

158. *The Chairman.*] Have you any idea in whose possession the original contract is?—Mr. Russell sent it to me by post, and I returned it to him by post.

159. In whose possession do you think it is now?—I think it is most likely in the possession of Mr. James Russell, Auckland.

160. Stockman was the person in whose name the contract was made?—Stockman was the person who made the contract.

161. And Owen went into Court expecting to get the benefit of that agreement?—Mr. Owen claimed for himself and his partner, Mr. Richmond claimed it for the coal company, and Mr. Walker for himself. The coal company claimed by reason of their partnership with Stockman.

162. *Sir G. Grey.*] I understood you to say that you had great doubts as to the validity of the certificate?—I had doubts about its validity at the time I issued it, through the document having been signed by the Natives before the land was through the Court.

163. Would it be usual to issue documents which you doubted the validity of at the time they were issued, or would you retain them for further consideration?—In the previous case at Napier, which was on all-fours with this one, I gave it much consideration, and in the present case I followed my procedure in the previous case.

164. That is, to issue a document you believed to be an invalid one?—Not that I believed to be invalid; but a document as to the effect of which I had great doubt.

165. Would it not embarrass the other party?—No; it would not affect any other persons in any shape or form—except the persons who chose to act under it.

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*Evidence taken, 1888.*

TUESDAY, 26TH JUNE, 1888.—(Mr. Gray appeared for petitioner.)

Mr. JOSHUA JONES examined.

166. *Mr. Gray.*] You are a settler residing at Mokau?—Yes.

167. Have you seen the petition of Mr. Arthur Owen?—Yes.

168. Do you know what the relationship was between Owen and Stockman in reference to dealing with land at Mokau?—Yes; I always understood them to be partners in some form or another.

169. How do you know that—did you hear that from Stockman?—Yes; and from their daily relationship I understood it to be so.

170. Do you know anything of any written contract between them?—Yes.

171. What?—One day last June they were in the Taranaki Hotel together—Mr. Stockman and Mr. Owen—and they told me that they had a difficulty about establishing their relative partnership, the actual amount of interest of each—how each party should stand in the partnership.

172. Well, what was done?—They asked me if I would endeavour to adjust it for them. I said, No; because where Stockman was concerned there would never be any finality: and I would have nothing to do with it.

173. Well, what did you settle?—I was leaving the room, and Stockman caught me by the arm. He said, “If you can take and fix this up for us there will never be any more trouble.”

174. I believe you then prepared an agreement?—They made suggestions with the view of a compromise, and a written paper was drawn up.

175. Who prepared the document?—I did.

176. Was it signed then by Stockman and Owen?—Yes.

177. Signed in your presence?—Yes.

178. Is this a copy of the document?—Yes. [Document dated the 13th June, 1887, read.]

179. Was any reference made to previous agreements, verbal or written?—Yes. I said, “Before you can come to any determination, show me the agreement upon which you are proceeding.” Stockman pulled an agreement out of his pocket in Hugh Owen’s handwriting. He said, “This is the only document we have to go upon; this is the document upon which I have made application for the certificates.”

180. Did you see the document?—Yes; I had it in my hand.

181. Do you know about the date of it?—I fancy it was dated 1882; I am not sure.

182. Who were the parties to it?—It was an agreement between the Natives and George Stockman and others. I said to Stockman, “Who are these others?” and he said, “Owen and his party or friends.” I then compared this document with the notification for the certificates. The notification for the certificates was made for four blocks. This notification of Stockman’s is dated March, 1887, and the four blocks are comprised in that agreement in Hugh Owen’s handwriting.

183. Were you present at the sitting of the Native Land Court when application was made to the Chief Judge for the certificate—when the hearing took place, and when the Chief Judge granted his certificate?—I know that was not done in the Native Land Court. Application was put in in writing, and the Chief Judge granted it in chambers. I was not before the Chief Judge.

184. You do not know what took place?—I do not.

185. Had you any connection with this matter after the certificates were granted?—In what way? I have no connection with it now.

186. I do not mean any personal interest in it, but had you any knowledge of what took place at the granting of the certificate, or afterwards?—I had a knowledge that Owen was thrown over, and other people put in.

187. How did you know that?—I met Stockman a day or two afterwards, and I asked him why he did such a thing, after having made an agreement with Owen on the 13th June, and after so