

JOSHUA JONES further examined. (No. 5.)

1. *Hon. the Chairman.*] Before you go on with your address, can you tell us anything about the various documents you promised to produce? The last one you were to produce is the decision of the Native Affairs Committee, when you said they threw out a certain document as an illegal document?—I could not find it; but immediately I left the room yesterday afternoon I went through the “tunnel” and by permission saw the Prime Minister. I said I would not consult him about the Mokau transaction, but only wished to ask him a question about this document. He said, “Undoubtedly, it is public property—we all knew it was thrown out by the Committee.” I asked him if he was sure about it, and he said, “I am quite satisfied.” I will ask the Committee to examine Mr. Massey. I want a few words from Mr. Herries and Mr. Massey. I know that they have not any time to waste, but I shall ask that favour. Mr. Massey says it is in the document somewhere, and that he remembers it quite well, that the Stout-Palmer report was thrown out as being illegal. You will assist me by letting me now refer to Mr. Jennings on this very point. He spent a good deal of his time—I think inadvisedly—to injure me in the House, but he relents apparently, for on the 27th October, 1911, he says, “Again, there was Mr. Joshua Jones to be satisfied. And let me say here, in connection with that gentleman—and in my judgment the man has been to some extent placed in a most awkward position—that he had a most exaggerated idea of the value of the land. He said he could get £150,000 for it. But I do think that in face of what was stated by Mr. Dalziel—that he had obtained the opinion of three King’s counsel in the Dominion (Mr. Bell, Mr. Hosking, and Mr. Skerrett) to the effect that if the judgment given by Chief Justice Stout and Mr. Judge Palmer had been subjected to legal scrutiny he (Mr. Jones) would not have lost some of his property—Mr. Jones is entitled to some consideration. That is a matter that on the Committee I should have liked to pursue further if time had permitted.” That is exactly what I said yesterday.

2. *Hon. Mr. Paul.*] That does not bear out your contention of yesterday. You said that the Committee had declared that the Stout-Palmer report was an illegal document?—Certainly. I maintain it.

3. And you are not yet prepared to find for the Committee that the Native Affairs Committee declared last year that the Stout-Palmer report was an illegal document?—I shall ask Mr. Massey to say that.

4. We do not want Mr. Massey’s evidence or that of any one else about that. If the Committee threw it out there would be an official record of its being thrown out. Can you find it?—I was stopped by the Chairman of that Committee. He said, “We will not allow you to refer to that document.” I said, “What is the matter?” He said, “We have thrown it out as an illegal document.” I there and then said—Mr. Carroll was sitting there—“That gentleman in the House has stated that the ground for issuing the Order in Council that took the land away, the freehold, was based on that illegal document.” He said, “What has Mr. Carroll to say about it?”

5. *Hon. the Chairman.*] Can you produce that?—I have not got it yet. I cannot lay my hand on it.

6. *Hon. Mr. Paul.*] You cannot produce it at the moment?—No, not at the moment.

7. *Hon. the Chairman.*] Now, about the letter of Mr. Jenkins that you were to put in?—It is here. [Produced—Exhibit II.] And here is the Court order of the 1st November, 1907. [Exhibit JJ.] I mentioned to the Committee yesterday that, in addition to others, Lord Henn-Collins, Master of the Rolls, was very good to me. Here is a letter written to me by his private secretary, who is his son, on the question of jurisdiction. It was published in an Auckland newspaper about three weeks afterwards. [Exhibit KK.] Here is a letter, dated the 22nd June, 1910, from Messrs. Stafford and Treadwell to the Prime Minister, Sir Joseph Ward, with respect to dealing with the property: “Dear Sir,—*Re* Mokau: Referring to the interview which I had with you on the 2nd instant, and referring to your suggestion that I should put in writing my views with reference to the settlement of this matter, I have to say that some time before seeing you I had an interview with the Solicitor-General, and he stated that he was of opinion—an opinion in which I must say I concur—that the present law did not authorize the appointment of a Commission to investigate the present position of this matter. I may say, however, that Mr. Jones entirely dissents from this view, and that I am only expressing my own opinion on the point. It seems to me, however, that the better way to deal with the matter would be to adopt the course that I previously suggested to the Hon. Mr. Carroll and, I think, to yourself in connection with the matter. That course would be as follows: (1.) The Government to purchase the interests of the Natives. I understand that this can be done for about £15,000. That was the original amount suggested, and if a little more was required I do not see that that need stand in the way of settlement. (2.) That the Government should then take, under the provisions of the Native Land Act, the interests of the lessees compulsorily. This could be done under section 375, and the position then would be that the lessees and the mortgagees of the leases would then be in a position to claim whatever the values of the leases were in the Compensation Court. (3.) That the Crown should make a grant to Mr. Jones of the minerals on and under the block, and give him an area of the surface, that area to be determined by the Crown. It seems to me that in this way the whole of the difficulties in connection with the matter might be got rid of, and I do not doubt, if the Crown were to put the matter to Mr. Jones in something of the way that I suggest, that a reasonable-enough arrangement could be made with him. There is no doubt, apart from all questions of sympathy whatever, that Mr. Jones is entitled to consideration at the hands of the Crown, and I understand from you and also from Mr. Carroll that you would be willing to do anything in reason to bring the matter to a head. You will remember that I showed you, without disclosing the figures, communications from England which, if this arrangement had been carried out some two months ago, would have