

819. *The Chairman.*] Have you ever entered into any agreement as to conveying the freehold?—No.

820. Had you ever any conversation with Pogson, or any one, as to turning the land over to any one?—No.

821. *Mr. J. McKenzie.*] What is the amount of what you have borrowed from Mr. Pogson besides the instalments?—I once borrowed £40, and once £12. I do not recollect any more.

822. Then the two yearly instalments Pogson paid, £132, and this £52, would make a total of £184 you owe the firm?—Yes.

823. So that the last promissory note would cover the total amount?—I could not tell exactly the promissory note.

824. *The Chairman.*] Then you do not know how much you owe?—Not exactly.

825. You do not think it of any consequence to keep an account?—I do not keep any account.

826. When you bought the land, was the piece of fence on it valued?—Not that I am aware of.

827. Then you never paid anything for that?—No.

THURSDAY, 9TH AUGUST, 1883.

WILLIAM HIGGINS, further examined.

828. You say all the money you ever had from Pogson was two instalments, and £40 and £12?—Yes.

829. And what was the amount of the last promissory note you gave him?—I do not know; I took no notice.

830. Do you think it is over £200?—I cannot tell.

831. Will you swear it was not over £300?—I cannot tell.

832. Will you swear it was not over £400?—I cannot say.

833. You cannot tell to £300 how much you owe to Pogson?—No.

834. If I told you it was £435 on the 9th May last that you owed the firm, what would you say?—I could not contradict it.

835. Then, is not the £300 you said you had paid of your own money included in the £435?—I expended £300 of my own money.

836. Did you sign the promissory note without looking at the amount?—I did not take any notice of it, I assure you.

837. Then, if it had been for a thousand pounds, you would have signed it just the same?—Just the same.

838. *Mr. J. McKenzie.*] You do not contradict the fact that you owe the firm £435?—No.

839. *The Chairman.*] Do you expect the Committee to believe your statements?—It is the first Committee I have ever been before, and I am very greatly confused.

840. *Mr. J. W. Thomson.*] How do you reconcile your statement that you only owed the firm about £100, whereas it appears now it is £435?—I am sure I am unable to say.

841. *Mr. Fulton.*] Did you get any part of your own £300 from Mr. Pogson?—No; it was my own money.

TUESDAY, 14TH AUGUST, 1863.

MACLEOD CLEMENT ORBELL, examined on oath.

842. *The Chairman.*] You are a runholder?—Yes.

843. What is the number of your run?—171A, 171B, 371A, and freehold at Waikouaiti.

844. Was there a sale of a portion of your run lately?—Yes.

845. What numbers were sold?—77, Silver Peak, and 76, Waikouaiti.

846. Were both sales at the same time?—Yes; about three years ago.

847. Among the purchasers were Robert Borthwick and Harry Hertslet?—Yes.

848. Were you aware they were going to purchase this land?—Yes.

849. Did you assist them to purchase?—No.

850. They purchased with their own money?—[No answer.]

851. Have you assisted them since?—No.

852. I mean with money or with sheep?—No; I have sold them sheep.

853. What are they doing with the land?—They have sheep on it.

854. Their own?—Yes.

855. How are they branded?—With a V, I think.

856. Have you any sheep running on these sections?—Yes; a few stragglers that get through the fences, and a few of theirs are with mine.

857. Is this land fenced in?—Yes.

858. They are living on the land?—Yes. It was six or eight months after it was purchased before it was fenced, and my sheep were running over the ground because it was not fenced off. About that time they asked me if I would take the grazing of the land from them. I did so, and kept the grazing until the beginning of last year, when there was a doubt raised as to their being able to allow me the grazing of the land. Then they wished to cancel the arrangement with me. I said, Certainly. I did not wish them to jeopardize their land, and the arrangement was cancelled shortly afterwards, and they immediately bought sheep of their own. I was obliged to sell sheep, as I was losing the use of the ground, and they bought their sheep of me.

859. *Mr. J. McKenzie.*] Is your brand V?—No.

860. Who bought the land?—Hertslet bought for himself. I could not say as to Mr. Borthwick.

861. You do not know who acted as his agent?—I do not remember. They did not both buy at the same time. I remember perfectly Hertslet buying, because I advised him to buy.