

out already pegged out?—I had agreed with my mates that they were to peg out as soon as I came to the foot of the hill, where they could tell me from another. A Maori rode with me in case I should break down. They did peg according to my instructions. When I went on the ground I found men belonging to Howard's and Catran's parties, who told me I might have saved myself the trouble, for that they had had their rights before I left the camp.

362. What did you do then?—I immediately went round the ground to see what pegs were in. Our party had two men at each peg, and as soon as they saw me, as a matter of course they put the pegs in. There was a difference of opinion as to when the pegging should be done—whether when the rights arrived or immediately when the gold field was proclaimed, and the rights issued.

363. *Hon. Sir D. McLean.*] There had been a question as to which was the right time?—Yes. We arranged to peg immediately when I got on the ground, and as soon as I got on the ground I knocked in a peg.

364. *The Chairman.*] But did you find the ground you had intended to peg already pegged by another party?—I found thirteen pegs in one place and nine at another.

365. *Mr. T. L. Shephard.*] Were your mates on the ground? Did they tell you when the first pegging took place? Was it before 10 o'clock?—Everybody had watches, all set by Captain Fraser's time, and some said the first pegging took place at 10, some at five minutes before 10, and some at ten.

366. *The Chairman.*] At what time were the pegs driven which anticipated yours?—At 10.

367. Did you ascertain that these people had rights before you had the rights which were issued?—When the lawsuit took place, they acknowledged in Court that they had the rights.

368. Their acknowledgment did not prove it. How do you know they had the rights?—By persons who were sitting on the ground, and who took the rights out of the men's hands and read them.

369. What were the numbers?—I cannot tell.

370. You claim compensation for having been prevented from taking up this ground. How much do you claim?—I may say that up to the present the lawsuit has cost not a shilling under £150, as we had to take lawyers and witnesses to Ohinemuri. We believe the ground to be of great value. Some parties, even when the whole ground was in dispute, sold quarter-shares, or 1-80th of the whole, at sums varying from £10 to £20.

371. You must tell us how much compensation you want the House to give you?—The claim, at the lowest rate I have mentioned, would be worth £400.

372. You want the colony to pay £400 on account of loss of ground, and you want it to pay something on account of loss sustained by litigation. How much is that?—Mine is £150 and £400.

373. Does that refer to yourself alone?—It includes the whole of the names on the petition.

374. *Mr. Bradshaw.*] Is that £400 a fair value for the half of the claim; you said that an 80th part sold for £20?—Some of the men sold quarters, and they realized different sums, up to £20, and I think some sold as low as £7.

375. Do I understand you to claim £400 as the lowest value?—Yes.

376. *Mr. O'Neill.*] Does the £400 include the £150 of expenses?—No, the £150 is the sum actually paid for expenses. The other sum is what could have been obtained for the ground.

377. How many men's ground were in the claim?—Twenty men's ground in the Prospecting Claim, and ours was supposed to be as good as it. £120 was obtained for half-shares. There were fifteen shares in the claim, which was of fifteen men's ground.

378. *Hon. Sir D. McLean.*] You are acting in this on behalf of your party?—Yes.

379. *Sir George Grey.*] You call this mine No. 1 South. Had Mr. O'Halloran any shares in that ground?—Yes; 393 scrip.

380. How many shares does that represent?—It would represent two shares so far as he was concerned. O'Halloran was registered with Howard and party and Payne and party, and in the division these parties had a re-division. In the one, one full share had 185 scrip, and in the other 208, so that he has 208 and 185.

381. Was Howard's party one of those that got their rights before the proper time?—Yes; Howard himself was the first who showed a right on the ground.

382. Did Payne and party come there in the same way?—Yes; one of themselves in the action said that he had his right at 8 o'clock in the morning.

383. Do you know the mine called the Waitekauri?—There are a number of mines at the Waitekauri. Another prospecting claim was applied for there. Eight or ten claims are there at present.

384. How were they taken up?—In the same way as at Ohinemuri.

385. By rights issued before the proper time?—The impression is that one claim was taken up by rights issued in that way.

386. Has O'Halloran any shares in that?—He is registered for one claim at Waitekauri.

387. Is there a mine called the Home Rule?—That is peg and peg with the Mazeppa and the Prospecting Claim.

388. Who took that up?—I think ten men were in that originally.

389. Did they get it under rights issued before the time?—It is supposed to have been, but they have never been disturbed, and no actual fact has come out. The truth seems to be that they intended to have the whole hill. I have seen a plan, drawn by Captain Fraser, of the ground covered by the rights supposed to have been issued before the time, and it includes the Home Rule.

390. Has O'Halloran any share in that?—I think he has.

391. *The Chairman.*] What reason have you for thinking he has?—I think his name is on the register.

392. *Mr. T. L. Shepherd.*] Do you know Mr. Brissenden?—Yes.

393. Did he own shares in this claim?—He has shares both in the Home Rule and the Mazeppa. He is registered as one of the original shareholders.

394. Were those interests obtained in the same way as O'Halloran's, under the same rights?—Under the same rights, and registered at the same time, both in the Home Rule and the Mazeppa. I think the name in the register has now been transferred.

395. Transferred since the lawsuit?—Yes.