

40. Was that application in writing?—A list was given to me by one of the prospectors, a Mr. McDonald.

41. Did you make application for miners' rights?—One was made.

42. Who were present when you gave in that list?—I should think there were from fifteen to twenty people present at the time.

43. Did you say you gave the list to O'Halloran?—No, I gave it to Allom, the Registrar.

44. What did you say when you gave it to him?—I handed in my list.

45. But what did you say when you handed him the list?—I said, "There is a list of miners' rights which I want."

46. Did you request or say anything about getting them before other people?—No, I said nothing of the kind.

47. What did he tell you in reply?—He picked up the money and said, "You shall have the miners' rights at the proper time."

48. What was the proper time?—10 o'clock in the morning I believe, but I am not sure.

49. But how did they get into your possession at 6.30?—I asked Mr. O'Halloran for them.

50. Where?—At Mackaytown.

51. In the Registrar's office?—No.

52. Who was Mr. O'Halloran?—He was, I believe, clerk to Mr. Mackay.

53. Why did you change your application from the Registrar to Mr. Mackay's clerk?—I did not change my application. The Registrar received my list and money.

54. Then who told you to apply to the clerk?—No one.

55. Did you know of your own knowledge that they were to be issued at 10 o'clock on the following day?—I did; at least I supposed so.

56. Was that the proper time for them to be issued?—I believe it was.

57. Yet at 6.30 you went to Mr. Mackay's clerk and asked him for the rights?—Yes, I did. I rode over from Takerei's house, which is a mile and a half from the gold field, and where I had been staying, to where the clerk was.

58. At Takerei's?—Certainly not. The clerk was at Mackaytown, and I stayed there all night.

59. Where do you say the clerk was?—In his tent.

60. What tent?—The tent he slept in.

61. Did you sleep in the tent too?—I did.

62. Did you arrange with him over night?—I did not.

63. Did you wake him in the morning?—No.

64. Who woke first?—I think he did.

65. Did you know he had the rights in his pocket?—I did not.

66. Did you ask if he had the rights?—I saw them.

67. How?—In his possession.

68. Did he show them to you?—He showed them to me in bundles, in a satchel or something of that sort he had.

69. Did you ask him to give them to you before the proper time?—I did not say "before the proper time." I merely asked if I could get them.

70. That was at 6.30 a.m.?—About that.

71. Was there any private arrangement beforehand?—No.

72. Did he give any miners' rights to others before 10 o'clock?—I do not know.

73. You were the only recipient upon that occasion?—I did not see anybody else.

74. How was it you slept there?—I never slept there before, nor since.

75. Were you invited to stay in the tent with him?—Yes.

76. Why did you refuse to give evidence before the Commission?—Well, I was very badly treated; but I should wish, if you will allow me, to make a little statement about that affair. The report of the Royal Commission, dealing with my action as a witness, did a cruel wrong to myself at that time.

77. *The Chairman.*] You can make your statement now, as an answer to Mr. Shepherd's question.—It has been thrown out in Auckland, and in other parts of the colony, and I have been hawked about in the papers to a considerable extent during the last three or four months, because I refused to give evidence. All I can say is, that I was waiting in Auckland somewhere about sixteen or eighteen days for money from the Treasury, when Major Keddell, who then held the Commission, met me several times in Auckland. I have heard that the Government is said to have refused to allow me to give evidence. I hold a telegram from the Native Minister in reference to my examination before a Committee of the Provincial Council of Auckland about land purchasing in the North, telling me by all means to give the fullest evidence. That telegram should do away with the impression that the Government had prevented me from giving evidence.

78. *Sir George Grey.*] You never showed me that telegram.—I went to see you, and waited for three-quarters of an hour, but did not see you, as you were engaged, and afterwards you went to Kawau. Whilst I was waiting on that occasion, I was talking for twenty minutes with Major Keddell. I had been on friendly terms with him for some years, and he held this Commission at the time. We had met several times in the streets of Auckland during the sixteen days I was there, and if he wanted to examine me, it was surely his place to have summoned me, and not mine to have gone running after him. A few days afterwards I left town, and went to pay money for some Native lands I was then dealing with. I had a meeting of between 500 and 700 Natives, at Herd's Point, Hokianga, Major Keddell, Mr. Thompson, and a policeman. I don't know whether the latter left Auckland with them, but he certainly came to Herd's Point with them. Came to the Bay of Islands; singled out the Resident Magistrate, Mr. Williams, and induced him to communicate by telegram with Mr. Von Sturmer. The telegram was to this effect: "Have a boat at 12 at night at the Taheke, for a mutual friend of ours." When I saw this mysterious telegram, I said it was Mr. John Webster who was expected. At 2 or 3 o'clock in the morning these gentlemen arrived. They closeted themselves in a room. It was given out that I was to be arrested before 500 or 600 Natives. I was certainly treated more like a