

862. You say you did not assist in any way to purchase their land or pay their instalments?—Not in any way.

863. Not by your agent?—No; whatever money they got from me has been owing to them.

864. When did you sell sheep to Hertslet?—Some time last year before shearing.

865. Up to then your sheep were running on their land?—Yes.

866. What sort of arrangement had you with these parties?—Simply to pay them so much for the grass.

867. A verbal or written agreement?—Verbal.

868. Up to the middle of last year you were paying rent for the grass?—Yes.

869. Since that arrangement was cancelled, have you fenced off your freehold from their leasehold?—It was fenced off before. The fence does not exactly follow the boundary, the country being rough; but it is near enough to be called the boundary.

870. What is your brand?—Spur, or wineglass.

871. When you sold sheep to Borthwick and Hertslet, did they alter the brand on them?—Yes; they put on the V (which was an old brand of mine laying about the yard) before shearing-time, to distinguish them from mine. They have altered this brand since and registered it.

872. The sheep are returned here as having your brand?—That is impossible. There may be a few stragglers of mine among them.

873. During the time you had the grazing of Borthwick and Hertslet's land, did you employ them?—Sometimes; always at shearing-time and other busy times.

874. Is it not the fact that Hertslet acted as your manager during that time?—Yes; he had done so.

875. And Borthwick as your shepherd?—No; not at all times.

876. But at the time you leased the country for grazing?—Only when I required him.

877. And you allowed them to shear their sheep in your shed last year?—Yes. I purchased the wool simply because they had not the means of putting up a shed. It was part of the condition on which I sold the sheep to them that I should get the wool from their sheep.

878. That was the reason why it was not necessary to make any separation of the wool at shearing?—Just so.

879. The wool was not sold separately on their own account?—No; I bought it. I continually acted as their agent. It is part of my business to act as commission agent. Hertslet is my nephew, and lived with me from his fifth or sixth year. They work their sheep together.

880. Do you know Mr. Pogson?—Yes.

881. Have you seen him lately?—No.

882. You have no interest, direct or indirect, in their country now?—None whatever.

883. *Mr. McMillan.*] You advised these men to buy the land?—I advised my nephew to buy.

884. Was there any arrangement as to the occupation of the land before they bought?—None whatever.

885. Was the brand they used when you sold them the sheep your registered brand?—It was my registered brand some ten years ago, but not my present registered brand.

886. Do you hold any lien over their stock or wool?—No.

887. Do you make it a practice of buying other people's wool?—Yes; I bought all round the district last year. I simply bought theirs on the sheep because they had no convenience for shearing.

888. Then, are these two men occupying this land entirely for their own use and benefit?—As far as I know they are. I believe so.

889. *The Chairman.*] This Silverpeak land adjoins some of Gellibrand and Co.'s land?—Yes.

890. What is their brand?—I do not remember. I believe it is a V (in red), but I will not be sure.

891. *Mr. J. McKenzie.*] Can you state, of your own knowledge, if Hertslet had sufficient means to purchase this land?—I believe so. I know they each had several hundreds. Borthwick had been working as shepherd for me for fifteen years. I always allowed him to run a few head of cattle and horses, and he hardly ever touched his wages. I know he had more than £1,000.

892. What did Hertslet pay for his land?—Somewhere about £2 an acre.

893. How much did Borthwick pay?—I could not say from memory; I know Hertslet paid a good deal more than he expected.

894. *Mr. Fulton.*] Each man had, to your own knowledge, at least £1,000?—Yes.

HARRY HERTSLET, examined on oath.

895. *The Chairman.*] What are you?—A sheep-farmer.

896. You hold Section 1, Block VII., Waikouaiti, 3,802 acres?—Yes.

897. When did you buy it?—On the 29th March, 1879.

898. At what price?—£2 3s. 9d. an acre, I think.

899. What use have you put the land to ever since?—I have been grazing sheep on it.

900. Whose?—Mr. Orbell's part of the time, and my own now.

901. Specify the time you had Mr. Orbell's and the time you have had your own?—I had Mr. Orbell's until last October, and my own since.

902. On what terms had you Orbell's sheep?—He gave me a certain figure for the grazing of the land. At the time I bought the land I gave a great deal more than I expected to, and therefore was not prepared to stock it at the time.

903. Will you state the terms upon which you grazed Mr. Orbell's sheep?—He gave me, I think, £575 a year.

904. How many sheep will the land carry to the acre?—Nearly one to the acre. About three sheep to four acres.