

cost per acre, very largely in excess of the highest price I have known given for the heaviest forest land, I would point out to the Committee what appears to me the absurdity of allowing land to be valued upon the principle that a man should receive all the money he has laid out upon it, whether judiciously or not. I am aware the land was heavily timbered; it is a question worth inquiry as to what has become of the timber, for which no allowance is made in the alleged cost for clearing. The case, putting it in its strongest light for the petitioner, discloses no imputation of breach of faith or improper treatment by the Government in reference to the purchase of the land. If the land had been taken by the Government for public uses, the petitioner would only have been entitled to receive a fair and reasonable value determined by arbitration or verdict of a jury. Referring again to the report, I observe another item of £4,000 for loss of Mr. Brissenden's outlay. I desire to state, in reference to the item of loss of Mr. Brissenden, that it was not for the reasons disclosed here that that speculation came to grief: as a speculation, it burst up in consequence of the fall in the price of flax, which it is well known took place about that time. As a matter of fact, the speculation was abandoned by Mr. Brissenden because it did not pay, and I know of my own personal knowledge, having been employed to negotiate the matter professionally, that the difficulty in the title, so far as Mr. Brissenden was concerned, would have been removed by Mr. O'Neill, he having expressed his willingness to do so to me for a sum of, I think, £30 per annum. The costs of defending the action are set down, I see, at £351; clearing three miles of road, £120; in respect of which no vouchers were produced in evidence, so far as appears by the papers; and we have this extraordinary statement made by the Commissioner, "That I have perused the evidence very carefully, and I direct attention particularly to Mr. Kelly's evidence (marked B)."

Supposing that the liability of the Provincial Government was ascertained, against them an absolutely fair value could not exceed £5 per acre for the most favourably situated land in the district. I state so, having been concerned in the purchase of land in this district.

STATEMENT of Mr. SWANSON, M.H.R.

I am a member of the Auckland Provincial Council, and was at the time Kelly petitioned. It was an arrangement between the Council and Executive that any money to be given to Mr. Kelly was to be a final closing of his claim—not only for the costs, assuming the Province was liable at all; and the Executive were to make that inquiry before parting with the money. I owned land up in that neighbourhood. I know the place very well, and I would not give £5 an acre for any land in that neighbourhood with the timber off it. With regard to the award made by Commissioner Beckham, I consider it simply outrageous.

1. *Mr. Gillies.*] You have heard the evidence given by Mr. Sheehan read?—I have. I fully concur in all that he has said in reference to this matter.

2. Did you, as Superintendent of the Province, receive notice of the inquiry to be made?—No notice whatever, directly or indirectly.

3. Then the Provincial Government were not represented by Counsel at the investigation?—No.

4. Have you any remarks to make to Committee with respect to the compensation awarded by the Commissioner?—It is simply altogether absurd. The fact of O'Neill offering to give up the land awarded to him for £10 per acre is sufficient to show the absurdity of the award, although I consider that offer a very high one.

5. Would the Provincial Government be inclined to give a fair compensation?—We did offer before to settle it, if he would make a fair claim; but I cannot say what the Provincial Government would do now.