

the client of Findlay and Dalziell, and those finding the money to purchase the freehold of the land from the Natives. These two recommendations set out that in any mutual understanding with respect to the land the petitioner's claims to equitable consideration should be clearly defined. I beg to place it to the Committee that in issuing the Order in Council the Government could fairly have issued it subject to my equitable claims, but they did not even let me nor Mr. Okey, M.P., who was in communication with the Premier upon the subject, know that it was intended to issue the Order in Council. I knew nothing about it, although assented to by Cabinet on the 5th December, 1910, until after the land had passed by sale on the 22nd and 24th March, 1911. I was in communication with the Prime Minister and Mr. Carroll personally and by post, and letters were deposited by me with the Native Minister and the President of the Maori Land Board asking to be informed of any proposed dealings. The Premier informed Mr. Okey in the House on the 17th November, 1910, that the matter was then before Cabinet, and he would inform the House as soon as any decision was arrived at, but the matter was kept secret. The House closed on the 3rd December, and the order was sanctioned by Cabinet on the 5th.

I contend that the setting-up of the Stout-Palmer Commission and the inquiry into the matter of these lands was an illegal act, these not being Native lands, but land held under Land Transfer title, and under the jurisdiction of the Courts of law; further, the report was in 1911 ruled out by a parliamentary Committee as being inapplicable. It will be seen by the letter of the 7th November, 1908, Jones to Treadwell, that I had been threatened with this inquiry to my damage beforehand at the instance of Dr. Findlay. I have informed the Committee that the so-called inquiry was held unknown to me, and I sincerely trust that it be a recommendation that the report be deleted from the records of the Dominion, and that the Committee will express its opinion to Parliament upon this part of the subject-matter in such form as will prevent similar injustice arising to any one, whether at the hands of the Chief Justice or threat of an Attorney-General whose private firm may be interested in the premises.

The trouble began in Travers's office and wound up there. Travers placed the property in Flower's hands a year or more before I went to London in 1892. When Flower set himself to defraud me—I say "defraud" because he was found guilty by the Court—Travers by every scheme he could suggest or command assisted him. Had Travers said, "No, Jones is my client, I shall not allow you to defraud him," Flower would not have carried on—he would have dropped it. Now, what is Lewis's evidence? He says that Robert Orr put him on to the property. Orr, it should be stated, runs the Travers-Campbell show in Wellington. Lewis and Orr live at the Hutt, and go in and out in the same train. Orr laid him on, and as a fact he bought the property on Campbell's recommendation; that is his sworn evidence. He paid no money for the property; it was transferred to him purely as a dummy, as shown by the register. When those to whom Lewis sold the property were purchasing they made it a condition with Travers-Campbell that Lewis's name should be placed on the register (as Dalziell states in evidence before the Committee), and they placed the deposit of £4,000-odd in the hands of Moorhouse and Hadfield under arrangement with Travers-Campbell that the money should be paid direct to them, not to Lewis; and this was done, clearly showing that Lewis was only the dummy medium, and clearly showing collusion between the executors' agents and Lewis that he should be used as the dummy of the piece, and not the principal in the transaction. My contention is that the executors were trustees for me. Had the trial been allowed I would have proven this. The Land Transfer Act was merely made the medium of defrauding me of the equity. The English Judge said "There must be *bona fides*" when he ordered the trial to prevent the property passing at so much under value.

I beg to submit,—

1. Decision of the Full Court on the 20th July, 1908, to be contrary to decision of English Court. Yet the Full Court had evidence in affidavit of the false reports that were not before the English Court. Had the Full Court given the judgment I hold it should have done, I could have gone on with the action and saved all the trouble of the last four years.

2. The Government, in the person of Dr. Findlay, blocked the inquiry, if Treadwell's letter of the 29th October, 1908, is to be credited. The recommendation of the Committee was that the Government should set up an inquiry, and pending such inquiry to prevent any further dealings with the land. In any case the report was not given effect to.

3. That the Government ignored the recommendation of the A to L Committee, 1910, that the petitioner's equitable claims should be clearly defined. (Note: The Government need not have issued the Order in Council until this had been done; or they could have issued the Order subject to the equitable claims.)

4. That no communication from myself to the Government since Findlay and Dalziell became the solicitors for Lewis in this transaction was ever paid the slightest attention to beyond the usual formal replies.

5. That the Stout-Palmer Commission had no legal standing in inquiring into the Mokau leases, the lands comprised in which being held under Land Transfer tenure, and were not "Native lands." That the report was "ruled out" by the Native Affairs Committee of 1911, acting on legal opinions, as being not applicable to these Mokau lands.

6. That the Government could have settled the matter amicably with me in 1910, and had agreed with me to do so. This is denied by Sir J. Ward and Treadwell, but I ask for the telegram of April, 1910, in Treadwell's handwriting, signed by Mr. Carroll and sent by him to Sir J. Ward at Invercargill, to be produced in support of my statement.

7. If any settlement is made with me, the Act of Parliament requested by me (if granted) to remain a dead-letter.

29th October, 1912.

J. JONES.