

cated can be made. The better course for Mr. Jones to follow would be to petition Parliament, so that his evidence may be taken and his case reported upon by the representatives of the people." That was the answer, and you may not have remembered it. Did you mention to me at the time that you would be only too glad to carry out any recommendation?—No, I would not do that. A recommendation would only be carried out by the Government after it fully considered a Committee's report, not before. I would not say I would carry out a recommendation unless it was first considered by Government. Lots of recommendations have been made by Committees, and they are considered by the Government, and many recommendations have been refused. I would not have said what you suggest.

11. The English Chancery Judge made an order that I was entitled to an action for redemption and accounts. The five Judges here said, in effect, "No, you must remove your caveat." I said, "I ask for leave to appeal to the Privy Council"; and they replied, "No, you shall not have it." I draw your attention to a particular thing. Since we have been sitting in this room during the last few days a learned gentleman sitting on the Committee read the judgment of the five Judges. The same gentleman produced another barrister who sat where you are now, and that barrister produced another document and extracts and read them here, showing that in his opinion the five Judges were in error in the judgment they gave, and that they had ample particulars in front of them showing grounds of action. If you knew that an English Judge made an order for a trial to go on, and that the five Judges here had given their judgment in error—which I think is admitted—would you have taken a different view of the matter in dealing with it?—I cannot, and I ought not, to be expected by the Committee to give an answer upon a supposititious case, calling into question the recorded judgment of five Judges of the Supreme Court of New Zealand. If on a constitutional rehearing of the judgment it was found that a claim was affected through error by the Judges, and I was in authority and was asked what I would do under the circumstances, I could then give an answer; but to be asked to give an answer in a supposititious case I am not called upon to do that.

12. *Mr. Bell.*] Mr. Jones's question was this, as I understood it: The judgment of these Judges having turned on a certain point, Mr. Treadwell gave some reason for supposing that the Judges had not perhaps—he did not say that they had not—given sufficient weight to one part of the affidavits. Mr. Jones's question was this, in effect: Supposing it appeared, as the Judges said, no evidence of such a fact was forthcoming, and supposing there had been evidence of that fact, would you have felt it to be within your province to take further action?

*Hon. the Chairman:* I think Mr. Jones had better repeat his question.

13. *Mr. Jones.*] If you knew that an English Judge had made an order for the trial to go on, and that five Judges here had given their judgment in error—which I think is admitted—would you have taken a different view of the matter in dealing with it?—If I were satisfied that, as Mr. "Mokau" Jones suggests, the five Judges of the Supreme Court who tried the case here were wrong upon a question of fact, and that a properly constituted authority found they were wrong, I would then take the advice of the Law Officers of the Crown as to the proper course under such circumstances I should follow.

14. Do you remember when Mr. Jennings and myself waited upon you in 1908 and I drew your particular attention to the fact that the private statutes enacted for me had been repealed while I was in England, and that there were some portions of this land I was entitled to acquire under the statutes—this does not refer to the big disputes [plan referred to]—the land amounts to about 2,000 acres—do you remember saying when we laid that before you, "It is evidently a mistake to repeal a private statute until it has fulfilled its purport"?—I do not recollect it.

15. Do you remember this: you said, "I see it is an error, and I will put it right in a short Act"?—I do not remember the incident you refer to, and I cannot therefore give you any other reply.

16. Do you remember the occasion when I saw you just as you were going into the House in 1908 and reminded you that you had promised to put it right, and you said you would do it this time?—I am pretty well satisfied that if I had made a promise of the kind I would have done my best to perform it, but, as I have said, I would not in my official capacity give any one a verbal promise until I had investigated the matter. What you say you may think is right, but I cannot recollect it, and if I could recollect it I would tell you at once. I think it only fair to myself to say that I think it very unlikely I would make such a promise in a casual way.

17. Do you remember a letter I placed in your hands reminding you of last year's promise, when you said, "I am sorry I have not done it"?—When was that?

18. In 1909?—No, I do not.

19. I think you gave it out in Parliament that the reason why the Government did not hold an inquiry in 1910 was on account of the Ohinemuri decision?—I do not remember what I said in Parliament. If I did so it is on record. You will recognize that if I could remember all that I have said in Parliament I should have a prodigious memory.

20. It was debated in the House?—That might be so, but I cannot recollect it.

21. You are not aware that the property was purchased at £15,000?—No, I cannot tell you from memory what it was purchased for. The records will show it.

*Hon. the Chairman:* By whom was it purchased?

*Mr. Jones:* The Land Purchase Board, and a deposit paid on it.

22. *Mr. Jones.*] I think you said in the House the Government employed Mr. Skerrett on behalf of the Natives?—Mr. Skerrett represented the Natives, that is quite certain.

23. At the request of the Government?—If so it is on record. I cannot tell you from memory, because from memory I do not know.

24. Did you, after assenting to the Order in Council on the 5th December, ever intimate to me that you had done this, or that the Order in Council had to be issued?—As a matter of fact,