

30. What relief do you suggest the Committee could give to you?—I ask this Committee and Parliament to pass a special Act of Parliament empowering a new trial of action. At present I am prohibited from entering an action by the decisions of the two Courts, both here and at Home.

31. Have you any means of prosecuting the action?—I will find means if my right is established. The right is at present taken away from me.

32. Is not the position of the land changed very much?—That is through no fault of mine, because due notice was given to all and sundry against dealing with this property. Mr. Justice Parker said from the bench that he knew the Land Transfer Act well, and that it was never made to prevent an action nor to assist a fraud.

33. And you have no idea of the amount of damage you say you have suffered at the hands of the New Zealand Government?—I have not come to that. I have made out another claim as an alternative. I ask that the Government should take this block over and stand in the position of the purchasers. They could arrange with the present holders and compensate me in land or minerals.

34. The Government cannot now get the block for £15,000?—The present holders of the property only paid for the surface valuation. That is the sworn evidence of Mr. Kensington, who said the minerals were not included in the purchase, although they were in the Crown grant. I submit it is competent for the Government to put a royalty on the minerals either in a lump sum or as the property is being worked.

35. But these people have got the freehold?—That is so, but, still, they do not pay for the minerals.

36. But they have the titles?—That is so, but the Crown can come in and say, "We shall put a tax on it for the public benefit," and then they could arrange with me. The Government permitted the transaction to take place.

37. You do not suggest that because the Government allowed the Order in Council to issue they are responsible?—Nothing could have touched this property but for the Order in Council.

38. It seems that the particular grievance you have against the Government—at any rate, of recent times—is that they issued this Order in Council which finally deprived you of any opportunity of getting back your leases?—That is one ground; but there is the ground that in 1908 the Committee recommended that the Government should hold the property from any dealings and set up an inquiry. The Government said they would not hold the property nor have the inquiry. I petitioned again in 1910, and the Committee said in the last paragraph of their report that the Government should endeavour to come to some amicable arrangement between me and Mr. Herriman Lewis, so that my interest in any action should be clearly defined. The Government paid not the slightest notice to that recommendation, but issued the Order in Council. They might have said, "We must issue the Order in Council, but Jones must be protected," but they did not do it. They issued the Order in Council, disregarding what the Committee said as to the interests being defined. The Government had it in their own hands. It is a matter of discussion about it being in the public interest. When the Legislature put that clause into the statute they never intended that the Government should use it to dispossess me. Parliament never intended anything of that sort, and if they had foreseen it they would never have passed such a clause.

39. *Hon. Mr. Anstey.*] There was an action you commenced in 1911 which was decided against you?—No, sir; I came here to commence the action, and the Chief Justice said, "I will not allow you, because the jurisdiction is in England."

40. Then you still have your right of action in England?—By form of appeal against the Chief Justice's decision refusing me the right here. It has gone Home in the form of an appeal to the Privy Council, but I have not the means to prosecute it.

41. Do you contend that your further right of action, whatever it is, is prejudiced by the Order in Council?—Undoubtedly, sir.

42. Can you explain in what way that Order in Council prejudices your right of action? Is it from the fact that the Order in Council virtually places power in the hands of this man to successfully resist your claim?—That is so. You will find that it states that this man Lewis had the property for three years in his hands. No one would have any dealings with him until the Order in Council was issued.

43. Do I understand you to say that the issue of that Order in Council was influenced by the issue of the Stout-Palmer Commission's report?—My answer is Yes. My authority is Sir James Carroll in the House: "The Commission suggested that there were great doubts as to the validity of the said leases."

44. Have you any reason to state that the Stout-Palmer Commission's report was placed before the Government before the issuing of the Order in Council?—Absolutely. And Sir James Carroll said that they were led to issue the Order in Council upon the basis of that Stout-Palmer report.

45. You contend that that report is illegal, because the Commission was set up to report on Native lands and your lands are not Native lands?—Undoubtedly. There was no power to inquire into these lands, and if there was any reason to inquire into them there were the proper Courts to do so.

46. With regard to these 2,000 acres of land you mentioned, you still have the right to acquire them?—But for the repeal of the statute protecting me.

47. I understood you to say, in reply to Mr. Statham, that any one can come in and buy that land to-morrow?—Yes, but it was reserved to me before.

48. You can still buy it?—I have the right that others have. Fifty people can bid against me.

49. Can you tell me how much of this block, the 1,523 acres, is left?—About half of it has gone.