

134. I am assuming now that the trustees had acquired a title from the Court. You allege there was a fraud and that the sale was not a *bona fide* one, inasmuch as the trustees bought it in themselves?—That is my allegation—that they bought it in. As the Judge said in London, they were trustees when they bought it, and consequent on their spoiling the sale in London we reverted back to the position we were in before we had the compromise.

135. But the mortgagees had a certain title as mortgagees?—Yes, that is so.

136. Their title depended upon your title, did it not?—Yes.

137. And if there was anything wrong with your title, as alleged by the Stout-Palmer Commission's report, that must have affected the trustees; if your title was bad, their title was bad?—You are correct there, but that does not alter the situation of the trust.

138. You came into contact with the Government again in 1908, when you laid the position before Sir Joseph Ward?—Yes; that was after the decision of the Full Court. The decision was given in July.

139. In that same year you petitioned the House of Representatives?—Yes, but it was the Upper House that made the report. They were rushing away to the elections, and said, "The Upper House will do it for you," and I drew up two petitions.

140. And the Upper House recommended the setting up of an inquiry?—Yes, and asked the Government to prevent any further dealings in the property.

141. You gave evidence before the Committee set up in the Upper House?—Yes; also Mr. Herrman Lewis.

142. And after the Committee weighed all the evidence they came to the conclusion that the Government should not allow any further dealing with the land?—Yes. If I may be allowed to suggest it, I think they saw that there was a swindle.

143. Do you contend that from the evidence given before that Committee, and from the various matters brought before the Government, there was reasonable ground for the belief that some fraud had been perpetrated?—That there was something to be inquired into. They would have inquired further into the matter, but Parliament was rising the next day, and they had not time to finish the inquiry. They said to the Government, "You set up an inquiry, and withhold the property from further dealings pending the inquiry." That is in the report.

144. In clause 34 of your petition you say that Mr. Treadwell reported to you the same day that he had seen Dr. Findlay, "who informed him that the Government would not give effect to the recommendation, and that no inquiry should be set up, nor any steps taken to prevent the property from being further dealt with"?—That is so. I had heard privately that the report of the Committee had been laid on the table. I rang Mr. Treadwell up and told him that the report had been brought up, and asked him to go and see Dr. Findlay. He went, and on coming back said, "I have seen Dr. Findlay, and he informed me that the Government would not set up an inquiry, and will not act on any recommendation." He said, "He has given me terms on behalf of Herrman Lewis, and from the way he has put the matter to me I think you had better accept the terms or you will get nothing at all." I said, "What the deuce has Dr. Findlay got to do with Herrman Lewis?" He replied, "He tells me that his firm are solicitors for Lewis in this matter."—"Do you mean to tell me he wants me to make terms with Herrman Lewis?" And he said, "Yes, he did." I put in a letter I wrote to Mr. Treadwell, and he replies confirming the statement he made to me that Dr. Findlay said there should be no inquiry—not that they would not hold one.

145. Did Dr. Findlay, Sir Joseph Ward, or Mr. Carroll give you any reason why they would not carry out the recommendation of the Committee of the Upper House?—There was no reason given by Dr. Findlay to my solicitor.

146. Nor to you?—I did not go near him. You must remember that he was a member of the firm of solicitors who were acting as counsel for Herrman Lewis.

147. Did not Sir Joseph Ward give you any reason?—Two years afterwards, in 1910, at the time Sir Joseph Ward agreed to buy the property, I said, "What is the reason I cannot get that inquiry?" He said, "I do not know; I suppose we have forgotten it." He said, "I remember you asking for the inquiry." Mr. Treadwell and myself were with Sir Joseph Ward, and Mr. Treadwell said Dr. Findlay told me that we should never get that inquiry. Sir Joseph Ward said, "That is not my view. I promised Jones the inquiry, and I do not see why it should not take place." I put these words in a letter to Mr. Treadwell at the time. I said, "Is this what took place between us?" and he said, "That is exactly what happened." All this is among the exhibits put in.

148. In your petition you say, "I discussed these instances with Treadwell at the time, and shortly afterwards obtained from him a document mainly confirmatory of what is stated in this and the last two preceding paragraphs"?—No, that is not the letter. The Hon. Mr. Luke asked me here if I had got the original documents, and I said that I had put them in. The letter I am speaking about now is dated the 22nd April, 1910, whereas the letter you are speaking of is dated the 29th October, 1908, where Mr. Treadwell states what took place at the time between Dr. Findlay and himself.

149. Coming to the Stout-Palmer Commission's report, you stated that you had no notice whatever about this Commission until after it sat. You say that you "noticed in an Auckland paper of the March previous that the Stout-Palmer Commission had held an inquiry into the Mokau lands, which inquiry I had received no notice of, the same having been held unknown to me"?—That is so. I put the newspaper in where I saw the report that they had held an inquiry. Again I wrote to Sir Joseph Ward stating that this inquiry was held behind my back. When the £5,000,000 loan was being floated in London it was stated that the Opposition had put forth reports which affected its success; but it was nothing of the sort. It was in consequence of the Government breaking their promises to me.