

APPENDIX.

A.

AGREEMENT produced by WITNESS (Mr. George W. Pogson).*

THIS agreement, made the 9th day of May, 1883, between the firm of W. Gellibrand and Co., of the one part, and Charles Higgins, of Silver Peak, settler, of the other part. Whereas, by a certain license under the hand of the Commissioner of Crown Lands, dated 14th April, 1880, the said Charles Higgins was licensed to hold 2,517 acres 2 roods 27 poles of land situate in the said district, for the term of fifteen years, from 1st September, 1880, subject to the provisions and conditions therein mentioned: And whereas the said firm have from time to time lent to the said Charles Higgins divers sums of money at interest, amounting in the whole to £627 14s. sterling, to enable him to make the necessary payments to the Government, pursuant to the said license, and to erect a dwellinghouse and fencing upon the said land: And whereas the said Charles Higgins has requested the said firm to make further advances to enable him to pay the half-yearly fee payable under the said license, and the said firm has agreed to make such further advances upon and subject to the following conditions and agreements, that is to say,—

1. That, in consideration of being allowed by the said Charles Higgins to depasture their sheep and cattle upon the said land, the said firm hereby agree to waive and forego all interest accrued upon the said advances heretofore made as aforesaid, and (subject as hereinafter mentioned) to make to the said Charles Higgins such further advances as aforesaid without charging interest for the same.

2. That all such past and further advances as aforesaid shall from time to time be secured by the promissory note of the said Charles Higgins, payable to the said firm on demand, so that there shall be only one promissory note current, including all such advances made up to the date thereof.

3. In consideration of such waiver of interest as aforesaid the said Charles Higgins hereby agrees to allow the said firm to depasture their sheep and cattle upon the said land until the expiration of the said term of fifteen years: Provided that, if the said firm shall at any time refuse to make such further advances as aforesaid, their right to depasture sheep and cattle as aforesaid shall cease.

4. That the said firm may at any time refuse to make such further advances as aforesaid, and may thereupon require repayment of all sums of money which shall have been so advanced as aforesaid up to that date, and may sue the said Charles Higgins upon any promissory note then current.

G. W. POGSON,

(for W. GELLIBRAND AND Co.)

CHARLES HIGGINS.

Witness—E. W. Humphreys.

MEMORANDUM.—Agreements to the same effect between Messrs. Gellibrand and Co. and John Watson, Charles Higgins, William Higgins, and William Wilson Francis were produced to the Committee by the witness. The particulars of these agreements are as follows:—

Names.	Address.	Date of Agreement.	Acreage.	Date of License.	Number of Years.	Amount Due.
			A. R. P.			£ s. d.
John Watson, settler ..	Silverpeak	May 9, 1883	2,334 0 0	April 14, 1880	15, from Sept. 1, 1880	520 14 0
Charles Higgins, settler ..	Silverpeak	May 9, 1883	2,517 2 27	April 14, 1880	15, from Sept. 1, 1880	627 14 0
William Higgins, settler ..	Silverpeak	May 8, 1883	993 2 10	April 14, 1880	15, from Sept. 1, 1880	435 0 0
William Wilson Francis ..	Silverpeak	May 9, 1883	4,163 3 20	April 6, 1881	15, from Mar. 1, 1881	1,151 13 0

B.

EVIDENCE TAKEN BY OTAGO WASTE LANDS BOARD.

INDEX OF EVIDENCE.

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| <p>1-8. Thomas Hughan's evidence; service of summons.</p> <p>9-27. E. T. Collinson's evidence; service of summons.</p> <p>28-45. Thomas Hughan's evidence; tendering expenses.</p> <p>46-146. James Benn Bradshaw's evidence.</p> <p>147-179. Thomas Hughan's evidence.</p> <p>180-189. Alfred Charles Kimbell's evidence.</p> <p>190-348. Kenneth Williamson's evidence. Daniel McEwen Fisher's case. Thomas Hughan and E. T. Collinson; formal evidence of service of summons.</p> | <p>349-407. Charles Webb's and William Free's cases.</p> <p>408-439. Thomas Hughan and E. T. Collinson; the same, William Young's case.</p> <p>440-448. Thomas Hughan and E. T. Collinson; the same, Philip Young's case.</p> <p>449-457. Thomas Hughan and E. T. Collinson; the same, James Pearsall's case.</p> <p>458-464. Thomas Hughan and E. T. Collinson; the same.</p> |
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A SPECIAL MEETING of the Board was held in the Board-room, at Dunedin, on Thursday, the 7th June, at 11 a.m. Present—The Chief Commissioner (J. P. Maitland, Esq.) in the chair; Commissioners Stout, Bradshaw, Green, Clark, and Duncan. Mr. Haggitt appeared on behalf of the Board. Mr. A. C. Kimbell appeared as an objector. It was agreed to take first the case of Thomas Johnston, section 2, Block VI., Strath-Taieri District. Evidence was given as follows:—

* The original was unstamped when produced to Committee.—V. PYKE, Chairman.