

126. Parliament has never agreed so far to do what you pray in that petition?—One moment. The desire of Parliament was to thwart it. The recommendation of the Legislative Council Committee was this: "The Committee to which the petition of Joshua Jones concerning the Mokau leaseholds was referred reported that it had taken evidence and given the matter much consideration. It recommended that the matter should be referred to a Royal Commission or other competent tribunal, and that pending such reference any further dealing with the land affected should be prohibited." It was the decision of the Upper Chamber that an inquiry should take place, and they would not have gone so far as to suggest that the Government should hold the property unless it was in their minds that wrong had been done.

127. The only Commission which sat is the Stout-Palmer Commission, which you say had no authority to sit. I am not arguing that it had. That is the only Royal Commission which so far has been set up?—That is correct.

128. That Commission did you no good? It did not assist you in any way?—Assist me! No, sir, it did not.

129. You have not been assisted, either by Parliament or by a Royal Commission, to get past the judgment of the Supreme Court Judges in New Zealand?—I will answer you No, but at the same time I will put it to you that it is not a fair way to put the question. The proper way to put the question is this: "This recommendation of the Upper Chamber of 1908 and the recommendation of the Lower Chamber of 1910 have been completely ignored by the Government?" That is the way to put the question.

130. I only want to put on record the fact that nothing has been done for you?—Nothing.

131. You say that the Government, by allowing Herrman Lewis to purchase the land, and through Herrman Lewis the Hawke's Bay syndicate, have prejudiced your rights, because suppose Parliament now took steps to give you your right of action against Flower's executors, and supposing you succeeded, the property is not in the same condition that it was before, and therefore you have lost your chance of getting back into the position you were in?—I will go further than supposing. I shall get the Chairman to put two witnesses into the box, and I will undertake to say that the two are the best witnesses you can get, who will say that, but for the Order in Council, the relations between Jones and Herrman Lewis could not have been disturbed.

132. I am not saying it is so; but suppose you had no further rights against Flower at all: the fact that the Government issued the Order in Council would not worry you a bit, because if you had no further rights you would not trouble about the property?—The whole estate is damned. I would not have done anything with it but for the Order in Council, and I could have had my action against him when he prejudiced my position.

133. But suppose you had no action against Flower—no justification—then you need not worry as to what happened to the property, because you could never get it back?—I do not think you should ask me to suppose a negative.

134. But supposing you had not the action?—The interference of the Government destroyed the position I had unknown to me.

135. It destroyed whatever rights you had against Flower?—I will not go that far. You must draw a distinction between the leasehold and freehold title. That Order in Council enabled them to get hold of the freehold, and that gave them the whip-hand. But for that there would have been no powerful syndicate. The Order in Council places me at very great disadvantage.

136. Supposing you did succeed in your action against Flower's executors, the Order in Council would not have hurt you at all?—I have always maintained that these executors were my trustees at the time these proceedings took place.

137. You say first that you ought to be given a fair opportunity of showing that you are entitled to have this property back from Flower's executors?—That is the position I assume. I humbly ask Parliament to give me the right of action by a statute, and if any arrangements are come to as between the company and myself, or between the Government and myself, the Act can be of no effect; but, if not, I pray Parliament to put me in a position that I may have my trial by local action. I know I am running the risk of getting a short shrift again, considering the way I have been treated.

138. *Hon. Mr. Paul.*] You completed your title all right to the Mokau lands?—Yes, but there were a few who did not sign the leases. As far as Flower's executors are concerned, I had completed the title.

139. And you lost your title because of the action of Flower's executors and his trustees?—That is so.

140. You admit the loss of your title to the Mokau lands?—Yes.

141. Having admitted that you lost your title to the lands you want a special Act of Parliament to give you the right of action to recover the land?—That is consequent on account of the two decisions. The Judges at Home said I was entitled to the order, but the New Zealand Judges said I was not. The two Courts here say the jurisdiction is in England and I am not entitled to recover.

142. You admit that you have lost your title to the land because of the action of Flower's executors?—They are on the register, but I say it is through illegal actions that they have been placed there.

143. It is by action at law that you have lost the title?—I do not go so far as to admit that. It is through dishonest action on the part of people who were trustees for me.

144. You admit that the title of the lands is lost to you?—I do not admit that. I admit that other people are on the register, but I submit it is redeemable.

145. And you want Parliament to pass an Act to redeem the title to you?—To give me the right of action—to allow me access to the Court.