

28. You are quite clear about that, that the Native Affairs Committee of the House last year declared that you could not refer to the Stout-Palmer report because it was—I do not say it, but you do—an illegal document?—Yes, because it was an illegal document.

29. And you were not allowed to refer to it?—Yes. I wanted the Committee to rule it back so as to enable me to refer to matters in it. The Stout-Palmer Commission was set up to deal with Native lands. The block had passed through the Court, and had gone through all the forms. I draw your particular attention to page 2 of the Stout-Palmer report, where it says, 'It will be noticed that it was said he had entered into negotiations with the Natives for the lease for a term of fifty-six years of the whole block. There does not seem to us to have been any agreement in writing made with the Natives and Joshua Jones for a lease, except for the portion described in the lease of 1882.' I say there was an agreement for the whole of the block. This document [Exhibit I] sets out that there was an agreement of lease. I think I told you that I got the capital for working the coal, and that the Natives threw my coal into the river. It is commented upon in the Stout-Palmer report, but the document speaks for itself that changed the terms. "To Judge Wilson: 1st March, 1887. Greeting: The money for Mr Jones's lease, Mangapohue to the Heads, is £125. The old negotiations have been abandoned. Do you insert this in your document, and reply so that I may know. Euded. From Wetere te Rerenga. Wetere was the head chief of this people, and came to me, but it is commented on in the Stout-Palmer report as if there was something wrong about it. The Natives broke my fences, and the people from Australia said, "We cannot embark our money in a thing like this."

30. *Hon. the Chairman.*] Before this discussion on the Stout-Palmer report we had reached the point where you were dealing with the Government, and Sir Joseph Ward gave you a promise as to certain things which Cabinet refused to ratify?—Yes, it was at the time of the late King's death. There was a Cabinet meeting, and they decided to send the matter to a Royal Commission. I then said that Dr Findlay stated in London that he supported the proposal for a Royal Commission. Yes, but that was throwing dust in the eyes of the people in London as well as out here. He had said, 'The Government will not set up any inquiry or pass any legislation for Jones's relief.' I have produced Mr Treadwell's letter on the subject, written at the time.

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FRIDAY, 11TH OCTOBER, 1912

THOMAS WILLIAM FISHER, Under-Secretary for Native Affairs, sworn and examined. (No. 4.)

1. *Hon. the Chairman.*] You understand from the letter you received from this Committee what we require?—Yes, the original document signed by the Native Minister in connection with a certain Proclamation.

2. Can you produce it?—Yes, sir. [File produced.] This is the original, and that is Mr Ballance's writing. I am satisfied that it is Mr Ballance's signature, and also the Governor's, W F Drummond Jervois. The procedure would be this: there would be three or four pulls taken from a rough manuscript, and after being signed by Mr Ballance it would be forwarded to the Governor by Mr Ballance to sign. A rough draft would be made at first.

3. *Mr Bell.*] Would that be minuted by the Minister?—Yes.

*Mr Jones.* This is not the paper. That is John Ballance's signature, but this is not the document. The document I speak of was a written paper. I think it was in the handwriting of Mr T W Lewis. It was before this was printed. He took me in to Sir Robert Stout, and Sir Robert Stout signed the thing in my presence and asked me some questions with regard to the divisions. This is not the document.

*Mr Bell.* Is that a copy of the document you saw Sir Robert Stout sign?

*Mr Jones.* The document signed by Sir Robert Stout was a piece of written paper, not print.

4. *Mr Bell.*] Have you a copy of it, Mr Fisher?—I have not a copy of the rough draft.

5. *Hon. the Chairman.*] Can you find anything else on the file bearing on this point?—I think Mr Jones is confusing it with another memo. in connection with legislation, a memo. signed by the Under-Secretary, Mr Lewis, to the Chief Judge. I think Mr Jones is alluding to the fact that the Under-Secretary for Native Affairs would send the unprinted draft of this on to the Minister. These are the memos.: "To the Chief Judge of the Native Land Court.—Will you please read the attached memo. and minutes thereon, and kindly make the necessary alterations in proposed clause.—T W LEWIS, 8/8/85." Then it follows on. Mr Lewis.—If I rightly assume from the memo. of the Hon. the Premier that it is desired to validate Mr Jones's lease as concerns the difference between twenty-one and fifty-six years in addition to freeing it from the operation of the Proclamation I would suggest that the schedule be altered as shown.—J.E.M., 8/8/85." Then it goes on, "The Hon. the Minister for Native Affairs.—I think the clause as amended is in accordance with your directions on the minute of the Hon. Attorney-General, but as the matter is one of considerable importance I beg to suggest that before the clause is printed it be submitted to Mr Stout.—T W LEWIS, 8/8/85." "Accordingly.—J.B., 10/8/85." "Mr Lewis, for Hon. the Premier.—The clause as amended carries out what I assume is desired. The schedule seems vague—see eastern boundary. The approximate area ought, I think, to be stated.—R. STOUT, 11/8/85."

*Mr Jones.* Of course. He questioned me about the eastern boundaries.

*Mr McCallum.* The point is this: it is not the document at all that Sir Robert Stout signed; it is a minute.

*Mr Jones.* It is the authority to print. That is how I read the thing. That memo. exactly carries out my contention as to the dispute.