compensation.”

Witness read his claim for compensation as follows:—

For plan of operations as per copy annexed.

For two years of my time and labour given to same, at £500 per annum.

For sundry expenditure, amongst which were two trips from Auckland to the

Islands, and a special trip from Auckland to Wellington, at the invitation

of the Hon. Julius Vogel, in all £2,000 0 0

It must be remembered that if I had been allowed to take this scheme to England, I should have demanded five thousand pounds.

Auckland, 5th April, 1874.

COLEMAN PHILLIPS.

Letter from witness to Sir Julius Vogel, of date 5th April, 1874, also read:—

“SIR,—

“Auckland, 5th April, 1874.

“I have the honor to enclose my claim to compensation for resigning to you the scheme for a South Sea Island Company.

“I have been somewhat at a loss how to make out that claim. I shall feel greatly obliged by your making any alteration which you may think requisite. You, yourself, suggested the sum of £2,000.

“As you have in a manner purchased the scheme, you have also the right to any further information that I possess. It will always be at your service, and may be of some use.

“I feel convinced that, in dealing with me, you are moved by every generous motive. His Excellency Sir James Fergusson also assures me of this. Yet it may so happen that the company when formed, may choose to consider that I am not entitled to any compensation. I trust that you will excuse my referring to this matter, but I do so in order that you may indorse the enclosed claim with your signature of approval.

“I need not say that my services are always at your command.

“I have, &c.,

“Hon. Julius Vogel, Wellington.”

“COLEMAN PHILLIPS.

12. Have you the reply to that?—He did not send me any reply.

13. Have you got those letters you refer to in your petition?—I can put in my letter-book, in which my letters to Sir Julius Vogel are marked. [Letter-book handed in.]

Mr. Phillips states that Sir Julius Vogel implies that he did not advise Mr. Phillips to go Home, with which Mr. Phillips disagrees, as he did advise him to go Home, and promised letters of introduction to his friends on the Stock Exchange; that Sir James Fergusson also advised him to go Home, and promised letters of introduction to his friends in England.

THURSDAY, 27TH JULY, 1876.

Sir JULIUS VOGEL examined.

14. *The Chairman.*] Have you read the petition presented by Mr. Phillips?—Yes.

15. The Committee wish to obtain your evidence on the subject. Would you please to make a short statement of the case?—I will make a statement, but I cannot promise that it will be a very short one. Before I do this, I should like to know whether Mr. Phillips will be asked to produce all the correspondence he intends to produce. A great deal of this correspondence was private. Apparently, Mr. Phillips does not draw a distinction between private and public correspondence. I have seen a letter of Sir James Fergusson's, which Mr. Phillips printed; and I think it would be right of the Committee to ask him to produce all the correspondence he intends to put in. I did not take copies of all the correspondence that passed between us, and I should like to have all before I begin.

16. He has not put in any correspondence formally. He has allowed me to look over it, but has not put it in formally.

Mr. Phillips: I do not wish to put in any private correspondence; only if I am compelled to do so, I must.

Sir Julius Vogel: All I can do is to refer to this private correspondence. If Mr. Phillips has got any more, he will know what to do with respect to it. At the outset, I may inform the Committee that I have been reluctant to bring before the House, as a question of privilege, Mr. Phillips's conduct, and I hope the Committee will not think I have been unduly lenient in not bringing Mr. Phillips's conduct before the notice of the House. Mr. Phillips has written to me to the effect that if he did not get his money from the House, he should bring a private action against me, which of course was a threat to get me to help him to obtain public money; and again, through Mr. Lusk, he afterwards tried to get me to recommend him for £300. I think that was the amount. I acquit Mr. Lusk of being aware of Mr. Phillips's threats. When I told him, he agreed I could have nothing to do with the matter, except before the House. As I have said, Mr. Phillips has threatened me with private consequences unless I helped him to get compensation. I will now give you my recollection of this affair. About August, 1873, Mr. Phillips suggested to me, by letter, that South Sea Island labour should be imported to Auckland. That letter was replied to, and his suggestion declined. As far as I recollect, some time afterwards he sent to me a copy of a scheme, which I notice he has printed in these papers. I had taken a great interest in the question of the South Sea Islands for a very long time previously. I had myself very nearly carried out a scheme for establishing a company in connection with those islands, and Mr. Phillips's paper revived the idea in my mind of a trading company. I spoke to the then Governor of the colony, Sir James Fergusson, about it. I showed him Mr. Phillips's paper, and said to him that it suggested itself to my mind that it would not be a bad idea to form a trading company in connection with the South Sea Islands. Without taking up his idea at all, I proposed that the colony should guarantee a minimum profit, so that the company should not be established for purposes of profit only, and should be carried on in connection with the Colony of New Zealand, neither of which had anything at all to do with Mr. Phillips's proposal. About that time a new Commodore (Commodore Goodenough) was coming out, and he was intrusted with a very important mission in connection with Fiji; and I wrote, as well as I can recollect (I have not got a copy of the letter), to Mr. Phillips, suggesting to him that he might like to come to Wellington, and if he did, I would introduce him to the Governor and the Commodore. He had asked my advice as to whether or not he should go home to England, and try to float his scheme. My recollection is that I told him I thought he would have very little chance as an unknown man in London of floating any company, and that it might be worth his while to come to Wellington. My recollection of the matter is that I believe Mr. Phillips was induced to come down, and I think his expenses from Auckland to Wellington and back should be paid. I may state here at once that I absolutely deny ever preventing Mr. Phillips from going Home. He had asked me for advice, and I gave it to him, but as to preventing him from going Home, it is an absurdity. When I went to Auckland afterwards, about February or in the early part of the year 1874, Mr. Phillips saw me and wrote me an exceedingly offensive letter, of which I have not got a copy. I told him that I thought he was an exceedingly indiscreet person, and to take any line of action he liked. About that time I had discovered that no one in Auckland was inclined to have anything to do with a company of which Mr. Phillips was manager or secretary. He was looked upon as rather a visionary, and as one not likely to make such a thing succeed. He saw me then, after writing this letter, and begged to be allowed to withdraw it. I gave him then to understand that I thought him exceedingly imprudent, and that I must be very careful in any communication I had with him. I told him then (and I wish to make it clear to the Committee) that all I could do in the way of giving him credit for bringing this before me, I was willing to do. Although the idea was not new to me, as I had myself been engaged in some project of the kind before, yet it slumbered in my mind, and the matter was awakened by his proposal, and I told him in effect, "I am willing to give you credit for it, and if a company is formed, I shall endeavour to get you some compensation, though I am not prepared to say that I can do so." I spoke to some gentlemen on the subject, and they said the thing was ridiculous, and that he had no claim whatever. It was pointed out that Governments are supposed to take advantage of any suggestions made to them, and that if persons choose to lay their projects before them, the Governments are supposed, in the interests of the public, to take whatever advantage they can out of their suggestions. I told him that, as far as I was concerned, I was willing to give him all the credit I could, and to waive any claim to having originated the scheme he proposed, and that if a company were formed, I would endeavour to get him compensation, but whether I would be successful or not, I could not say. He then wrote a letter and sent in a claim, and if the Committee will look

through the papers, which I hope they will do, they will see that when the papers were laid on the table of the House, I endeavoured to put Mr. Phillips's position in as favourable a light as possible. Now, I come to the question which Mr. Phillips has laid such stress on, why this paper was not published. I do not remember exactly what transpired, but my recollection is very strong upon the subject. Both Sir James Fergusson and myself had made rather much of Mr. Phillips. Sir James Fergusson had mentioned his name in a despatch home and in published memoranda. The fact was, his idea suggested itself in its broad sense—that of a trading company with the South Sea Islands. We had not, I think, studied the details very much. When I prepared the papers for Parliament and looked through Mr. Phillips's statement, it then struck me that he proposed a company for trafficking in human labour. It was certainly disguised that the chief profit was to arise from that (although I do not think he designed that), and it was in his own interest that I did not publish the paper. He has now published it, and the public will be able to form their own judgment. As between Mr. Phillips's scheme and mine—mine was that a company should be formed, under the guarantee of New Zealand, to carry out a trade in connection with New Zealand not only for purposes of profit, but in the interests of civilization; and that this should be done failing any attempt on the part of the Imperial Government to carry out settlement in the South Seas. You will allow me to say that as it gradually forced itself on my mind that the English Government were prepared to go very much further in the direction of extending civilization in the South Seas than was anticipated, the necessity for interference on the part of New Zealand seemed to me to become less, and I therefore ceased to take any further steps in the matter after I saw the way in which the English Government were working. The expenditure which is now going on in the Pacific must be very heavy. Of course the assumption of the control of Fiji has been a great step on the part of the English Government. I will read to the Committee the references made to Mr. Phillips in the papers laid before the Assembly, and I think you will consider I was rather liberal in noticing him than otherwise:—

“Mr. Coleman Phillips, who had aided in arranging for the establishment of a Bank in Fiji, addressed to me a communication in which he suggested the establishment of a company, which, like the East India Company, should endeavour, politically and commercially, to gain ascendancy in the Pacific Islands. I was much struck with the idea; but when Mr. Phillips asked me if I would advise him to go Home to endeavour to float the company, I felt that he would have great difficulty in raising the capital. It then occurred to me, from the New Zealand point of view, from which I felt bound to look at it, that Mr. Phillips's project, supposing it matured, might or might not be worked in a manner calculated to be of much benefit to New Zealand.”

“Your Excellency is aware that I have felt much interest in a proposal made by Mr. Phillips, that a trading company should be formed in England, with the view of absorbing, by its commercial power, a large share of political control in the Islands. The objects proposed by Mr. Phillips, excepting that of a chartered labour traffic, I approved; and your Excellency, I believe, communicated the substance of Mr. Phillips's ideas to the Secretary of State. I have since thought very carefully over the matter; and there are two points in respect to Mr. Phillips's proposal which seem to me to require serious consideration, and without providing for which I am not certain the proposed company might not lend itself to retard, instead of to advance, the civilization of the Islands. Those points are—(1.) That, in order to obtain the necessary capital, every consideration besides that of the mere acquirement of profit might have to be abandoned. (2.) That Mr. Phillips's proposal does not provide that amount of direct and governmental control which, in my opinion, should be stipulated for in the interest of the helpless natives.”

“I consider that Mr. Phillips's share in the transaction entitles him to substantial compensation.”

These were contained in memoranda to His Excellency, which were sent home to England. In the same papers there is a despatch from Sir James Fergusson, which contains the following:—“This scheme was at first devised by a private individual, who contemplated an attempt to form a company in England and Germany. He communicated it to the Premier, the Hon. Mr. Vogel, C.M.G., who deemed it to be one which New Zealand should not only encourage, but adopt and control, in consideration of the advantages which would accrue to her through a reciprocal trade with the Islands, and possibly by becoming, at a future time, the centre of their government.” So that you will see I did not at all deny Mr. Phillips any share in originating the scheme; and to show you how very peculiar the complaint he makes now is, I will read one of his letters, dated July 25th, 1874, after these papers were published, and apparently after they had reached his hands:—

“DEAR SIR,—

“Auckland, 25th July, 1874.

“Allow me to thank you for the manner in which you alluded to me in proposing the Polynesian scheme.

“I have always felt quite certain that you will treat me fairly. Your speech on Monday confirms this. I shall leave New Zealand fully satisfied as to your intentions, yet regretting your wrong impression concerning me.

“Again thanking you most sincerely,

“Believe me to be, &c.,

“Hon. Julius Vogel.”

“COLEMAN PHILLIPS.

There is another letter which Mr. Phillips has published.

Mr. Phillips: Excuse me for remarking that I have not published any letter.

Sir Julius Vogel: Then, in September, Mr. Phillips wrote to me, stating his intention to go to England, and that he intended to persuade England to take steps in Polynesian matters. I do not think it necessary to refer to any of his letters until this one, which I received lately, when the idea of getting compensation occurred to him. I wish the Committee to understand distinctly that it was only when I received this letter, on May 17, that I had the slightest notion Mr. Phillips did not consider he had been treated with exceeding kindness by me.

17. *The Chairman.*] What year was that?—May 17, 1876. I wish to explicitly deny the statement Mr. Phillips made, that I prevented his going to England. He also, in the statement he has

made, says that I refused to give him back his scheme. The folly of such an assertion shows itself on its face. In the first place, he had copies of it, and if any one reads the scheme they will see that it would be of no possible advantage or benefit to me. The propositions I made were so widely different that I could not avail myself of any advantage by refusing to give him back his scheme. I will read the letter of May 17:—

“DEAR SIR,—

“Auckland, 17th May, 1876.

“I exceedingly regret the receipt of the information in your note of March 13, ‘that you are too much engaged to attend to matters touching the South Sea Island question.’ Yet I can hardly expect otherwise, as your time at present must be much occupied.

“I trust that you will excuse my troubling you with the enclosed paper. It is, as you will perceive, a copy of a petition which I intend to lay before the House of Representatives, praying for the compensation which you promised me *re* the Polynesian scheme.

“I have couched the petition in as simple a form as possible, more, indeed, to meet with your approval than to strengthen my claim. Your letters to me I have not referred to, as their publication would not much benefit my cause, but only afford a handle for criticism on the part of your political opponents. Not that I imagine you would be much alarmed by such criticism, but I have no wish to advance the subject for dispute.”

[*Sir Julius Vogel*: “Political opponents.” You observe, that is a threat; so I ask Mr. Phillips to produce any letters he has of mine.]

“My object is to obtain the compensation, and I am trusting that you will assist me in doing so. You took up the scheme for the benefit of the colony; sundry and perhaps more important measures have prevented the carrying out of the project, and all that remains to be done is to compensate the author.

“I think that I deserve some little reward. For years I have steadily worked; channels of trade are being opened up; steam services are extending into the Pacific; and New Zealand institutions are being established there. I always looked to the carrying out of the Polynesian scheme as my reward, and I have received nothing from any other source.

“If there is anything in the petition objectionable to yourself, I will alter it; or if you would prefer the presentation of the petition to be delayed, I will delay it, but you must be good enough to inform me of your reason for such delay. Should you desire to refer the question of my compensation to any two gentlemen, I will refer it upon certain conditions, although time is running short, as the House soon meets.

“I think you will admit that I have always attempted to comply with your wishes, for I have always relied upon your promise. Sir James Fergusson, Mr. Thomas Russell, and many other gentlemen advised me to do so (I enclose a copy of one of Sir James Fergusson’s letters), and I have done so.

“I cannot, however, help remarking, that if you had allowed me to carry out my original plan, I believe that I should have succeeded in doing so. That means a present loss of £800 or £1,000 a year to myself; for I might well have expected to have received some such remunerative post in the company. The idea has now been published to the world, and it has fallen flat. To revive it again would prove a Herculean task.

“Believe me to be, &c.,

“COLEMAN PHILLIPS.

“P.S.—I shall strictly guard against a copy of this petition leaving my hands until I receive your answer.”

“C. P.”

Then there was a copy of this petition, I suppose identical with the one before you; and there was a letter from Sir James Fergusson, which is a private letter, and which I shall leave to him to put in or not, just as he pleases. My Private Secretary replied to that letter of 17th May, as follows:—

“SIR,—

“Premier’s Office, Wellington, 5th June, 1876.

“I have been directed by Sir Julius Vogel to acknowledge receipt of your letter of 17th May, enclosing copy of a petition addressed to the House of Representatives.

“I am to inform you that Sir Julius has no remark to make in reply, except that you are incorrect in the statement that he prevented you from carrying out your plans. He declines to say anything as to your proposed petition.

I have, &c.,

E. Fox.”

On 30th May, Mr. Phillips writes:—

“DEAR SIR,—

“Auckland, 30th May, 1876.

“I beg to forward, by this mail, a copy of my essay upon the ‘Civilization of the Pacific,’ lately read before the Royal Colonial Institute. You will notice (page 39) in what manner I have referred to the Polynesian scheme.

“I am expecting to receive a letter from you, in reply to mine of the 16th instant, and trust yet to do so. I have placed the petition in the hands of Mr. H. H. Lusk; but I have requested him to see you before presenting it.

“Believe me, &c.,

“COLEMAN PHILLIPS.

“The Hon. Sir Julius Vogel, Wellington.”

Then Mr. Fox replied to that, as follows:—

“SIR,—

“Premier’s Office, Wellington, 6th June, 1876.

“I have been instructed by Sir Julius Vogel to acknowledge his receipt of your letter of 30th May, enclosing copy of a pamphlet entitled ‘Civilization of the Pacific.’

“I have, &c.,

“E. Fox.

“Coleman Phillips, Esq., Auckland.”

Then, on 21st June, I received this letter from Mr. Phillips:—

“SIR,—

“Auckland, 21st June, 1876.

“Your letters of the 5th and 6th of June arrived here during my absence in Fiji, from which place I only returned last evening.

"I exceedingly regret to observe that you consider me incorrect in stating that 'you prevented me from personally carrying out the Polynesian scheme.' You cannot fail to remember that when I requested you to return me the scheme, you replied 'That you could not do so, as New Zealand interests might suffer,' or words to that effect. Besides, I believe that you never intended to give me back the scheme, as you had placed yourself in communication with Messrs. Whitaker and Sterndale before informing me of your intention to carry it out without my aid. I am afraid that the advice I received from Sir James Fergusson, and many other gentlemen (friends of your own), to fully trust you in this matter of compensation, will be found to be erroneous; indeed, if I may judge from your letters, you may choose even to oppose my present claim.

"I trust that you will not do so; but I think it right to inform you that in the event of the Petition Committee failing to grant me any satisfaction, that my next step will be to file in the Supreme Court a writ against you personally for damages.

"I am at present engaged in preparing a pamphlet for distribution in the colonies and England, in which I state my simple case against you and your whole action in the matter. I shall forward a copy as soon as it is in print.

"I sincerely regret that you compel me to contemplate these proceedings. I had hoped that you would have assisted me in the petition, but your letters show no such inclination. I have requested Mr. Lusk to speak to you upon the subject, and I trust that you will favour him with an opportunity of doing so. You will find that I have very little desire to carry this matter before the public.

"I have, &c.,

"COLEMAN PHILLIPS.

"The Hon. Sir Julius Vogel.

"P.S.—I have detained this letter, waiting to hear from Mr. Lusk, but I have not yet done so. I open it to enclose an extract from an English newspaper. I find that, in most of the criticisms upon my late essay, reviewers give you the sole credit for the 'comprehensive scheme for Polynesia.' I am afraid that I must push on my petition, in order to correct this general opinion. Again, Mr. Wilson, of the Melbourne *Argus*, in speaking upon the subject at the Royal Colonial Institute, remarked as follows:—'When Sir Julius Vogel startled the world with his lion-hearted proposition to annex the whole' (meaning the Polynesian Islands). I think that I must correct Mr. Wilson in his estimate of yourself.—June 27th.

"C. P."

I have already said that I did not refuse to give back his scheme, and I give the most unqualified contradiction to the statement contained in that letter. This, I contend, is a threatening letter, telling me what he might do, and hinting that I might yet be able to prevent him carrying his threats into execution by arranging with Mr. Lusk. I acquit Mr. Lusk of being a party to such a thing. In fact, when Mr. Lusk was informed of the whole proceedings, he expressed himself as rather disgusted at the affair, and the course which Mr. Phillips had adopted. On Saturday last, I received this letter:—

"SIR,—

"Wellington, 22nd July, 1876.

"In the matter of my petition *re* the Polynesian scheme, I find that it will be necessary for me to put in evidence the correspondence which took place between Sir James Fergusson and myself. This course I did not contemplate, as I thought that it would have been unnecessary to produce any correspondence whatever; your statement that you considered me entitled to substantial compensation being sufficient evidence of my right to demand it.

"I am informed that Sir James Fergusson, Mr. Whitaker, yourself, and certain other gentlemen are privately and personally interested in this scheme, and that actual nominations to the posts of managing directors in England and New Zealand had taken place. I shall be compelled to refer to this matter, in order to show that you offered me the position of secretary, but subsequently withdrew that offer.

"I have, &c.,

"The Hon. Sir Julius Vogel, K.C.M.G."

"COLEMAN PHILLIPS.

This is the last letter I received. Now, I must ask the Committee to consider that it really is incumbent on them to look into this matter carefully, and to go into the whole of the papers connected with it. It is not only Mr. Phillips's compensation which is in question; he has raised very serious accusations against me, and it is just as well to have them disposed of once and for all, because he may come down at a future session when I am not here to take any notice. I may say that the idea that Sir James Fergusson or myself had any pecuniary interest in a company is totally and utterly false. I never heard any suggestion, or made any myself, that Sir James Fergusson would take a pecuniary interest in the management of the company; and certainly, as far as I was concerned, there was nothing of the kind. As far as Mr. Whitaker is concerned, his share in the matter appears in the papers.

That was laid before the House, and a Bill was prepared, but it was not pressed that Session, and afterwards the course taken by the English Government made it unnecessary to take any further steps. Nothing whatever has been concealed; the plain fact being that Mr. Phillips was considered so indiscreet a person, and visionary, that he could not be trusted in a share of getting up the company. Now, with respect to Mr. Phillips's claim. I may say that I have heard, in the case of the Fiji Banking Company, the deed of association covers very large powers of trading with various portions of the Pacific. Mr. J. S. Macfarlane knows very well that I conceived the idea before Mr. Phillips sent me his plan of forming a large trading company in connection with Fiji. Probably Mr. Phillips is aware of that himself, because he had been to Fiji and had seen Mr. Woods, with whom I had been in communication on the subject. The proposals which I made, and which are in the Blue Books, have very little identity with Mr. Phillips's scheme, which is now published, and you will have an opportunity of considering it side by side with mine. At the same time, I wish to say now, as then, that he certainly did revive the idea, and gave an impulse which led me to take the course I did, and which appears in the Blue Books. As to having committed the country or the Government to any compensation, in the event of the company not going on, it is utterly absurd to suppose I could have done such a thing. The passage on which he seems to rely must be considered in connection with the other passages, with the context. Had the company gone on, I should have endeavoured to

get him compensation; whether I should have been successful or not I do not say. I do not consider the country is committed. I did not do anything to prevent him from going Home. As to his being in a worse position, I recollect pointing out to him, early in 1874, that the papers would not be before Parliament for many months; that he could go Home or do what he liked, and that the Government would take its own line of action. I have made rather a long statement, but members of the Committee will see that I have had to submit to very insulting insinuations, the whole thing being in consequence of an inclination really on my part to help this young man. I was only acting in my public capacity, not privately. I shall be happy to answer any questions that may be put to me.

Mr. Phillips: I should like to say a few words in reply to Sir Julius Vogel. He has made especial reference to a threatening letter, and I admit that that letter bears a threatening aspect, but I wrote it in consequence of Sir Julius Vogel saying that I was not entitled to any compensation, or that I was not prevented from carrying out my plans. I can only say that it was written under those two peculiar circumstances, and does bear a threatening aspect; it must take its course before the Committee. Then comes the question of Sir Julius Vogel's statement, that he did not interfere with my carrying out of my plans. Well, to explain that, I should have to place in evidence Sir Julius Vogel's private correspondence, and the correspondence of Sir James Fergusson. I am not inclined to do that. I do not consider I have a right to place in evidence private correspondence; but if Sir Julius Vogel will allow me, I should like to place in evidence only one of his letters, which shows, on the face of it, that he did interfere in my carrying out my plans and taking my scheme home to England, whereby I suffered considerable loss. [Showing letter to Sir Julius Vogel.] Will you allow me to put in this letter?

Sir Julius Vogel: Any letter you wish to put in evidence you are at perfect liberty to do so.

Sir Julius Vogel: Is that before you came down to Wellington?—*Mr. Phillips*: That is after I came to Wellington. That letter, I think, very fairly shows that Sir Julius Vogel did stop me from carrying out my plans, and did interfere. Then he came to Auckland, and he refers to a letter which I wrote to him there. I may say, in answer to that, that when Sir Julius Vogel came to Auckland, instead of making a suggestion which I fancy he should like, he simply said, "I cannot have anything to do with you; I cannot work with you." That resulted, I believe, from the fact that two or three gentlemen in Auckland mentioned to Sir Julius that I was very inexperienced and quite unfit to carry out the management of such a company as the proposed company. Well, Sir, I admit that I was inexperienced, and, perhaps, not fit to manage the company, but that hardly gave the right to Sir Julius Vogel to take away the idea and carry it out himself. By taking away the idea, and his subsequent statement that I deserved compensation, I think you will see that it makes a very important feature in my case. Sir Julius Vogel then stated that in making a promise of compensation he did so in this manner: that he would obtain it from the company or a company to be formed. I can only say that Sir Julius Vogel never made any such stipulation. I never understood that I was to receive compensation from a company to be formed. Sir Julius Vogel took the idea, and promised me compensation. I resigned it to him, objecting once, and once only, in the matter, which he has referred to as a very foolish letter. I specially wish you to understand that there was no stipulation made by him to get me compensation from a company to be formed. Indeed I said, "You do not guarantee this compensation yourself?" He said "No." "Well," I said, "You ought to do so yourself." He said he could not guarantee me.

18. *The Chairman* to Mr. Phillips.] Was this a conversation or correspondence?—Conversation. A special point in this matter is that Sir Julius Vogel states that the Auckland people thought it absurd I should get any compensation. I can only say, Sir, in reply, that the Auckland people are not a very liberal people; that their leading citizens do not generally reward any young man who endeavours to advance Auckland interests. With respect to Sir Julius Vogel's statement that he does not consider I was entitled to the origination of the scheme, I can only refer to his own evidence:—"When Mr. Phillips communicated the plan to me, I was much struck with the idea." I cannot see why he should say he was struck with the idea unless the idea was new to him. I claim having originated the scheme; and I think that all the journals in Australia and America, and some in England, of which I have extracts here, all give to Sir Julius Vogel the credit of having proposed a most comprehensive scheme, and he admits he has received the idea from myself. It is true, I may say, that three or four years ago I was a much younger man. I was very foolish in writing some letters to Sir Julius Vogel; but I think I have gained a little more experience. I hardly think he should make use of that now, and characterize this last letter as a threatening letter. The folly might be excused, and the threatening letter also under the circumstances of the case. That is all.

19. Have you any questions to ask Sir Julius Vogel?—No.

20. Where did you expect compensation to come from if not from the company?—He adopted my scheme as Premier, and I expected compensation from the Government.

21. *Mr. Reynolds*.] I should like to know when you first intimated your scheme to Sir Julius Vogel?—In July, 1873.

Sir Julius Vogel: It bears date on the 25th of August, 1873. I do not think it was submitted for some time afterwards. I find an official letter to Mr. Phillips. On his suggestion, the date of the thing is August 13th, 1873. I have not a copy of the covering letter.

22. *Mr. Reynolds* to Sir Julius Vogel.] Do you remember ever conversing with me in Sydney about a scheme in connection with the Fijis?—Oh, yes; no doubt about it; I had the whole thing in my mind. I was actuated by kindness towards Mr. Phillips. I may as well tell you how it is. When I was in Sydney, in 1872, Mr. Woods, then Premier of Fiji, offered me a charter upon almost any terms I was willing to accept for establishing such a company as this, and I brought down some £50,000 of debentures, which he asked me to try and get sold in New Zealand. I had a great many other matters to attend to, the debentures were left in the Bank, and I had no time to see about disposing of them. I spoke to several gentlemen in the matter, and to Mr. J. S. Macfarlane amongst others. Meantime, Mr. Phillips was in Fiji, and heard of this matter. He came back with authority, I believe, to act for Mr. Woods, and I believe it was to him I gave up the debentures. The thing

died out of my mind altogether. Some months afterwards, Mr. Phillips revived it; and I frankly admitted it had died out of my mind, and, if anything came out of it, I wished to give him the advantage of it. It was no very new thing.

23. *Mr. Bryce*] You stated, Sir Julius, that you did not take Mr. Phillips's scheme in its entirety. I wish you to state what parts of it you did adopt; how far your scheme and his agrees?—Well, Mr. Bryce, I think that is a matter which the Committee should make itself acquainted with. As far as my scheme was worked out, it was worked out to certain completeness. Mr. Phillips's is a document in which he speaks enthusiastically of probable profits, and his first two objects are the supply of native labour in the Polynesian group and to the Australian colonies, and to take advantage of the dormant labour resident in the Islands by exchanging trade for island productions. Mr. Phillips's scheme pointed to a large trading company, something after the nature of the old chartered companies; and the first idea which it originated in my mind was that a charter should be obtained for it, and I freely concede to him the credit of having started this. Afterwards, having worked it out, I adopted the peculiar characteristic of a New Zealand guarantee, which, I believe, attracted so much attention to the thing. I really hope that members of the Committee will take the trouble to compare the two proposals and judge for themselves.

24. Did you suggest to Mr. Phillips that he might get a reward for his connection with the scheme?—I think that I treated Mr. Phillips quite confidentially. I suggested to him to come down to Wellington, and did not conceal from him that I thought the Government would take up the idea and carry it out. Mr. Phillips, I believe, then gave me the idea that he had no personal interests to serve. After I went to Auckland, he gave me to understand that he would like to be connected with any plan for giving effect to the proposal, and I then told him there was no prospect of employing him. He then complained, and I then told him that I would try to get him, if the company went on, £2,000 in consideration of his share in the matter. To the best of my knowledge, I think that up to a certain point, Mr. Phillips thought that he should not. I did not use any inducement to him not to go Home, nor did I commit the country to any compensation to him.

25. Why should he have had the £2,000 if his scheme was of no value to you?—Well, judged in the light of my present feelings, it is difficult to say exactly why he should have £2,000; but if the company had gone on, in consideration of his having kept the thing quiet and not having hawked it about, he would have been entitled to some compensation. He proposed to float it in England and Germany, without reference to New Zealand.

26. Had Mr. Phillips anything to do with the preparation of the papers submitted to Parliament?—Nothing whatever.

27. Do you know of any special reason why Mr. Phillips's communication or scheme was not included in these papers?—My impression is that it was out of kindness to himself. To some extent, Sir James Fergusson and myself had rather hastily given our approval to the thing, and I was afterwards rather shocked at having been led into giving my approval to a proposal which had such a prominent feature as dealing with human labour. There are one or two expressions in the thing which are rather ugly.

28. After hearing that note, do you still think that anything you did did not delay him in trying to get his scheme adopted?—I think Mr. Phillips asked my advice, and I advised him not to go Home. It may be that it was not politic to advise him, but inasmuch as he asked me for advice, I did advise him. This note was written after he had visited Wellington.

“(Private.)

“DEAR SIR,—

“Wellington, 6th November, 1873.

“I am in receipt of your note, and think you had better delay doing anything until you see me.

“I have thought much over your proposal, and have a suggestion to make which I think you will like; and meanwhile I would wait, and not tell your plans to others. The quieter you are about them the better.

“I am, &c.,

“JULIUS VOGEL.”

“P.S.—I am sure to be in Auckland in the course of a couple of months, probably sooner, and the delay will do no harm. Let me know what you decide upon.

“J. V.”

Probably it was in my mind at this time that Mr. Phillips might have been employed, but when I got to Auckland, I found it was impossible to employ him, as I saw he was not possessed of so much discretion as he might have been expected to have. For instance, it was found that he had been boasting about seeing the Governor and the Commodore, which, although it might be very natural for a young man to do, showed at the same time that his discretion was not to be relied upon.

29. Do you think that Mr. Phillips has suffered any loss in consequence of taking your advice in this matter—in consequence of the delay?—I say most decidedly “No.” If he had gone home to England I do not think he would have done anything. He was Home last year for several months, and I think I am correct in saying that he did his best to bring the matter before the public, but failed.

Mr. Phillips: No.

Hon. Sir J. Vogel: I am of opinion that he would not have been able to raise the money. If the thing was not looked upon favourably, even with a guarantee from the New Zealand Government, I am very much inclined to think that one private individual would not have been more successful.

30. *Mr. Swanson*.] Do you think that Mr. Phillips's prospects of success would have been facilitated by the promotion of your scheme here having done away with the originality of it?—He had given me to understand that he was not going Home at once, and at any rate, he had from the end of 1873 till the middle of 1874 to work it out himself. As for doing away with the originality of the

scheme, I do not think that would in any way affect its success, because it must be remembered persons are not inclined to invest money in undertakings that have only originality to recommend them. Quite the contrary: they look for something which will pay. The opinions of myself and many others in the colony who expressed themselves most favourable to a South Sea Island trading scheme could not but have helped Mr. Phillips. For instance, there was an excellent paper prepared by Mr. Sterndale, which was paid for. This was an exceedingly interesting paper, and I may state it was so much thought of in London that, when I was there last year, a publisher sent to know whether I had any objection to his republishing it. The opinions expressed in this paper must have materially assisted any person about floating a company. There was no failure in the colony, and I do not think the prospects of Mr. Phillips were at all interfered with.

31. *Mr. Hislop.*] Do you think the Government would have done anything in the matter at all had not the idea been revived in your mind by the communication from Mr. Phillips?—That is a point I wish to give Mr. Phillips the full benefit of. He did revive the thing in my mind, and such action as he took might be taken into consideration by the Committee.

32. With you, had the idea been reduced to anything like a practical form?—If I am rightly informed, the articles of association of the Fiji Company contain such powers as would enable the Company to do the same thing as Mr. Phillips proposed. As Mr. Reynolds mentioned just now, the question was talked over by us in Sydney long before that date.

33. You say that you at one time thought it possible that Mr. Phillips might be employed if a company were formed, but that circumstances came to your knowledge that led you to believe he was not sufficiently discreet—was that before or after you had recommended him for substantial compensation?—It was when I found he could not be employed. I gave him to understand that I saw no chance of his getting employment, and it was then I said I would try and get him compensation if a company were formed.

34. I am referring to the allusion you make in one of the papers, and in which you say Mr. Phillips was entitled to substantial recognition?—I cannot speak of that without a reference to the papers.

35. Did you not promise something of the sort when you purposed bringing the matter before Parliament?—What matter?

36. The matter of the Polynesian scheme?—After Mr. Phillips wrote me the injudicious letter of which I have spoken, I told him he might do what he liked, but that if a company were formed, I would try and get him £2,000.

37. Did you lead him to believe that the matter would be brought before Parliament for the purpose of seeing if the Parliament would adopt it?—I do not think so. I told him he was at liberty to do as he liked, but if the scheme was carried out I would try and get him £2,000.

38. If he were given to understand that the Government were going to take action, with a view to the formation of a company, that would operate in preventing him from entering into the scheme on his own account?—It is impossible for me to account for what may have worked in Mr. Phillips's mind.

39. Well, with regard to your own mind. Supposing that you wished to have the matter taken up as a New Zealand venture, would you not have been anxious that a German or English association should not be formed to compete with yours?—I do not think Mr. Phillips would have been successful. When he took me into his confidence he asked me for my advice, and I advised him not to go Home. He had told me he was studying for admission to the Bar, and was about to attempt to pass as a barrister, and that if he went Home he would have to sacrifice his opportunity of entering the profession. No doubt I did then advise him not to go, because I considered it would have been very silly for a young man to sacrifice his opportunities for the sake of going Home on a wild-goose chase of seeking English and German capitalists to take up his ideas in respect to this South Sea scheme.

40. *Mr. Phillips.*] Do you understand now that I mentioned to you that my admission to the Bar depended upon this scheme in any way. Do you understand that now?—My recollection is that you could not go up for examination until a certain date.

41. That was the date at which you were in Auckland, and I had no idea of going Home till March, so that the examination could have had nothing to do with it?—There was nothing to prevent Mr. Phillips going Home after March. When I saw him in Auckland, I told him he might take what course he liked; but that if the thing went on in the colony, I would endeavour to get him compensation. Then he wrote me the letter dated 21st February.

42. *Mr. Reynolds.*] Where is the letter?—*Mr. Phillips:* I have it in my book. This letter was written after the arrangement had been completed, and compensation had been promised.

43. Was the compensation promised verbally, or in writing?—*Mr. Phillips:* Verbally.

The following letter was read:—

“DEAR SIR,—

“Auckland, February 21st, 1874.

“You desired me at our last interview to send in a memorandum of my claim to compensation. I have been, and still am so thoroughly disheartened by all that has taken place that I am quite incapable of making up that memo. I must therefore ask you to allow me the matter to stand over.

“You cannot imagine with what anxiety I looked forward to your coming. You said in your letter ‘that you had a suggestion to make which you thought I should like.’ That was in November, last year. You have come, and what is my position? You have taken my plan, and offered me compensation. You also tell me ‘that you are informed that I am incompetent.’ Can you believe this? because, if so, you should allow me an opportunity to clear myself. Idea after idea has been taken from me, and now you come and take this my first and last. Yet you are more honorable than the people of Auckland, for you offer me compensation; still I am told that I am incompetent.

“For days have I tried to overcome my humiliation and disappointment, but have not yet succeeded.

“I was not aware how valuable this scheme had become to me. It has been my sole thought for nearly two years. You may carry it out better than myself, but it is hard for me to give it up; and why I am to do so, I really cannot perceive.

"I am going to ask you to reconsider your decision.

"Why should you not work with me? Let me have some hand in carrying out the project. I can assure you that I am not incompetent. Do not listen to the people here. They have taken my ideas, and will not give me any credit, for I have grown up under their own eyes, and that has blinded them. I am rather independent, and that they do not like.

"You do not know how I have studied the matter. I have twice been down to the Islands, and so have practical experience. I could write a paper upon your own ideas, which might lead you to alter your views.

"Sir James Fergusson is, I am sure, a good judge. Please ask him if he considers me incompetent, for if he does, then it is time that I thought so myself. He has seen me as people outside of Auckland will see me. I have asked him to express to you his opinion.

"It is further humiliation in having to write as I am doing.

"I cannot give up the hope of so many months without a struggle, and why I have to do so, I cannot imagine. I have heard that you possess the power of swaying men according to your own ideas, but here, I sent you the plan because I wanted your assistance, and you take it all from me. I will not submit to this. If you take the plan and carry it through, you must guarantee to me the compensation you named, £2,000. If you take the plan and publish it, you must still guarantee compensation. I will say one-half that sum. It is easy for you to do this. Please remember that if you had simply granted me the assistance I asked you for, I should have gone Home and made £5,000, perhaps double that sum; besides having the opportunity of making myself slightly known. You are well known to the world. I am not. You take away even this also.

"In conclusion, I promise not to trouble you again, save once, and that is when you inform me of your decision.

"You cannot say that I have placed the slightest opposition in the way of your plans, for your object is the same as mine, perhaps greater, the advancement of New Zealand commerce. I am only pleading to be allowed some place in carrying out my own ideas. I am leaving town for a fortnight, as I find that I am quite unfitted for devoting my attention to my own private matters. I almost wish that I had never seen you, but please excuse me for saying so. Perhaps, in a month's time you may find cause to alter your views. I therefore ask you to send me your decision from Wellington. A line will be sufficient.

"Mr. Thomas Russell or Mr. G. A. Woods will tell you how I have acted in these island matters, and as for the rest of the Auckland people, save one or two, I am perfectly indifferent concerning their opinion.

"Believe me, &c.,

"COLEMAN PHILLIPS."

Sir Julius Vogel: When I received that letter, I considered it so indiscreet that I declined to have anything more to do with him. I must say this: He was very enthusiastic upon the subject, and seemed as if he was very serious and sincere in all that he said; and certainly I should not at all regret to see him get compensation, although I am bound from my official position to express my opinion on his claim. I will say this to the Committee, that as Mr. Phillips has made this a personal matter, whatever I did was done from purely public motives; I had no private interest in the thing. If, in the performance of a public duty, I have done anything which would entitle Mr. Phillips to compensation, I should be very glad to see compensation given, but I do not know upon what grounds compensation can be given. At most, I think, his passage money to and from Wellington, and expenses of his visit, might be refunded.

44. *Mr. Hislop*.] Supposing Mr. Phillips had intimated to you in Auckland that he intended to go Home for the purpose of trying to float a company, would you still have brought the matter before Parliament?—Certainly. I told Mr. Phillips to go Home if he chose.

45. If he had gone Home, would you still have brought the matter before Parliament in the way you did afterwards?—Of course the whole thing was public property, and I think very great consideration was extended to Mr. Phillips. Some Governments would not have taken notice of him at all.

46. *Mr. Phillips*.] You have said that my idea was not an original one, and that you had conversations with Mr. Woods in Sydney; did that conversation refer to Fiji, or to the whole of the islands in the Pacific?—To Fiji.

47. But my scheme was for all the islands in the Pacific?—Yes.

48. You have also said that my idea was a sort of mild labour-traffic scheme. Are you aware that Sir Arthur Gordon is now doing just what I proposed?—I am not aware of it; but I think I made this clear. You may not have had the idea of proposing a labour-traffic scheme, but that seemed to suggest itself from the language you used; and had I accepted your proposition as you put it, it might have been said at Exeter Hall, "The Premier of New Zealand is going in for human-labour traffic."

49. I called on you in England in 1875. Do you remember me saying to you, "If you give me your assistance even now, I shall be able to carry the scheme out," and you replying "I am not now prepared to say that I will do anything"?—I think you expressed yourself in very sanguine terms, but I could not go with you.

50. You know that I proposed the Steam Company and the Bank, and do you not think I could have carried a company in England?—I have been told you have been making some claim in respect of the Bank as you are making here.

51. No, I am not. Do you know whether I have ever been paid one penny for the work I have done in connection with these matters?—No.

52. Do you not know that I have lost all the money I had, besides four years' time, and have never been paid one penny?—I cannot say.

53. *Mr. Bryce*.] Have the Government paid Mr. Phillips anything?—I think not; not that I am aware of.

54. *Mr. Swanson*.] Would the Government have given anything if the scheme had been carried out?—My opinion is that it would have made an arrangement by which the company would have paid something; but I was never prepared to put the Government to any expense. If the company had gone on, we should have insisted upon the claims of Mr. Phillips being considered. It was in my mind to do that, but certainly not to put the colony to any expense.

THURSDAY, 3RD AUGUST, 1876.

Mr. C. PHILLIPS examined.

55. *The Chairman.*] You were saying that you wished to give further evidence on the subject?—Yes.

56. What is the nature of it?—I want to put correspondence in. Can I make an explanation in reference to one question by Sir Julius Vogel, to the effect “I understand you sent in a claim to the Fiji Bank?” I said “No.” I wish to say it is not a claim, but simply a reminder to the Bank that as it was winding up, the Bank had almost forgotten to thank me for having originated it. I find, in justice to myself and the Committee, that I must put in further evidence; otherwise Sir Julius Vogel’s statements could not very well pass. He has said that I did not originate the scheme, that what I did originate was hardly worthy of notice, and that I was very indiscreet, &c. I beg to say that these are misstatements. Sir Julius Vogel has also in one portion of his evidence stated that I did not originate the scheme; in another, that I did so: in one portion, that I only revived the idea in his mind; in another, that he was struck with it, and he sent for me to come to Wellington to explain the scheme; and then he knew all about it; that I am not entitled to any compensation; that I am entitled to compensation; that he did not wish to put the country to any expense, and that whatever he did was in the public interest. I am compelled to say that there are hardly ten lines of his evidence that cannot be contradicted by another ten lines. This letter I have will, I think, convince you that what Sir Julius Vogel has stated is hardly borne out by the facts of the case.

57. *Hon. Mr. Reynolds.*] What letter is that?—A letter from Sir James Fergusson to myself.

58. *The Chairman.*] Do you put it in as evidence?—Yes.

Letter dated 26th February, 1874, from Sir James Fergusson to witness, put in:—

“(Private.)

“MY DEAR SIR,—

“26th February, 1874.

“I will give you a frank answer to the question which you put to me in your letter of the 21st instant. I think that it is very improbable that you would succeed in forming a company to carry out your scheme, of which I recognized the boldness and intelligence. I do not say it is impossible, but the chances of success appear to me to preponderate greatly, supposing you to attempt to form a company as a private enterprise. Whether you are incompetent to manage it when adopted by the Colonial Government, I am not sufficiently acquainted with you to judge. My conversations with you impressed me very favourably. But it appears to me natural that if a Minister determines to embark in a project of great importance, upon the skilful management of which his own reputation must in great measure depend, he must choose his agents with regard to no consideration but the accomplishment of his object. I feel reluctant to offer you advice in a matter in which your ambition and hopes are concerned. You must judge for yourself of your means of maintaining your right to your scheme in comparison with those proposed by a Minister firmly seated. Of one thing I feel confident, that Mr. Vogel, in dealing with you, is actuated by generous considerations, and that if he deems it expedient to adopt your scheme in whole or in part, without intrusting its direction to yourself, he will be desirous of making up to you, to the utmost of his ability, for your disappointment and possible loss. For myself, I could not do anything to assist you in competition with him, as I can take no action separately from my Ministers. But, let me add that I feel esteem for you, on account of the sensible and moderate terms in which you express yourself, and that it would afford me sincere pleasure if, at any time, it should be in my power to promote your interests.

“Believe me, yours faithfully,

“Coleman Phillips, Esq.”

“JAMES FERGUSSON.

59. *Mr. Richmond.*] Is this written after your visit to Wellington?—Yes.

60. Have you any others?—I should like to call the attention of the Committee to this I have marked in pencil, in order to refute the statements made by Sir Julius Vogel. It will be seen that Sir James Fergusson specially says “your scheme” throughout the letter. He also says “I recognize the boldness and intelligence of the scheme (therefore Sir Julius Vogel is hardly fair in commenting on it and decrying it). Whether you are competent to manage the scheme when adopted by the Colonial Government, I am not sufficiently acquainted with you to judge. My conversations with you impressed me very favourably. But it appears to me natural that if a Minister determines to embark in a project of great importance, upon the skilful management of which his own reputation must in great measure depend, he must choose his agents with regard to no consideration but the accomplishment of his object. You must judge for yourself of your means of maintaining your right to your scheme, in comparison with those possessed by a Minister firmly seated.” Sir James Fergusson is here giving me advice, as much as to say, it would be foolish for me to try and compete with a Minister firmly seated. He goes on to say, “Of one thing I feel confident, that Mr. Vogel, in dealing with you, is actuated by generous considerations; and that if he deems it expedient to adopt your scheme in whole or in part, without intrusting its direction to yourself, he will be desirous of making up to you, to the utmost of his ability, for your disappointment and possible loss.” I must put this in evidence, in order to refute the statements that I was indiscreet and foolish, and many other charges which Sir Julius Vogel brought against me. “My conversations with you impressed me very favourably, on account of the moderate and sensible terms in which you expressed yourself.” This was written by Sir James Fergusson on the 26th February, 1874. I shall leave that letter to speak for itself. But there is one important thing which Sir Julius Vogel says, that “Sir James Fergusson and myself rather hastily adopted this scheme, and did not see where they were drifting to.” This letter was written six months after I had two or three conversations with Sir James Fergusson. Therefore there was no hasty adoption of my ideas. Another important point in this letter is that it shows on Sir James Fergusson’s part a knowledge of what was about to take place. I should say that when I wrote that injudicious letter to Sir Julius Vogel, I also wrote to Sir James Fergusson, asking his opinion whether I was incompetent on the facts of the case. This is his reply; and it shows that before Sir Julius Vogel came to Auckland, Sir James Fergusson and himself had talked of the matter. He had said, perhaps, “He is inexperienced, and it is

better not to intrust this to him; give him compensation, and carry out his ideas." In order to show you that Sir James Fergusson was acquainted with this, I will call your attention to the difference between the dates of certain communications in the South Sea Island paper, 1874—February 5th and February 28th. On February 5th, 1874, in a memorandum to Sir James Fergusson, before Sir Julius Vogel came to Auckland, the whole matter was sketched out, and Sir Julius Vogel says, "I consider that Mr. Phillips's share in the project entitles him to substantial compensation. When Sir Julius Vogel came to Auckland, he took advantage of whatever might be said to him by gentlemen in Auckland, and said, "I will get you compensation;" and the first time I objected to this, in the injudicious letter referred to, he told me to go about my business and have done with it. My conversation with Sir Julius Vogel happened on the 16th, 17th, and 18th February. It is very necessary you should see that. Then, on the 28th of February, that was after he had seen me and returned to Wellington, and the whole matter in connection with the company had been definitely settled, after throwing me over, and taking the whole thing from me, he made his arrangements with Mr. Whitaker, and to show you it was not the purpose of Sir Julius Vogel to say that I was to get compensation from the company, and not from the Government, the memorandum of the 28th contains the following provision:—"The promoters shall not receive any promotion, money, or shares," so that no stipulation was made at the time that I was to receive compensation from the company; otherwise that 17th clause would never have been introduced. One thing I must say in putting in that letter. I do not think I have a right to do so, but if Sir James Fergusson had been here, he would have given me permission. I shall write to him, telling him the whole of the circumstances. No matter what has been said inside or outside this Committee, Sir James Fergusson has always acted the most honorable part, and that letter of his will simply show it. No one will be more surprised than himself that I have been compelled to put in that letter. I will not put in any of Sir Julius Vogel's letters, unless he desires me to do so.

61. *The Chairman.*] It is for yourself to judge of that.

62. *Mr. Richmond.*] Sir Julius Vogel said he had no objection when he was here. I would just put in two extracts, written when I first submitted my plan, and his reply, in order that the links in the chain of evidence may be complete. The other portions of the letters referred to private matters, and have nothing to do with this matter. Here is the first origination of the company.

Letter from witness to Sir Julius Vogel, dated Auckland, 31st July, 1873, put in:—

"Auckland, 31st July, 1873.

"THE cause of my writing this private note is, that I am desirous of acquainting you with a matter which, I think, will interest you, and in which I hope to have your assistance. The Fiji group has formed itself into a kingdom; the Tongan group likewise. The Navigator group is about doing so. I consider these petty kingdoms to be a mistake. There is a magnificent opening for a company, founded on the basis of the East India Company, with a capital of two or three millions. A Polynesian kingdom embracing all the islands. I have traced out the plan of operations, and it is my intention, early next year, to visit London and Hamburg, for the purpose of carrying out the scheme. New Zealand will be greatly benefited by it, and I feel quite sure that I shall succeed. The population of the islands far outnumbers that of the Australasian colonies. May I send you a copy of my ideas, or are you too much engaged to be troubled with the matter? I am very anxious for your assistance, as it would be invaluable. I will come down to Wellington and consult with you (after the session) if you favourably consider my proposal."

His reply was as follows:—

"Wellington, 6th August, 1873.

"RESPECTING your idea of a trading company to embrace the three groups you mention, I think it an excellent one, and might be well worked out, but it would want to be carefully considered. Would not the present company stand in the way? I think it was somewhat of a mistake to float that company in the colony. I shall be happy to confer with you on the subject. You should keep the matter quite quiet for the present. I believe I could help you at home. The great point would be to get a Royal charter, and no doubt such a charter would be very valuable. Its importance to New Zealand would be large, and, indeed, I am impressed with the idea, and shall be glad to learn more of it."

There I submitted it; then he was impressed with the idea, and asked me to come to Wellington. I came to Wellington and explained it. I wrote to him that I wished to make the matter known. He said, "Don't do so;" and on 5th February he determined to give me compensation. He came to Auckland, took it away, and directly I objected, he told me to go about my business; and four months afterwards, when the House met in June, he said, "Mr. Phillips is entitled to substantial compensation, not from the company, but from the Government;" so that he had plenty of time to say I had promised this from the company, not from the Government. I desire to place in evidence also this extract from the *New Zealand Herald*, of 25th May, 1876:—

"CIVILIZATION OF THE PACIFIC.

"At a meeting of the members of the Royal Colonial Institute, held in London on March the 21st, a paper was read on this subject written by Mr. Coleman Phillips, now in Auckland. The Duke of Manchester occupied the chair. Among those present were the Bishop of Melbourne, Lord Stanley of Alderley, Sir William Young, Dr. Forbes Watson, Rev. Dr. J. Mullens, Sir Charles Sterling, Sir R. McDonnell, the Hon. A. Michie (Agent-General for Victoria), Mr. A. McArthur, M.P., and others. After referring to the visits of the Spaniards to the Ladrões in 1668, and introduction of the first elements of civilization by the missionaries in 1797, Mr. Phillips gives a succinct sketch of the history of the Pacific Islands since that time. The present import of the Pacific Islands he estimates at £700,000 per annum, half of which is for resident whites. The recent history of the Pacific Islands would scarcely be complete without a reference to the barbarous attempts at kidnapping. "On the vexed question of kidnapping," Mr. Phillips observes, "That a species of slavery in the form of kidnapping did exist there is but little doubt. Spanish and Peruvian atrocities, the 'Daphne,' 'Peri,' and

'Carl' investigations, besides other well-authenticated instances, amply prove that fact. I happened to go on board the 'Carl' at Fiji after her return from her slaving cruise, and I shall never forget seeing the badly-obliterated blood stains and shot-torn timbers of the vessel's hold in which so many unfortunate natives had lost their lives. The planters of Queensland and Fiji may attempt to exculpate themselves from all blame, but it was not at their suggestion that the kidnapping was suppressed. Had the Home Government refrained from interfering, kidnappers would still be gathering their ill-gotten gains." According to Mr. Phillips, it is difficult to apportion the blame of these transactions, but the white settlers and the neighbouring Colonial Governments were not, in his opinion, culpable. Degraded and greedy adventurers hoisted foreign flags. In 1842, France obtained sovereignty over the Marquesas, but abandoned the experiment to colonize them in 1859. In 1844, the same nation established a "Protectorate" over Tahiti and the Paumotas. In 1853, she took possession of New Caledonia. The English Government declined to support English residents in asserting the claims of their prior residence. Mr. Phillips is of opinion that the object of the French Government was to obtain desirable convict and naval stations. Germany is principally represented in the Pacific by trade; America, by whalers and merchants attendant upon that species of enterprise. Mr. Phillips asks, in effect, "Should England colonize them?" The answer is very brief and definite,—“The only question to consider is, whether it is advisable for us to take any further and immediate action. Fiji has been annexed, and the labour traffic is being regulated. Shall we leave matters for time to arrange, or is it worth while to lay down a definite policy with regard to Polynesia? For myself, I believe that it is to our interest to acquire every spot of land in the Pacific, not only for its intrinsic value, but in order to prevent other Powers obtaining such valuable possessions. As colonies, they would become very valuable; for we should then possess nearly all the insular land in the tropics, and such land is of far greater value for certain tropical productions than continental lands.” As ocean stations, to keep what the *Times* used to call the “police of the High Seas,” they would be invaluable, but a higher reason is given in the fact that their possession by England would impart an extraordinary impulse to the trade of the whole of the Australasian colonies. In the hands of a Power representing conflicting interests, every one of them might become a source of menace. The opening of the Panama Canal was relied upon to advance the solution of the question one step further. At the conclusion of Mr. Phillips's paper, the Rev. J. Mullens, Secretary to the London Missionary Society, spoke on behalf of educating the Polynesians. Mr. McArthur, M.P., Sir W. Young (Chief Justice of Nova Scotia), Mr. Edward Wilson, and other gentlemen spoke to the like effect. Mr. Montgomerie drew attention to the attitude assumed by Colonel Steinberger at Samoa; the possibilities and contingencies which might result in complications of a serious character. Mr. Kerry Nichols gave an account of the Santa Cruz Group, having visited them shortly before the fatal arrival there of the late Bishop Patteson. An interesting statistical chart was attached. The thanks of the Institute were unanimously voted to Mr. Phillips for this interesting paper, on the motion of the Duke of Manchester, who highly commended the paper.”

This is a review of a paper read for me in London, before the Royal Colonial Institute, on the 25th of March last, which specially refers to the Polynesian scheme and the labour question, and to the origination of that scheme. “On the motion of the Duke of Manchester, the thanks of the Institute were voted to Mr. Phillips.” Lord Carnarvon and many gentlemen in England are well acquainted with the scheme and my ideas, and I cannot imagine how Sir Julius Vogel comes down and says that it is nothing less than a chartered labour traffic. One of his statements I must also deny especially, and that is, Sir Julius Vogel said “I knew of the arrangement between Mr. Woods and himself.” I never heard of any arrangements between Mr. Woods and Sir Julius Vogel. Sir Julius Vogel knows very well that there are not the slightest grounds on which to say I head of that matter. Neither did I come back with authority to act for Mr. Woods, but for the Fijian Government. My scheme was a scheme for the whole of Polynesia. Sir Julius Vogel knows that that portion of his evidence has no foundation whatever in fact. I ask you to look through the clauses of my petition. If I am entitled to anything, I am entitled to the full amount (£2,000) of compensation promised; but, gentlemen, I waive that, because I, not Sir Julius Vogel, do not wish to put the country to any expense. I simply wish that my early expenses, the sum I have been out of pocket, and the time I was away gaining information, should be allowed to me. Then one other important point. The fact is admitted that £2,000 was promised. I deny there was ever any such stipulation made as has been stated by Sir Julius Vogel. I knew nothing of any definite company. I gave my scheme to Sir Julius Vogel, as Premier, and I petition the House now because I gave it. I may say that in the course of action I have taken in connection with the South Seas since 1872, I consider that I have advanced the trade of New Zealand with the Islands to the extent of £80,000 or £100,000 a year. It does not make any difference whether the directors of any company put on a steamboat, or whether directors have opened a Bank, or whether Sir Julius Vogel proceeded with the Polynesian scheme, I was the originator of these ideas. I gave time and money to carry them out, and the result has been that, in four years, trade has increased from almost nothing—it is difficult to get the figures out of the Customs returns—to fully £80,000 a year; that in the case of Fiji alone it has increased from almost *nil*, in 1872, to £40,000 a year. And let me also say that although Sir Julius Vogel has treated me in the manner he has done, although I might have unfriendly feelings, I have not one. I still wish to retain his good opinion, because he has utterly mistaken my capabilities. I shall not detain you any further, but if Sir Julius Vogel will be again examined, I should like to refer to a few questions passed over of importance to my case, and when you intend to go into this question again, I should like to be here.

63. *The Chairman.*] You stated that you claim the amount you have been actually out of pocket? —Yes.

64. What is the amount of that?—I am actually out of pocket, as Sir Julius Vogel well knows, £700. The few hundred pounds I had are all gone.

65. Is the Committee to understand that is what you claim?—I do not like to claim that. I think that if the Committee allowed me something like £500 it would not repay me for all I have been out

of pocket and for the time I have lost. If you would say £500 I should let the whole thing drop, and I think Sir Julius Vogel himself would agree with that.

66. *Mr. Swanson.*] Have you lost £300 in cash and £200 in time?—I am £700 out in cash. I give up a great portion of the cash out of pocket.

67. Then do I understand that if you had £500 you would say no more about it?—Yes.

68. *Mr. Richmond.*] Did you recoup yourself by trading?—No; my first trip cost me only £250. I undertook certain commissions which paid me back about £190, and the second trip somewhat similar. You cannot travel in the Pacific under £2 a day. I was seven months in the Pacific.

69. *Mr. Dignan.*] You stated that when Sir Julius Vogel went to Auckland, he declined entering into any arrangement with you, but simply made arrangements with Mr. Whitaker. What were those arrangements?—Arrangements to form a company—a definite arrangement for a company, the capital of which should be a million, and which, in consideration of being formed in New Zealand, should apply to the New Zealand Legislature for a guarantee of 5 per cent. on that capital.

70. *Hon. Mr. Reynolds.*] In fact, it was the scheme which Sir Julius Vogel brought before the Assembly?—Yes. There is one important thing I have left out, and that is this: That after reading this injudicious letter, Sir Julius Vogel said, "Certainly I shall not at all regret to see him get compensation, although I am bound, from my official position, to express my opinion on his claim. I will say this to the Committee, that whatever I did was done through purely public motives."

71. *Mr. Murray.*] Then I understand that you claim some consideration from the country on two grounds—first, because of Sir Julius Vogel's action as Premier, and secondly, because of the benefit which the country has sustained in your endeavours to open up trade?—Yes.

72. These are your only two grounds on which you rest your claim?—Yes.

73. *Mr. Swanson.*] And another too—the chance he had lost of forming the company himself?—Yes; if a company had been formed in England, the charter would have been worth £20,000 to me.

74. *Mr. Hislop.*] You said in your evidence on the first day that Sir James Fergusson advised you to go Home, for the purpose of forming a company, and promised to introduce you to some of his friends. He dissuaded you from going Home in the letter you have to-day put in?—He told me not to interfere with a Minister firmly seated.

75. When did he first alter his views?—When I first received his letter. Between August and February I also saw him.

76. Did Sir Julius Vogel or Sir James Fergusson ever tell you that this was an idea revived?—No.

77. When did you first hear of that?—In July last year, when in London. I was down at Mr. Thomas Russell's house. He said, "Oh, Mr. Phillips, this idea is an old one." I said, "When did you hear that?" He said Sir Julius Vogel had said to him, "Don't you remember my speaking of this in connection with some Fijian matters?" and Mr. Russell said, "He was bound to tell him he could not remember that."

78. When did he first tell you that the £2,000 was to be paid by the company?—After I had sent in the petition.

TUESDAY, 22nd AUGUST, 1876.

HON. SIR JULIUS VOGEL examined.

79. *Mr. Dignan.*] You to a certain extent admitted that Mr. Phillips was entitled to compensation in the event of a company being formed?—That was my opinion.

80. You would render him that assistance in obtaining compensation, in the event of a company being formed?—Yes.

81. Were not his services made use of with the intention of benefiting the Government and the colony?—I do not think his services were of any use, as far as I know. The position was this: I had, as I think, out of rather an undue amount of consideration for Mr. Phillips, paid him more attention than he was entitled to, and looked upon him as having aroused the matter in my own mind. In the first place, as far as my recollection of the history of the thing is concerned—I have refreshed my mind by reference to a great many documents—the position was as it is described in my memorandum dated February 5, 1874:—"Mr. Coleman Phillips, who had aided in arranging for the establishment of a bank in Fiji, addressed to me a communication, in which he suggested the establishment of a company, which, like the East India Company, should endeavour, politically and commercially, to gain ascendancy in the Pacific Islands. I was much struck with the idea; but when Mr. Phillips asked me if I would advise him to go Home to endeavour to float the company, I felt that he would have great difficulty in raising the capital. It then occurred to me, from the New Zealand point of view, from which I felt bound to look at it, that Mr. Phillips's project, supposing it matured, might or might not be worked in a manner calculated to be of much benefit to New Zealand. I then asked myself, was it worth the while of New Zealand to secure the charge of the great work, by enabling the capital to be raised. What I have already written will suggest the answer the query met with in my mind. I recognized that New Zealand should make the effort; and the following is the course I advise." This is all published. I added the words, "I may add, I consider that Mr. Phillips's share in the project entitles him to substantial compensation." On an earlier date, November 22, 1873, I wrote this:—"Your Excellency is aware that I have felt much interest in a proposal made by Mr. Phillips, that a trading company should be formed in England, with the view of absorbing, by its commercial power, a large share of political control in the Islands. The object proposed by Mr. Phillips, excepting that of a chartered labour traffic, I approved; and your Excellency, I believe, communicated the substance of Mr. Phillips's ideas to the Secretary of State. I have since thought very carefully over the matter, and there are two points in respect to Mr. Phillips's proposal which seem to me to require serious consideration, and without providing for which I am not certain the proposed company might not lend itself to retard, instead of to advance, the civilization of the Islands. Those points are—(1.) That in order to obtain the necessary capital, every consideration besides that of the mere acquirement of

profit might have to be abandoned. (2.) That Mr. Phillips's proposal does not provide that amount of direct and powerful governmental control which, in my opinion, should be stipulated for in the interest of the helpless natives." Now, Sir, to the best of my belief, all he did was to come down to Wellington, remain here a few days, and returned to Auckland. To the best of my belief, he stated the other day that he had no idea of going Home until after March.

Mr. Phillips: I do not remember saying that.

Hon. Sir Julius Vogel: He did so, because he had no idea of going Home until after he became a barrister. Now, then, to the best of my belief, he had no idea of going Home until after March. Before March, I went up to Auckland, and told him plainly, at an interview, that I could not engage his services in carrying out the work. The first idea in my mind, as far as I can recollect, was to obtain simply a charter at Home. Afterwards, the idea developed itself into obtaining a capital guarantee, and I certainly thought his services might be made use of in carrying out the work. When I went to Auckland, I told him plainly that I could not engage his services. On the last day, he read to the Committee a letter, dated February 21st, 1874, which he addressed to me, but he did not read the reply I sent him.

Mr. Phillips: You told me to go about my business, that you would have nothing to do with me.

Hon. Sir Julius Vogel: I found this letter, with an indorsement on the back, which I believe to have been my answer to him:—"I have received with surprise your note of the 21st instant. There is nothing to prevent your taking what steps you think desirable to carry out your original idea; but do not consult me further about it." That, I think, is what I wrote you in reply?—*Mr. Phillips*: Yes.

82. *The Chairman*.] What date is that?—*Hon. Sir Julius Vogel*: I have not the date. It was in answer to his letter of February 21st.

83. What year?—1874; when Mr. Phillips came to me full of penitence, and begged to be allowed to withdraw his letter, and from that time I have always kept him at arm's length. I may say that he has unceasingly pestered me with letters giving ideas of various kinds, and I have always been very cautious in dealing with him. Still, in carrying out negotiations for the company, I kept in mind my desire that if the company went on, he should have compensation or whatever it might be.

84. *Mr. Dignan*.] Substantial consideration?—Yes. I meant to try to get him £2,000 if the company went on.

85. Do you think the services he had rendered in the event of a company being formed, and a charter obtained, were value to the extent of £2,000?—Subject to examination, I may tell you there are people who ridicule the idea of his being entitled to anything. It was said he knew nothing of the Islands, that all the information he knew he obtained second-hand, and that it was ridiculous to give him any compensation. I should like, before going any further, to ask him a few questions. He has brought a case down here without any examination being made, as it appears to me, of what his claim is about at all. He talks of what I promised, and the question is, what has he done? If I have the Committee's permission, I should like to ask him a few questions. [Permission granted.] I want to draw the Committee's mind to this: that he has been allowed to travel far outside the original question, and, I submit, I should be allowed to do the same. He has complained of the whole community of Auckland using his ideas and not giving him compensation. I should like to know this: When did you first suggest the establishment of the Fiji Bank?—*Mr. Phillips*: On August 1, 1872.

Mr. PHILLIPS, examined by Sir J. VOGEL.

86. Now, Mr. Phillips, will you kindly tell us what you know about the Islands? May I first ask you your age?—I am 29 years of age.

87. Now, what do you know about the Islands? When did you go there first?—In April, 1872.

88. You went to where?—Fiji.

89. How long were you there?—I was nearly five months absent from Auckland.

90. *The Chairman*.] How long were you in the Islands?—About four months. There were no steamers then.

91. *Hon. Sir J. Vogel*.] And on August 1, 1872, you suggested the establishment of the Bank?—Yes.

92. Which you consider is your idea?—Yes.

93. Now, Mr. Phillips, will you tell me whilst you were in Fiji was that question not before the Legislature of Fiji, and discussed very fully; I mean the question of establishing a Bank in Fiji?—Yes, it was.

94. Before you returned here?—Yes; I brought on the Bill.

95. Was it discussed in Fiji before you arrived here?—Yes, at my suggestion.

96. Did you ever hear of the Fiji and Melbourne Company?—The Polynesian Land Company.

97. You heard of that?—Yes.

98. Did you not know that a charter was given to them to establish a Bank?—No.

99. Did you not know that arrangements were made with that Company to establish a Bank?—No; I knew in 1873, one year afterwards.

100. You did not know that the charter was a right to establish a Bank?—Not until 1873.

101. Now, Mr. Phillips, I have not got a copy of the Fiji newspaper, but I would like to refresh your mind. Do you not recollect a great deal of discussion hinging on the fact of the right that Company had to establish a Fiji Bank?—I do not exactly follow you.

102. Was this discussion in Fiji not largely concerned in the question of whether the Company had not a right to establish a Bank?—I cannot remember that. I can only tell you this, that in 1873, when I was in the Islands again, the Polynesian Company objected to the Bill which I had proposed.

103. You say that your idea of the Bank was on August 1, 1872?—Yes.

104. And that it was discussed before that time in Fiji?—Yes.

105. And you say you made this suggestion? Might I ask to whom?—To the Cabinet.

106. Who were the Cabinet?—Messrs. Thurston, Woods, and Clarkson.

107. Do you recollect which Minister you suggested it to?—No. The only manner in which I can answer that is in this way: with the three Ministers sitting together. I think I had better tell

exactly how this matter arose, because it is rather important. I was going away from Fiji at the end of July or the last week in July, and the Government said to me, "We are in a terrible mess; we cannot take up our Treasury notes, and unless something is done we shall have to resign, and if we did, there's an end to Fijian Government. You have told us you will assist us in New Zealand. Can you assist us now?" I said, "What assistance do you want?" "Well, we want," said Mr. Clarkson, "£7,000." I said, "If you will give me half an hour to think, I will see what I can do for you." "Oh!" said he, "there is no time, the House is just sitting; a vote of want of confidence is coming on, and we shall be turned out. Can you let us have any money?" I said, "Give me ten minutes." They did so. I said, "I will allow you to draw on the Bank of New Zealand for £1,500 against myself, and with that £1,500 you can take up half your Treasury notes out on the Bank at the rate of 10s. in the pound, and when I get to New Zealand I can get you the money you require on certain conditions." They asked, "What conditions?" I said, "First, that we get a Banking monopoly; that we get a steam ocean subsidy; and that we negotiate your loans for you, on the security of the King's land over advances." I then suggested that they should pass a Bill through the Legislature, a Bill conferring a Banking monopoly, a Bill for the steam ocean subsidy, and a Bill for all the loans they might require. They were then to give me those loans, and I would bring them out in New Zealand. That was done. The whole thing was done in three or four days, and I went away.

108. How much did you advance?—£1,500.

109. That is just before you left Fiji?—Yes.

110. I asked you just now, whether you were not aware that a long discussion was going on about establishing a Bank at Fiji, and you said Yes, at your suggestion?—Yes.

111. That was before you left Fiji, and before this conversation?—The debate took place after the Bill was brought into the House.

112. And you distinctly say that Mr. Woods gave you the refusal of this Bank?—I dealt with the Ministers together.

113. They agreed to give you the refusal of the Bank?—No, a Banking monopoly.

114. Well, now, would you be very much surprised at Mr. Woods writing to me on the 15th April, as follows:—

"With reference to our general arrangements as regards Banking matters, our Government will be glad if you will, as soon as convenient after your arrival, cause a Bill to be prepared for introduction to the Fijian Legislature, and forward the same by some agent to Levuka, together with the money raised by the sale of the debentures. The Government will, on receipt of the said Bill, endeavour to pass it through the Legislative Assembly without delay, and now guarantee to you the first offer under the Act to establish such Bank; provided always that you will, on your part, undertake to establish a temporary Banking agency in connection with the Treasury at Levuka within three months of accepting the same.

"Thanking you on behalf of my colleagues for the assistance and advice I have received at your hands,

"I have, &c.,

"G. P. WOODS,

"Minister for Lands and Works."

Now, I only read this to show you that Mr. Woods considered you had nothing to do with the Bank. Are you surprised to hear what I have read to you?—No.

115. How is it consistent with your statement that you had the refusal of the Bank?—I believe that when Mr. Woods was in Sydney, he asked your assistance for the sale of £5,000 of debentures.

116. How is it consistent that he should offer me the refusal of the Bank, and you assert that Ministers gave you an opportunity of establishing one?—Well, I do not see that that has anything to do with me. He said that to half a dozen people. He said the same to lots of other people, but no one acted as I did.

117. This money was an advance you made out of your own pocket?—Yes; I was responsible for it.

118. Did you draw on your employers, who sent you over from Auckland?—No; I had no employers. You are making a great error in thinking so.

119. Then, I understand what you know is gathered from April, 1872, to August, 1872, personally?—Yes, my first acquaintance.

120. Now, Mr. Phillips, you did not think of going Home until after you passed?—No.

121. That would be about March, 1874?—Yes.

122. At the time you wrote this letter (21st February, 1874), I had an interview with you, and told you I could not employ you?—Yes.

123. Was it then, or when, that you allege I promised you compensation?—Before I wrote that letter.

124. You say that I promised you £2,000?—Yes.

125. Irrespective of whether the company was formed?—Yes.

126. How was that £2,000 to be paid?—I do not know.

127. You say that I promised it unconditionally?—Yes.

128. On behalf of the Government or myself privately?—Neither. I wanted you to guarantee it yourself privately, but you said No, you could not. I never understood my position with you. You would never give me a few moments to speak to you on the subject.

129. You come here for compensation on my having promised you compensation?—Yes.

130. When did I promise you compensation?—In February, 1874.

131. Did I promise you definite compensation, £2,000?—Yes.

132. Without conditions?—I do not remember any conditions.

133. Can you tell me how it is that in this letter, on the 21st of February, 1874, if I had guaranteed you £2,000, you write in these terms:—"If you take the plan and carry it through, you must guarantee to me the compensation you named, £2,000. If you take the plan and publish it, you must still guarantee compensation—I will say one-half that sum?" If I had promised you £2,000,

unconditionally, why were you willing to take half that sum? You state distinctly, in the words of your letter I have read, that which I have told the Committee, namely, that the £2,000 was to be paid you if the company went on. Your words are very specific to my mind. If the thing was carried through, I was to try and get you £2,000. Mr. Phillips, in his letter, says:—"If you take the plan and carry it through, you must guarantee to me the compensation you named, £2,000." How is that consistent with the fact that before this letter was written I had, without condition, guaranteed you £2,000?—It does not appear consistent; yet for all that, as you are well aware, I did not know what my position was, or how to act with you. You cannot bring the whole of our correspondence upon one clause in my letter. The whole question must depend upon the other portions of the evidence. That one clause cannot be taken, because I consider that was an injudicious letter, written in an impetuous manner. If the whole of that letter is read, it will be seen that I considered it an injudicious letter.

134. I am only pointing out to you that at the time you allege I had made you an unconditional promise of £2,000, your own letter rebuts that allegation?—I do not think it directly rebuts it.

135. When you first applied to me for the £2,000, did you say that I promised it to you?—I do not think I have ever applied to you.

136. Did you ever let me know that you expected that money until you wrote to me two or three months before the Session, enclosing me a copy of the petition?—Yes; all my letters said I fully trusted you in this matter of compensation.

137. Yet you say you never asked for it?—Not for a direct sum of £2,000.

138. Before you went home to England you told me you were going Home?—Yes.

139. If you were entitled to £2,000, how was it you never made any claim for the money?—I always trusted to you in this matter of compensation.

140. Did you, in a letter before you went to England, ask me to give you the £2,000?—That is the answer—that letter of 25th July, 1874. You said I was entitled to substantial compensation, and I considered it very fair of you to say so.

141. If you were entitled to £2,000, how is it you did not apply for it?—Because you told me, when I wished to apply for it, that you were too much engaged to talk about it.

142. When was that?—This year.

143. How was it you did not apply for it in 1874, when I promised you, as you allege, unconditional compensation? You say you were to have it unconditionally. I say not. My version of the case is borne out by the fact that you never asked me until two or three months ago. Your version is very singular, because men are not in the habit of not applying for £2,000 if they are entitled to it?—You were to try to get a company formed, were you not? and then everything in connection with the company would have to be submitted to the company.

144. Then the £2,000 was to come to you from the company?—No. Supposing the company was not formed, was I to lose? If the company was not formed, there was no stipulation as to payment.

145. How was it that before you left New Zealand you did not apply for this £2,000?—I went home to England to see if I could still assist in floating this scheme. I called on you in London, and you refused to have anything to do with me.

146. How was it, if as you say I promised you unconditionally £2,000, that you did not apply for that £2,000?—Well, the Bill had only been read a first time in July.

147. That was the Bill for the establishment of the company?—Yes.

148. And you thought that until the company was established, you had no right to ask for the money?—I do not know. I have not asked for the money at all.

149. I think you claim that you were the first to suggest steam communication between New Zealand and the Islands?—Yes.

150. About what date was that, do you recollect?—When I returned from Fiji, in August, 1872.

151. What Islands did you refer to?—Steam communication with Fiji.

152. You have been very badly treated for not having that idea credited to you?—I think it is credited to me.

153. Now, if you will allow me, I will give you more documentary evidence, which I think will dispose of the whole thing. The Committee have heard what Mr. Phillips has said, and will recollect that I stated that the idea was revived in my mind by Mr. Phillips, but it had been in my mind before. A doubt has been thrown on that statement. Therefore, at considerable trouble, I have looked at a great variety of papers, and I will show the Committee that, in the first instance, Mr. Woods was in Sydney at the time mentioned by Mr. Phillips, April, 1872; before the time when he says he first suggested the establishment of the Fiji Bank, 1st August, 1872. Now, here is a statement of a private account, paid by me to Messrs. Roxburgh, Slade, and Spain. I will read the items: they relate to April, 1872. [The witness read several items from a paper, which he handed in, showing charges made by lawyers for consultations concerning the establishment of a Fiji Bank.] All these relate to the scheme which I proposed. In justice to Mr. Woods, here is a memorandum of his, dated 5th April, 1872, and the whole subject of it is the establishment of a Bank in Fiji. [The witness showed to the Chairman a memorandum of Mr. Woods on the subject of a Bank at Fiji, written at Sydney, dated 15th April, 1872.] Bear in mind that Mr. Phillips, who says he has been robbed of his ideas, conceived this idea to establish a Bank, some time between April and August. Now this is a letter written by Mr. Woods from the Fijian Consulate at Sydney, dated 15th April, 1872. [Letter from Mr. Woods to the Hon. Julius Vogel, dated Sydney, 15th April, 1872, in which Sir Julius Vogel is asked to place £3,000 worth of debentures on the New Zealand market, and in which also the first offer is made to him to establish a Bank at Fiji, again read.] Well, now, as my veracity has been impugned, I will give the Committee still further evidence about this question of the novelty of Mr. Phillips's idea. Here is a press copy of a letter written in Sydney, New South Wales, on 17th January, 1872. It is very indistinct, so much so that at the time Mr. Fox, my private secretary, took shorthand notes of it. Mr. Fox has written it out, and you will see he says, "True copy of the original press copy." This is written to a friend of mine at Home, before Mr. Phillips went down to Fiji at all. [Letter read.]

“DEAR SIR,—

“Sydney, New South Wales, 17th January, 1872.

“I think that a very good opportunity offers for the profitable investment of a moderate amount of English capital; and I have to suggest to you to interest yourself and your friends in the matter.

“You are no doubt aware that, for some years past, great efforts have been made in the direction of developing the resources of the Islands of the Pacific Ocean.

“The Hawaiian group has an established Government, under a joint Protectorate, and is, on the whole, very prosperous. The Society group, of which Tahiti is the centre, has also a very well-established Government, and is, to a certain extent, a prosperous French Colony. New Caledonia, another French Colony, is likely to be more or less progressive. To the Fiji Islands, there has been a ‘rush’ such as we are accustomed to see only in the case of gold-mining districts. A very large amount of European capital has been employed there, especially in Cotton Plantations. The Navigator Islands, which are only about six days’ steaming from New Zealand, and in the direct track from San Francisco to New Zealand, have been quietly but steadily progressing, since the investment of a considerable amount of outside capital. One of these islands is to be made the Coaling Depôt for the line of steamers lately established between San Francisco and New Zealand. The group occupies a central position relatively to the other groups in the Pacific; and will, I think, become most important.

“Of the whole of the islands mentioned, it may be said that the mercantile facilities they possess are scanty, and that Banking facilities are almost, if not quite, unknown in them. I do not speak positively, but I am under the impression that, with the exception of a sort of private agency of the Bank of California which exists at Honolulu (in the Hawaiian group), there is nothing in the shape of a Bank in any of the islands. I may be wrong in this conclusion, so far as Tahiti and New Caledonia are concerned; for it is possible that in one or both of them some French Bank may be represented.

“But, be that as it may, I am convinced that a splendid opening for a Banking business exists in the Pacific Islands generally. In connection with the Bank there should be a Mercantile Association, such as is nearly associated with some of the Colonial Banks. The Association should take up business not strictly of a Banking character, but should take it in connection with the Bank, so as, by its operations, to aid the Bank as well as itself. There is some such an institution in connection with the Bank of New Zealand; with the Union Bank of Australia; and with the Bank of Otago. I am under the impression that other Banks have similar allied institutions.

“In the present case, you might think it desirable not to keep the two apart, but rather to make the Banking and the Mercantile Association one affair: though I am under the belief that it is desirable they should be kept apart.

“I would suggest that an Association should be formed in London, with a sufficient amount of capital: that a number of the shares should be reserved for sale in the colony: that Auckland, New Zealand, should be made the head-quarters of the Local Board: but that the Bank itself should not do any business either in New Zealand or Australia. I strongly advise the latter course; since I am sure that if the Bank does not come into competition, in Australia or New Zealand, with other Banks, the latter would be able to throw in the way of the former a very great deal of business in and connected with the Islands.

“I am under the impression that if you entertain the idea I have now put forth, you could find persons connected with Australian or New Zealand Banks who would be willing to join you.

“I feel satisfied, also, that it would be well worth your while to start the Associations—or an Association, should you prefer that course—at once; to send out, without delay, authority for the establishment of a Local Board, for the sale of shares in the colony, &c.; also, either to send out some one representing the promoters at Home, whose duty it should be to make arrangements in different islands or groups, or else to authorize the appointment in the colony of such a representative. I am under the impression that a person of good tact, and possessing a knowledge of Banking, might proceed to the different groups and obtain large and valuable concessions in many of them, as regards the Government business, as well as the right, under certain conditions, to issue paper money: in short, that concessions might be secured, such as would enable the Bank to be at once started under favourable circumstances.

“I would suggest that the name should be ‘The Pacific Islands Bank,’ and that if you have an affiliated institution, you should call it ‘The Pacific Islands Mercantile Association.’ If you think that the Bank and the Association should be one, I would advise the joint name, ‘The Pacific Islands Bank and Mercantile Association.’

“With respect to statistics of the trade and prospects of the various islands, they can be obtained much more elaborately at Home than in the Colonies. The Foreign Office has extensive information upon the subject generally. There are also pamphlets and books published, from which you would be able to obtain any information you require.

“As to the nature of the Banking business, I have to say that the islands mostly produce a valuable description of cotton; and that they all, more or less, produce other tropical articles of commerce, such as coffee, sugar, &c. The planters are at present under great disadvantages as to financing. The Association connected with the Bank would have no difficulty in doing a very large business in the nature of making advances upon produce consigned to England or to America. Small steamers plying between the Islands might collect produce at a central station, say, the Navigator Islands. To that group large ships will have to proceed with coal, and those ships would be able to load with cotton and other produce, for England or America. These remarks apply only to the small groups: at the larger groups, such as the Fijian and Hawaiian, the business would be of an established character, and would admit of direct communication.

That was on the 17th January, 1872; and my friends wrote me in reply. I will read an extract from their letter, dated April 4, 1873, which will show you why the thing afterward slumbered in my mind for some time:—

"As regards the Pacific Island Bank. We cannot entertain it. There are so many schemes nearer home, in which we have offers to interest ourselves, that it would not be to our advantage to take the trouble and responsibility of getting up such an affair, when, at the best, we should only be inclined to put but a moderate amount of capital into it. For we never go into companies of any sort to a very large extent, and we certainly should not feel inclined to embark any large sum in an undertaking so far from home. If I were a young man, or one beginning life, I think from what you write I would start for the field you describe, and turn my attention, heart and soul, in the direction you have indicated; but as my position here is made, I am not, nor is ——— inclined to bring upon myself the great responsibility of inducing capitalists to embark in a scheme which certainly would require immense energy to bring to a successful issue.

"As regards the merits of such a Bank, I of course, at the moment, can form no worthy opinion, but such a young community, I should think, was scarcely ripe for such an institution, if carried out strictly on Banking principles; and if these were allowed to get lax, the affair would become more of a trading company, and one which would entirely depend for success on the Managers in the different Islands. With your good opinion of such a scheme, we might be induced to join such an Association when formed, or whilst forming, but we should not be inclined to go in sufficiently deep to warrant our being the nucleus round which other capitalists could gather."

When I received that letter, I virtually dropped the thing, and that is why I say that when I received Mr. Phillips's letter afterwards, it revived the matter in my mind. Meantime, the Fiji Bank was established. I would have the Committee bear in mind that I have disposed of two of Mr. Phillips's assertions. First, that he was the originator of the Fiji Bank. It was discussed long before the time it was discussed between Mr. Woods and myself. A conditional promise had been given to a Melbourne Company long previously. I have shown you beyond any doubt that I was correct in saying this matter was not new to me; that I thought it out well before receiving Mr. Phillips's letter in 1873. Another allegation of his, about being the originator of the idea of running steamers between Auckland and Fiji, I can also disprove. Here is a message sent down by His Honor Mr. Justice Gillies to the Provincial Council of Auckland, dated 15th November, 1870.

"Auckland, 15th November, 1870.

"THE Superintendent desires to call the attention of the Provincial Council to the advantages to be derived from the establishment of steam communication between the Port of Auckland and New Caledonia and the Fijis. The colonization of those islands is rapidly progressing, and a large trade will shortly be developed, which Auckland, from its position, is well able to command, if enterprise be shown in connecting them with Auckland by means of swift and regular communication. Many of our New Zealand colonists have settled in these islands, and would gladly maintain their connection with this colony. A steamer leaving Auckland on the arrival of the San Francisco mail could land the mails in Noumea before they were landed in Sydney, and the French Government would no doubt contribute in aid, as they are, or recently have been, advertising for tenders for a monthly mail service between Sydney and Noumea. The steamer could then proceed onward to Fiji, delivering her mails there, have time to discharge and load cargo, bring the outward mails, calling at Noumea for their outward mails, and be in Auckland in time to meet the outgoing San Francisco mail. By this means both New Caledonia and Fiji would save at least a fortnight in the course of post each way, and a large trade would spring up, which is now being diverted to Australia.

"The Superintendent believes that, though it might require a considerable subsidy at first, the line would rapidly become self-supporting, whilst the collateral commercial advantage to this province would more than compensate for the expenditure. Such a line would also be a link in fixing this port as the port of call for the San Francisco Service.

"The Superintendent recommends this matter to the earnest attention of the Council, and if the Council sees its way to expending a portion of its revenue in this direction, the Superintendent will be glad to give effect to its wishes.

"T. B. GILLIES,

"Superintendent."

And before that date, October 24th, 1870, I addressed a letter to His Excellency the Governor of New Caledonia:—

"SIR,—

"Offices of the Colonial Government, Auckland, 24th October, 1870.

"The Colonial Government of New Zealand have recently established a mail service between Auckland and San Francisco, with a view to direct communication with Europe, by means of the trans-continental railways to New York. The service has hitherto worked satisfactorily, considering the novelty of the circumstances, and the difficulties attendant upon some of its details. It is now contemplated by the Government to effect greatly improved and permanent arrangements.

"It appears to me that New Caledonia would be much benefited by being brought into direct connection with this Californian Mail Service. What would be needed to secure such connection would be that a steamer should run between Fiji, New Caledonia, and Auckland before the departure of the boat for San Francisco, and starting again for New Caledonia and Fiji immediately after the arrival of the boat from San Francisco—and so on.

"JULIUS VOGEL,

"Postmaster-General."

"His Excellency M. Ruillier, Governor, New Caledonia.

This correspondence has been published, and displaces the astounding assertion that he was the originator of the idea. Now, before proceeding further, I may say this, that I think this is a sort of monomania with Mr. Phillips—his getting hold of ideas and writing to people claiming their invention. The last few days, after my Secretary had written to him to tell him that I did not wish to hold any correspondence with him, he wrote me to say that he was going to establish a sugar-finery in Wellington—another claim to being the originator of an idea that was talked of long ago. He believes that the idea of purchasing Suez Canal shares was suggested to the Imperial Government by something which he wrote. He writes, and you cannot prevent him. You read the letters, and then he says, "Now, you have got an idea of mine," although as common as household property. In this way, he

claims to having suggested these things, which I have proved were all well discussed when he was merely a boy. Therefore I dispose of three points—about the Fiji Bank; the steam service, the whole of which was in my hands; I have also proved the statement I made the other day that the idea of a commercial company was merely revived in my mind by Mr. Phillips. With respect to any corroborative evidence I can give you, he says I promised £2,000 unconditionally. I say that I told him that if the company went on, I would endeavour to get him £2,000. I have indirectly established that by the terms of his own letter. In it he says that, “If the thing goes on, I shall ask you to guarantee me £2,000. If you publish my statement, I will take half.” Mr. Whitaker and I had many conversations upon the South Sea Company, and a memorandum was drawn out which appears in the papers. I did not wish to give Mr. Whitaker the trouble of coming to this Committee, and I wrote to him on August 15th, 1876, as follows:—

“MY DEAR SIR,—

“Wellington, 15th August, 1876.

“Mr. Coleman Phillips is preferring before the Select Committee on Public Petitions a claim for compensation, which he appears to ground on the assertion (which I deny) that I promised him compensation for his share in the Pacific Islands scheme, irrespective of whether the proposed company was proceeded with.

“I had several conversations with you on the general question; and, in the course of them, I referred, on more than one occasion, to Mr. Phillips. It occurs to me, therefore, that you may be able to give me information upon two points, as to which, I may say, my own memory is very clear.

“First. Do you recollect my stating that if the company proceeded, I would endeavour to obtain from it compensation for Mr. Phillips, for his share in the matter; and that I proposed to insert a clause in the heads of agreement; but that you pointed out that it was unnecessary to do so, adding that it would be open to the Government, in arranging with the company, to require that Mr. Phillips’s claim should be considered?

“Second. Mr. Phillips quotes, as indirect evidence in support of his contention, as showing that he was not to receive compensation from the company, and as contrary to any arrangement that he should do so, the following clause in the heads of agreement:—

“17. ‘Promoters shall not receive any promotion money or shares.’ Did we not especially discuss this question? And was it not pointed out that, inasmuch as Mr. Phillips would not be a promoter, any claim he might have would not be prejudiced by such a clause?

“F. Whitaker, Esq., M.H.R., &c.”

“I have, &c.,

“JULIUS VOGEL.

To which Mr. Whitaker answered as follows:—

“My dear Sir,—

“Wellington, August 15th.

“In reply to your letter of this day’s date, in reference to Mr. Phillips’s claim for compensation, I have to say that I recollect your stating more than once, at the interviews I had with you on the subject of the South Sea scheme, that you desired that Mr. Phillips should receive some remuneration for his trouble in the matter, and you proposed to insert, in what I suppose may be called the prospectus, a provision that he should be paid £2,000, to which I objected, on the ground that it would prejudice the chance of success; and that I stated it would be quite competent for the company, when formed, to grant Mr. Phillips any sum they thought fit, because the clause against promoters receiving money or paid-up shares would not apply to Mr. Phillips.

“Hon. Sir Julius Vogel.”

“Yours very truly,

“FREDK. WHITAKER.

I telegraphed to Mr. Justice Gillies, with whom at the time I had several conversations on the subject, on August 11th, 1876, and I have also his answer here:—

(Telegram.)

“Wellington, August 11th, 1876.

“MR. Coleman Phillips is seeking compensation in respect of the Pacific Islands scheme. He says I promised him compensation, irrespective of the proposed company proceeding.

“I had several conversations with you on the subject, and I think I told you what I proposed as to Mr. Phillips. Do you recollect those conversations? If you do, have you any objection to telegraphing me the substance of your recollection on the point? My object is to produce to the Public Petitions Committee a copy of this message, and your reply.

“His Honor, Mr. Justice Gillies, Auckland.”

“JULIUS VOGEL.

(Telegram.)

“Auckland, 12th August, 1876.

“WHILST you were preparing the details of your South Sea scheme, I had numerous conversations with you on the subject, in the course of which you mentioned that you had received the original idea, or at least important information on the subject, from Mr. Phillips, and you thought that if the company was formed and successfully floated, he ought either to have an appointment in it, or some compensation from the company in consideration of his services. I ridiculed the idea, inasmuch as such a company had frequently been talked of by myself and others, although not in connection with the Government; that Mr. Phillips had no personal knowledge of the Islands or trade, except what he might have obtained during one short visit to Fiji, and that most of his information had been obtained from Mr. Sterndale. You still thought he should have some consideration if the proposal was successful, but that the question might stand over till we saw how the Assembly received the scheme.

“The Hon. Sir Julius Vogel, Wellington.”

“THOMAS B. GILLIES.

I think, gentlemen, that, as far as one can give substantial evidence on a question of veracity, it must be very clear that I had no notion of giving him any compensation unless the scheme proceeded. My first idea was to give him an appointment, but I found that he was not suitable for it. I told him that if the company went on, I would try and get him £2,000, still keeping throughout the idea that he had revived the matter in my mind. When he wrote me that letter, I told him to go Home, if he liked, and do what he liked; but at the same time I still kept in view that if the company went on, I would endeavour to get him £2,000. I positively deny altogether that I had ever an idea to give him

compensation if the company did not proceed. Is it likely that this young man would have proceeded to England, and never apply for the money which he says was unconditionally promised? I have proved that his ideas about the Bank and other matters did not originate with him. I shall be happy to answer any questions.

Hon. Sir JULIUS VOGEL, examined by Mr. PHILLIPS.

154. You remember the terms of Messrs. Roxburgh, Slade, and Spain's letter?—Yes.

155. That refers to a Bank to be established in Fiji, does it not?—I took especial power to make it only a branch of a Bank. I do not wish to weary the Committee. I have got the draft, and one of the clauses of it was that it was to be optional to open it as the branch of another Bank.

Mr. Phillips: I think if I read the Polynesian scheme which I have put in, it will not take longer than one of Sir Julius Vogel's letters. The Committee will then see that nothing he has said resembles the proposition I made of a Polynesian Company. Sir Julius Vogel's idea was a Bank; mine, a large scheme, as different to his as light from dark.

Hon. Sir Julius Vogel: I have read to the Committee a letter dated from Sydney, showing that the idea comprehended a Bank and a Trading Company, either separate or allied.

156. Why did you not put this scheme of mine before Parliament?—I explained that before; out of consideration for yourself.

157. You say that I did not suggest the idea of a Bank, a Fiji Bank?—I asked you when your idea as to a Fiji Bank was first made known, and you said in August, and then you said you had had conversations on the subject the previous month; but I think I have shown that the whole thing was as old as the hills at that time, and had been already thoroughly considered.

158. I claim to have originated the establishment of a Fiji Bank in New Zealand, and not a Polynesian Bank?—You may have had an idea on the subject, but what I would point out is this, that it is absolute folly for you to claim a copyright to any particular idea. Ideas may float through the minds of a hundred men, and yet not one of them carry out his idea.

159. But I did carry out the idea; that is what I claim for. I gave my money and my time to the matter, and did practically carry out the idea I had, and I wanted something in return for what I had done?—What you said in your evidence was this: "I have conceived ideas and taken action respecting the South Sea Islands, and in so doing have advanced the trade of New Zealand £80,000 or £100,000 a year. I point to the Fiji Bank, the Steam Company, and other things, and say I was the originator of these things, and I gave my money and time to carry them out. The trade of New Zealand within the past two years has been greatly increased, and made a great trade almost from nothing." Now I say all these claims are utterly absurd. You did not originate the ideas, neither did you carry them out. The Fiji Bank was established by Mr. Macfarlane and other gentlemen, who went down to Fiji.

160. You went to Sydney, and there had a conversation with Mr. Woods?—Yes.

161. How was it possible that I could know anything about that conversation?—Mr. Woods went back to Fiji, and whilst you were there the whole matter was discussed in the House over and over again. For you to say you came down to Auckland and in August originated the idea of a Fiji Bank, is to ignore all the facts of the case.

162. That is not so. The only way to rebut such a statement would be to bring Mr. Woods here?—I have no Fiji papers here, but it is my impression that a discussion took place on the subject in Fiji whilst you were there.

163. *Mr. Dignan*.] I should like some information in regard to the letter of 1874, in which it is stated that Mr. Phillips was to receive some consideration in the event of his plan being published?—

Mr. Phillips: It was always called my plan. Sir Julius Vogel always called it my plan; Sir James Fergusson always called it my plan; and I always called it my plan in my letters. It was never doubted that it was my plan till Sir Julius Vogel now gives evidence.

Sir Julius Vogel: The plans are not identical.

Mr. Phillips: With respect to Mr. Whitaker's and Judge Gillies' evidence, I can only say those gentlemen ought to be before the Committee. It is not fair to receive their evidence in that form.

164. *Mr. Phillips*.] Do you, Sir Julius, believe that Mr. Sterndale gave me any ideas?—If you ask me my belief, I must state this: When you came down to Wellington, I quite misunderstood you. I had been given to understand that you had an extensive knowledge of the Islands, but, from what Mr. Gillies mentions in the telegram, it seems your knowledge of the Islands was confined to what you had learned during a short mission to collect debts. There can be no doubt there is a great deal of truth in what Mr. Gillies says, that you got your information second-hand; and no one was better able to give that information than Mr. Sterndale.

165. Mr. Sterndale did not come to New Zealand till 1873, and I did not know him till the end of 1873; and I have a letter from him in which he utterly denies ever having given me the slightest tittle of information. I make this statement to show that the evidence of Mr. Whitaker and Mr. Gillies must not be taken, unless those gentlemen come before the Committee?—Mr. Phillips, I am ready to give you all the credit of having revived the idea in my mind, or even of having originated the idea; but when you contradicted my evidence, it became necessary for me to establish my veracity, and these documents I have produced do so. Had the company gone on, I should have been happy to have endeavoured to get you compensation; but I never interfered with you in any way, and certainly did not prevent you from going Home. When you wrote me, in February, 1874, I told you to do as you pleased, and not to consult me any more.

166. Then, why did you say the other day in your evidence that you had no objection to see me paid my expenses to Wellington, and that you had no objection to seeing me compensated. If the agreement was only for compensation from the company, should the company be formed, why did you not the other day say, "No, Mr. Phillips has no right to anything from the Government in the way of compensation. It was an understood thing that he was to go to the company"?—It may be that I have been too indulgent. I thought that as you came down to Wellington to see me, that the Committee might reimburse you your expenses; but now you mention the matter, and put it in the light you have done, I think I did wrong to yield so much. You are quite right; you are not entitled to anything.

167. I am sorry for that. Do you remember Sir James Fergusson's letter to me, in which he said he believed you would act fairly and generously?—I refuse to have anything to say about Sir James Fergusson's private letters; and I may here say that I am exceedingly sorry to have led Sir James Fergusson into a difficulty. I introduced you to him, believing that you were a prudent, discreet person, and I unwittingly led him into the difficulty of finding himself brought into correspondence with you, which correspondence you seek to use. Similarly, from time to time, you have foisted your letters on to me.

168. I presume you remember the formation of a trading company, which was afterwards known as the South Sea Bubble scheme, one hundred years ago; if you say I took my scheme from what other people had done, I can only say you took yours from the South Sea Bubble scheme?—Perhaps so; but then I am not claiming compensation.

169. I call your attention to the following paragraph:—* “The plan which I am about to develop arose in my mind in this way. Mr. Coleman Phillips, who had aided in arranging for the establishment of a Bank in Fiji, addressed to me a communication, in which he suggested the establishment of a company, which, like the East India Company, should endeavour, politically and commercially, to gain ascendancy in the Pacific Islands. I was much struck with the idea.” Now, if you knew all about it, why were you “struck with the idea,” and why did you send for me to come down to Wellington to explain it? Then you say, “I consider Mr. Phillips's share in the project entitles him to substantial compensation.” Why did you make the promise of £2,000 compensation, if it was not intended to give the money except out of the coffers of a company which might not be floated?—I have told you the cause. When I went to Auckland, I hoped to be able to engage you in connection with the proposed company. I found you could not be so engaged, and told you so; but I promised that if the company went on, I would try to get you compensation.

Mr. Phillips: I deny that. I can give my reason for writing that letter. I was going up for examination for admission to the Bar, on 18th March, or at any rate between 1st March and 18th March. At this time the letter, which I have always admitted was an injudicious letter, was written.

170. *Mr. Hislop:* Would you have brought the matter before Parliament at this time, had it not been for Mr. Phillips having revived the idea in your mind?—I wish to give Mr. Phillips credit for that—the action which I took towards forming the company.

171. *Mr. Phillips:* Do you remember me sending in a claim for £2,000?—Yes; it is here.

172. Do you remember having previously to that claim being sent in—it is dated 5th April, 1874—asking me to send in my claim for costs of my two trips to the Islands, and one trip to Wellington at your request, and also to put in the claim anything else which would support it. Do you remember that taking place in a little house below the Club?—I remember telling you to send in whatever claim you had.

173. I wrote a number of letters to you on the subject. Will you tell me why you did not reply to them?—I do not know. Probably I was tired of the correspondence. I know I was continually receiving letters from you, and endeavoured to bring the correspondence to a termination. No man could have been more snubbed than you were, but you have continued writing; even up to within the past few days I have been pestered by your letters, telling me of your ideas.

Mr. Phillips: I wish to call attention to a letter which accompanied the claim. [Letter dated Auckland, 5th April, 1874.]

174. Now, Sir, I wish to explain that all this time I did not know what to do, how to write, or what to say. Sir Julius Vogel had treated me in such a manner that I hardly knew whether I stood on my head or on my heels with him. I was busy preparing for the examination, and was exceedingly unwell, and had been unwell for years; and it was in this frame of mind I wrote this letter of 5th April, 1874, and the other letter which has been termed an “injudicious letter.” Sir Julius Vogel received all I wrote, but would answer nothing, probably, being used to public affairs, thinking what would come afterwards, and preferring to allow these letters to tell their own tales.—I expect, if you received no answer to the letter to which you refer, it was because I thought it exceedingly improper on your part to bring in the name of Sir James Fergusson. I had led him into a difficulty, and was very sorry for it.

175. What difficulty had you led Sir James Fergusson into? Why did you send for me to come to Wellington?—I sent for you because I thought you would be able to give some interesting information; but as it turns out, all you could give was mere hearsay; you having but been in Fiji a short time, collecting debts for Mr. J. S. Macfarlane.

176. Why, did you not say in your papers on the scheme that I was to get compensation from the company?—When I promised to get you compensation from the company if the company went on, it was represented to me that the insertion of any provision to the effect would prejudice the company without helping you. That your claim could be considered by the company, and I had already made it clear that if the company proceeded, the Government would stipulate for your claim being considered as part of the arrangement.

Mr. Phillips: I wish to state, in answer to what has been said by Sir Julius Vogel, that I went down to the Islands in April, 1872, having then read a little concerning them. I cruised about, starting from Levuka, and as I cruised among the islands, certain ideas for the advancement of New Zealand by island connection came into my mind. The first was the Polynesian scheme, and, as I was going away, I told the Government that I would assist them. When I came to Auckland, I proposed to the Directors of the Bank of New Zealand to place, for the Government of Fiji, a number of debentures, about £3,000 worth; and at the same time I worked hard to get a steam line started. It was started, and then I worked for the Fiji Bank, and in this was successful. The Polynesian scheme I had not yet proposed; according to advice I had received, I went step by step; and having secured these objects, I spoke about the Polynesian scheme. For none of these ideas was I indebted to anybody. By advice, I then applied to Sir Julius Vogel respecting the trading company, and, when he first heard of my plan, he was very much struck with it. He asked me to come down to Wellington to explain it.

I did so, and then I told him I proposed to go Home, to London and Hamburg, to form a company. I had previously spoken of it to Sir James Fergusson and Commodore Goodenough, who quite approved of it. Sir Julius Vogel then told me to keep my plans quiet, saying, "The quieter you are the better." This was done by letter to me; I having in the meantime gone to Auckland. I wrote a letter, in reply, saying, "I will comply with your request; I will not tell my plans to anybody." He then wrote to say he had something to propose which he thought would please me, and he would be in Auckland shortly. In about four months' time he came up, and then said he had nothing to say to me. He said, "I will have nothing to do with you, as the people tell me you are fit for nothing." That was the way in which I was treated. I left the whole matter in the hands of Sir Julius Vogel, never interfering with him in the slightest degree, and I consider it most unfair for him, Premier of New Zealand, now to come down with evidence collected from all parts of the colony to enable him to eat his own words, given in the first day's evidence. I particularly wish that any one not acquainted with this matter will read the evidence Sir Julius Vogel first gave to this Committee, and that he will not suffer himself to be led away by what has subsequently been brought forward by Sir Julius Vogel on his own behalf. I will say this though, that I believe some idea of doing something for these Islands had struck Sir Julius Vogel; but still he had not carried it so far as I had done. He had never been to the Islands; has never even yet been there; and therefore could know nothing of them in a practical way; could have had no practical acquaintance. However, I wish to give him this credit: he had some vague idea on the subject. But I had nothing to do with that. I evolved my scheme entirely out of my own mind. In conclusion, I wish to say that I perambulated Queen Street, Auckland for weeks, trying to get £8,000 worth of shares taken up to purchase a steamer to put on the line for the Islands, and doing some practical good for New Zealand. For several months I devoted my energies to this matter, and the reward I received was the thanks of the Directors of the Steam Company. I have been looking at the Customs returns for the trade between these Islands and New Zealand, and I find that the

Imports for 1872 were	...	...	...	...	...	£35,000
Exports for 1872	...	...	...	...	...	43,000

The total trade between New Zealand and the islands being about ... £78,000
Thus the trade was next to nothing; but I find that the

Imports for 1876 were	...	...	...	...	...	£58,000
Exports for 1876	...	...	...	...	...	91,000

The total trade thus having increased from £79,000 in 1872 to £150,000 in 1876, so that in four years the trade almost doubled, a fact that is due to my plans and suggestions. I come to this House and say I have increased this trade by my efforts, and in doing this I have been money and time out of pocket. No one has paid me a penny for what I have done, and now I ask for £500 as portion of my expenses, and think it ought to be granted; and I would point out that in coming to seek for this £500, I have incurred expenses to the amount of £50 or £60.

177. *Mr. Richmond.*] How long is it since New Zealand subsidized the steam line?—Since 1873.

178. Has that not helped the trade?—Yes; but I asked even for that.

179. *Sir Julius Vogel.*] You say you sold the debentures?—Yes, to the Bank of New Zealand.

Sir Julius Vogel: I believe the parties had drawn bills on Auckland, and the debentures were sent to prevent the bills being dishonored. As for Mr. Phillips increasing the trade, there are thousands of people in the Islands who have never even heard of his name; and steam had been in the minds of many people for a long time before he thought of it.

