

this cable Sir Joseph Ward agreed with me verbally, in the presence of Treadwell, to purchase the freehold of the entire estate from the Natives, which was obtainable at £15,000, and grant me extended leasehold terms of the minerals in consideration of the harbour being constructed and an area of surface land for my family, leaving to the Government some 46,500 acres freehold upon which to place settlers. The alleged holder of the lease was to be compensated under section 375 of the Native Land Act. The Hon. J. Carroll agreed likewise, and the whole transaction could have been settled without further trouble or cost, but a few days later the Hon. Mr. Carroll informed Mr. Hine, M.P., Mr. Treadwell, and myself that the proposal had been rejected by Cabinet, and would not be carried out; that the case would be sent to a Royal Commission. I asked Mr. Carroll whether Dr. Findlay was at the Cabinet meeting, and he replied that he was. That on the 22nd of that month, April, 1910, your petitioner asked Sir Joseph Ward as to the reason why he could not obtain the inquiry recommended by the Council Committee in 1908. He replied that the Government must have overlooked the matter. Mr. Treadwell, who was present, interjected that Dr. Findlay had informed him at the time that the Government would not set up any inquiry. Sir Joseph replied, "That is not my view—I never said so. I promised Mr. Jones the inquiry—there is no reason why he should not have it." That it was put forward in 1910 by Sir J. Ward in the House, and by Dr. Findlay in the Council, and before the A to L Committee of the House in 1910, that the recent decision of the Court of Appeal in the Ohinemuri case prevented the Government setting up inquiry into the Mokau case, and that the solicitor acting for me, Treadwell, agreed that no such inquiry could be set up. That these are not the facts as I understand them, which are that the Ohinemuri case was not on all-fours with the Mokau case, as the Government was not concerned in that case, whereas my complaint, amongst other things, in the petition to the House of Representatives in 1910 was that the Attorney-General, Dr. Findlay, ignored the recommendation of the Council Committee in 1908 and blocked the inquiry, and put forward to my solicitor certain terms on behalf of a client of his business firm as the only alternative to the inquiry. Therefore the Government was concerned in the matter through the Attorney-General, who, as I allege, had acted improperly. That I informed my solicitor, Treadwell, at the time that I did not agree with him nor with the Solicitor-General who had given the opinion that no inquiry could be set up. That, further, as a fact, the inquiry was refused by the Attorney-General in October, 1908, and the Ohinemuri decision was not given until April, 1909: therefore it is difficult to believe that the Government was influenced by that decision in refusing the inquiry some seven months before it had been given.

43. That in 1910 your petitioner petitioned the House of Representatives for inquiry into the premises, and the A to L Committee recommended the Government to assist in bringing about an amicable understanding between the parties with a view of settling the land; and that, in view of the fact that the petitioner believed that his original lease from the Natives to be legally sound, and taking into consideration the treatment meted out to him by solicitors in England whereby he lost his legal interest in the estate, the Committee recommends that in any such mutual understanding the petitioner's claims to equitable consideration should be clearly defined. That the Government gave no effect whatever to this recommendation, but treated it with the same indifference as it treated the recommendation of 1908.

44. That the Committee had no other evidence than contained in the Stout-Palmer report by which to arrive at the conclusion that the leases were not valid, and the finding in paragraph 3 of the report, that your petitioner had no legal standing before that Commission, and therefore not required as a witness, appears to support the attitude of the Commission that it was justified in producing in an official report a number of statements that were untrue and misleading, and not ascertaining and publishing the facts which were available. That there are other misgivings in this A to L Committee report that your petitioner submits should be inquired into.

45. That the Government, instead of acting on the recommendation referred to in the two last preceding paragraphs, set the same at defiance and issued the Order in Council as hereinbefore stated, and gave every facility, through the Land Court and otherwise, for the speculators to acquire the freehold of the property.

46. That the issuing of the Order in Council was studiously kept secret from the honourable member, Mr. Okey, who was at the time in communication with the Prime Minister under the pledge made in the House that as soon as the Cabinet had decided upon any mode of dealing with the property honourable members should be informed thereof. That on the 27th January, 1911, Mr. Okey attended upon the Prime Minister at New Plymouth, but Sir Joseph Ward never informed him that Cabinet had decided on the 5th December previous to issue the Order in Council. That in February Mr. Okey wrote to the Premier on the subject. A reply appears to have been written by the private secretary on the 6th March, three days after the Premier had sailed for England, stating that the Acting-Premier would attend to the matter. This letter, which should have reached Mr. Okey on the 7th March at New Plymouth, was carefully retained in Wellington until the 16th, reaching Mr. Okey on the 17th. Meantime the Acting Prime Minister, Mr. Carroll, had, on the 15th, obtained the signature of His Excellency to the said Order in Council. It appears to have been considered safe to post the letter to Mr. Okey after the Governor had signed the Order.

47. That with regard to the treatment of your petitioner in this particular circumstance, it should be stated that on the 8th December, 1910, I saw the Premier in the outer lobby of the House, when he expressed regret to me that he had been so busy during the session and could give no consideration to my matter, but that if I would come to Wellington after his return from Rotorua, where he was then going, he would arrange the business for me on similar basis, as I understood, to that of a previous arrangement in which Treadwell was in treaty with him. He never mentioned a word to me in respect to the Order in Council, much less that he had assented to the issuing of it three days previously. I spoke also to the Hon. Mr. Carroll about this time, but he too kept the matter of the Order in Council secret. Upon seeing by the papers in January,