

50. Then half of it still remains for you or any one else to acquire?—Yes. I shall be surprised if it has not been acquired before now.

51. *Hon. the Chairman.*] The Special Powers and Contracts Act of 1885 enabled you to complete your leases?—Yes.

52. And the Mokau-Mohakatino Act of 1888 provided that a certificate of title should be issued forthwith to you?—To the Native owners, not to me. That is merely a document that remained in the hands of the Government, but it is an authority for the Natives to deal with the land.

53. It was for your lease to be registered against certain shares ascertained?—Against every signature I had obtained.

54. Was that lease registered?—Yes.

55. When?—I think I have made a mistake on that point; the leases are registered under the Land Transfer Act by Flower's executors. That is registered under the Native Land Act. Section 4 of the Mokau-Mohakatino Act, 1888, says, "It shall be lawful for the said lease of the said Joshua Jones to be registered in manner provided by the Native Land Court Act 1886 Amendment Act, 1888, against the shares so ascertained as aforesaid of the persons who shall have signed the said lease." This is the point: I, after the compromise of 1904, gave authority to Flower's executors to register under the Land Transfer Act of New Zealand. That is the position.

56. Was that lease registered under the Native Land Court Act?—No, it never was.

57. This Mokau-Mohakatino Act was repealed by a subsequent Act of the Legislature?—Yes, in 1907, and the Special Powers and Contracts Act too; they were both repealed.

58. Did you suffer any loss or damage through that repeal?—To start with, those two pieces of land, 1,500 acres, have gone away from my grip.

59. You made a statement that Sir James Carroll, on the 15th March, 1911, said the Government felt justified in issuing the Order in Council: to whom did he say that?—He said it in Parliament—that the Stout-Palmer report was the ground on which they issued the Order in Council.

60. Where were you at the time Lewis bought the property?—At Mokau. I had not the slightest idea there was an Order in Council empowering it.

61. At what date did you tell Sir Joseph Ward that the land could be bought for £15,000?—Mr. Treadwell and I had an interview with him on the 22nd April, 1910, when he agreed to buy the land. Further, in Mr. Treadwell's letter of the 22nd June, 1910, to the Premier, he sets out that the land could be bought for £15,000. We had an understanding. Another thing is that Sir James Carroll absolutely paid a deposit on the purchase for the £15,000, and relinquished it for some reason. I was examined about that. I was asked, "How do you know they paid this money as a deposit on the £15,000?" and I replied that Sir James Carroll had told me so at the time.

62. You said a clause was put into the Act to enable the land to be purchased: were you referring to the Act of 1909?—This was a new clause put in the Act.

63. What was that Act?—The Native Land Act of 1909. While the Act was being passed no one seemed to realize what might happen from it.

64. Who first applied to the Government for the issue of the Order in Council?—I do not know.

65. Was it Mr. Skerrett?—Of course it was. Mr. Skerrett and Mr. Dalziel both appeared before the Committee of 1910.

66. Who made the application to the Government?—Mr. Skerrett.

67. On whose behalf?—The application, I think, was made by Mr. Dalziel on behalf of Mr. Lewis, and Mr. Skerrett consented on behalf of the Natives.

68. You are quite clear on that point?—I think so.

69. I understood you to say that the first application came from Mr. Skerrett, who was acting on behalf of the Natives?—When the A to L Committee was sitting—on my petition, remember—it appears that the Chairman gave permission to Mr. Skerrett and Mr. Dalziel to appear before it and ask it to recommend the Governor to issue an Order in Council. As a fact it was my petition and my Committee, but these two gentlemen were granted permission to come there and ask it to recommend the issue of the Order. Now, what the Committee did recommend was—" (5.) That, in order to settle the long-standing dispute in connection with the Mokau-Mohakatino Block, the Government be recommended to assist in bringing about an amicable understanding between the parties concerned, with the view of settling the land. (6.) That, in view of the fact that the petitioner believed his original lease from the Natives to be legally sound, and taking into consideration the treatment meted out to him by solicitors in England, whereby he lost his legal interest in the estate, the Committee recommends that in any such mutual understanding the petitioner's claims to equitable consideration should be clearly defined." But as regards the Order in Council that was left to Mr. Dalziel and Mr. Skerrett. Sir James Carroll, finding what the Stout-Palmer Commission reported in reference to the Natives, said, "We employed Mr. Skerrett to come and look after their interests."

70. Then your answer, put shortly, is this: You believe that Mr. Dalziel applied for the Order in the first instance, and that Mr. Skerrett consented?—Absolutely. It was done between the two of them, but Mr. Dalziel was the man who applied.

71. Was the letter from Mr. Treadwell to Sir Joseph Ward of the 22nd June, 1910, sent before or after Herrman Lewis got the property?—After, sir, because the letter sets out that Herrman Lewis could be compensated under, I think, section 375 of the Native Land Act. I am clear that the letter sets it out.