

146. At the present moment you have access to the Privy Council?—Yes, and I have not the means of prosecuting it. That is in my petition. The action is now in London, but I have not the means of prosecuting it.

147. And in addition to the power you want from Parliament this special Act to give you the right of action?—As an alternative. Supposing the Government make any arrangements with regard to this property or with the company the Act can be made a dead-letter, but I want the Act to go on with if necessary.

148. The position is that if the Government is prepared to buy that property from those who are in possession and compensate you, you are quite prepared to let the Act go?—Then the Act is dead. Only, supposing no arrangements are arrived at, I want something in the way of a statute to go to the Courts on.

149. It resolves itself, so far as you are concerned, into a question of compensation?—I do not want to bleed the Dominion. I have set it out in my petition.

150. Can you tell us what title the present holders have?—Yes, a freehold title—a title in fee; but the title they have got includes the minerals, but they never bought the minerals. The evidence of Mr. Kensington says the purchase price at which these people bought does not include the minerals.

151. That is an assumption. All freehold titles, except on goldfields, include minerals?—Mr. Kensington says the value at which they bought the property does not include the minerals.

152. The deal was made with private persons, and has nothing to do with Mr. Kensington?—The State has certainly the right to say, "You got these minerals for nothing."

153. When you had the property you held the minerals?—The right to work them, but not the land. These people got the minerals for nothing. Under these circumstances I say the State has a right to say, "You have to open up these minerals. Out of what you got for nothing you can compensate him." Or the State can take over the property and compensate me out of the minerals or in any other way. I do not want to rush the Treasury, but there are many ways by which I can in some form be compensated.

154. In your statement to the Committee you made reference to the Stout-Palmer report: you are satisfied now that the Stout-Palmer report was a legal document but was irrelevant to the inquiry?—Yes, but I go further than that. I say there was no power to issue the Commission as regards Mokau. There was no power vested in the Crown to issue the Commission, and the Commission was illegal.

155. You said in your previous examination that the Government assisted Herriman Lewis to purchase the land: what form did the assistance take?—They issued an Order in Council and named him a loan. It was not thrown open to any other purchaser—it was reserved for this man only.

156. Because this man held the property at the time?—He held the fee-simple. He purchased the fee-simple under the Order in Council.

157. Supposing the Government had bought Herriman Lewis's interest, you would then have had an action for recovery against the Government?—Yes.

158. Might it not be that the reason why the Government granted the Order in Council was to prevent themselves being implicated in actions of law with yourself?—I cannot tell what the Government's reasons were. They undertook to buy the fee-simple and deal with me, and there is ample evidence of it; but as to what were the reasons which induced them to assist Herriman Lewis I cannot tell you.

159. *Mr. McCallum.*] Did you ever pay any rates or any amount in respect to these lands—I am going back to this lease?—Yes.

160. For how many years?—Until I went to England.

161. What year was that?—I landed in England on the 17th January, 1893.

162. So that for the first nine years you paid the rents under the leases?—Yes.

163. Did you effect any improvements on this land—was there any expenditure?—No, not within the meaning of your question.

164. You procured this lease because of the coal-deposits, and not so much on account of the grazing or pastoral rights. You thought the land contained mineral deposits of great value?—That is so in a degree. But when I first went there I was advised by the head people not to say anything about the coal; but in the larger lease you will find that there is a right to work the coal.

*Mr. McCallum.* Now, you begin your claim by calling for sympathy——

*Witness.* If this gentleman has come here to be intentionally hostile to me I will leave the room.

*Hon. the Chairman.* There is nothing to take exception to in what Mr. McCallum has said.

165. *Mr. McCallum.*] I shall probably put to you a point or two that will help you, the same as Mr. Bell did. You founded your claim on services you rendered to the Government thirty years ago, when Sir George Grey was in power?—Yes.

166. Now, I want you to tell the Committee the particulars of any promises ever made you by Sir George Grey in connection with these lands?—Yes. You will find it in the documents I put in with regard to Mr. Sheehan.

167. I will get the exhibits. Can you give us all the references you have had from Sir George Grey's speeches, if any?—I have not got any. He made several.

168. I would like you to be careful about this. The point is this: I am not hostile to you, but I want to know what Sir George Grey thought of the whole business, and if you can find any references to this matter in his speeches?—He made a speech at the first great meeting we had in New Plymouth. I believe it was in 1878.