

10. There is another provision where, if it is in the public interest to allow a larger area to be acquired, the Government may by Order in Council allow that to be done. When did you know that the Order in Council had been put through allowing Herrman Lewis to acquire more than 3,000 acres?—After the transaction had been completed, in the following year. I did not know until the following March; and, further, the Order in Council was not gazetted until the 30th of the month after the transaction had been completed. I doubt if it is legal.

11. According to the Act ten days' notice must be given in the *Gazette* before the Board can deal with the application?—I think that was done; but that is not the gazetting of the Order in Council—that is a different notice. I think that was done, although I never knew of it. I had previously written to the Native Minister and to Mr. Fisher, the Under-Secretary, asking to be informed of any intended dealings with these lands, considering that my statutes had been repealed in 1907 when I was in England. Mr. Carroll or Mr. Fisher said, "Bring your application before the Maori Land Board at Te Kuiti." I wrote a respectful letter asking to be informed of any dealings, but neither the Under-Secretary, the Native Minister, nor the Prime Minister gave me any information until after the transaction was over. I said, "The *Gazette* never reaches this district and I do not get it." I never knew of the Order in Council being issued until after the transaction had been finished.

12. Might it not be in the public interests that this Order in Council should have been granted?—I cannot see it. How does it come into the public interests? It was in the interests of these speculators, undoubtedly. It would have been more in the public interests to have bought the land for £15,000, and they could have got it for that to my certain knowledge.

13. Was there any land left to the Natives out of this block?—Not an acre. There is a burial-ground, but that is not reserved for the Natives. That contention need not have arisen, but here is a lot of tears shed in the Stout-Palmer report about the poor Natives having been deprived of their land. There is a return here showing that every person interested in that land had ample lands elsewhere outside of the block, and stating where their lands are. Every Native is named, and the return shows where the land is.

14. You mentioned that Herrman Lewis was a dummy purchaser?—Yes.

15. Did you bring that under the notice of Sir Joseph Ward?—It is in my petition to Parliament in 1910 that the transaction in connection with Herrman Lewis was a dummy one. He bought it for £14,000 on one day and mortgaged it back for the same amount on the same day, and never paid a farthing for it.

16. What did Lewis pay for the freehold?—£25,000.

17. And what did he sell it for?—Then it was chopped about. Some man in Palmerston North made £10,000 out of it, and it ran up from £25,000 to £85,000-odd.

18. Has that land been subdivided?—They are doing it now. When you come to the public interest it is quite right to say that the land should be occupied, but why could not Sir Joseph Ward have got the land occupied by the Order in Council as well as any one else?

19. Do you know of any reason why the Government did not acquire it?—None whatever. There was an arrangement with me that I should surrender my leases, and providing that if Herrman Lewis sustained any loss in the leases there was to be compensation for him. There is a letter from Mr. Treadwell to Sir Joseph Ward which sets it out, and stating that the Prime Minister agreed with it.

20. In clause 52 of your petition you mention another portion of the block, comprising some 2,000 acres, which was not included in the litigation?—Yes, and a little more.

21. You did not mortgage those 2,000 acres to Flower?—No, I did not acquire them. The acquisition of them was held to be by statute. I did not acquire the land, though I had statutory power to do so. I will point it out on the block. [Map referred to.] In Mokau-Mohakatino No. 1 there are 1,523 acres; there is another piece in No. 2 of 256 acres, and another little piece in Block No. 1b of 160 acres.

22. You say that in 1907 the statutes to give you the title——?—Not the title, the pre-emptive right to acquire.

23. These were repealed in 1907?—That is so.

24. What has happened since then?—Directly I saw that the statute was repealed I went to Sir Joseph Ward about it, and I think Mr. Jennings was with me. Sir Joseph Ward said, "That is evidently a mistake, Mr. Jones; we cannot repeal private statutes until they have fulfilled their errand. I have enough knowledge of law to tell you that. I will get them reinstated forthwith." He referred to a special Act or an Act like the "washing-up" Act to meet the case. That was in 1908.

25. Did he do it?—No. When he was going into the House that year I slipped a letter into his hand, because the session was drawing to a close, but he took no notice of it, and the greater part of the land has passed away in fee-simple.

26. What you say is that two other people have acquired the fee-simple of the greater part of this land?—Yes. I communicated with the Land Board directly I heard of it. I came down in February, 1912, and saw Mr. Carroll about it, and said, "You can stop this."

27. Do you consider that you have suffered a loss there?—Certainly I have. Two men have purchased the fee-simple of it.

28. Can you give us any estimate of the amount of loss you have suffered?—I cannot do that. At any rate, the fee-simple of half of that block has been bought at £3 an acre within the last six months.

29. What would you have got it at—was there any price arranged?—No, it was a matter of negotiation, but another white man has got it. No one has acquired yet the piece where I live down at the Heads, but the statutes have been repealed, and any one can come to-morrow and buy it.