

not agree to, it brought the matter to an end. I do not remember the letter referred to, and I am not questioning the accuracy of that letter, but I did not agree to the proposals because I was not in a position to do so.

28. You will remember that upon your suggestion I petitioned Parliament?—I told you that the Government could not deal with the matter, and that the only course for you to follow was to appeal to Parliament.

29. That was before the Judge's decision?—That was, I think, some time previous to the New Zealand Judges' decision.

30. I petitioned the Legislative Council and the Committee brought up a report as follows: "The Committee to which the petition of Joshua Jones concerning the Mokau leaseholds was referred reported that it had taken evidence and given the matter much consideration. It recommended that the matter should be referred to a Royal Commission or other competent tribunal, and that pending such reference any further dealings with the lands affected should be prohibited." Might I ask you why that inquiry was not set up?—The Royal Commission was not set up. My recollection—I am speaking from memory, but it is on record—is that the Solicitor-General advised that it was not possible for a Royal Commission to deal with the question of private interests between private individuals. It was not a question of inquiring into a difficulty between yourself and the Crown; it was a question of inquiring into a difficulty between yourself and the Native owners of the land as the original lessors, or between yourself and Flower's executors. That was why the recommendation of the Committee could not be given effect to.

31. Might I put it to you in this way: that the day—the 7th October, 1908—when the Committee brought up that recommendation Dr. Findlay informed my solicitor—before the Solicitor-General had been consulted at all—"you shall not have an inquiry; there will be none set up." Are you aware of that?—I have no knowledge of what anybody said to anybody else, but I am of opinion that the Solicitor-General gave his opinion to the Government disinterestedly. I cannot say anything about a statement alleged to have been made by any one else to anybody else because I know nothing about it.

32. This recommendation of the Committee was never carried out?—No, it could not be, for the reasons I have given.

33. There was a recommendation by another Committee, called the A to L Committee, of the Lower House in 1910, later on. There are five or six paragraphs in the report: "(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 a 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." "Believed his leases to be legally sound"—no Court has ever said they were not sound. Now, did your Government pay any attention to the last paragraph, or was any step taken to carry out that recommendation?—My answer is that the Government after that period tried to purchase these lands from the Natives, but were not able to do so because the Natives put the price up too high. If we had been able to purchase these lands, as I have already said, I was personally favourable to arranging a lease of a portion of the land with the minerals on it.

34. That is not the question, sir. The Committee recommended "that in any such mutual understanding the petitioner's claims to equitable consideration should be clearly defined." Now, there was an understanding between the Government and the holders of the lease that they would issue the Order in Council?—I cannot tell you anything about that because I was not here.

35. You did not leave here until the 3rd March, 1911?—It was early in March.

36. Now, sir, Parliament rose on the 3rd December previous?—I do not remember the date, but if you say so I will not contradict you.

37. On the 5th December your Cabinet agreed to the issue of the Order in Council in favour of a person named Herrman Lewis?—We are confusing things. That is not what I had in mind at the moment when I was giving you the answer.

38. You consented to the issue of the Order in Council on the 5th December: did you consent?—The Government gave authority for an Order in Council, but I could not give you the date. That is in connection with Herrman Lewis's matter.

39. In connection with the property?—You are entitled to call it what you like. It is, of course, all on the records, and I am speaking entirely from memory.

40. The Order in Council was to enable them to purchase the land?—I cannot speak from memory as to the details of the Order in Council. Mr. Jones said it was Herrman Lewis, and I gave the answer that we were confusing things. I want my answer to be qualified to that extent. This Order in Council just handed to me is dated the 15th March.

41. It was gazetted on the 15th March: after the people were put in the position to get their money Mr. Carroll issued the Order in Council?—The date of this Order in Council is "Government Buildings, at Wellington, 15th March."

42. That is not the question. You assented to it on the 5th December?—It is no good questioning me about dates. You can find all that correctly from the records, and I cannot be expected to answer as to dates without looking up the records. You must, if I am to swear as to dates, have the records produced, and I will then gladly give the recorded dates.

43. My allegation is that Parliament rose on the 3rd December and the Order in Council was issued on the 5th December?—The dates on the records referred to must be my answer, as I cannot possibly state dates without reference to the records.