

about this same question of the line, and found no difficulty in convincing him; and it was of his authority that the present survey was made. He said, "Having seen the order of the Court, and your maps, I will take care that the line is put where you have requested it to be." The Native named Toponi, mentioned by Mr. Humphries in his report, is not a man of rank, though he might have influence with the Natives to make mischief. The statement made in the report that Takirau was the only other Native who held with me is also unwarranted. I take exception to Mr. Humphries going to Mokau and inflaming the Natives, and making these reports without speaking to me about it, although I was at Mokau at the time. I asked him afterwards, in his office, why he had not spoken to me about it when he was at Mokau. He said, "I do not know you in the matter at all," although he refers to me and my business repeatedly in his reports.

TUESDAY, 14TH AUGUST, 1888.

JOSHUA JONES (evidence continued).

The memorandum now produced, signed by Mr. Percy Smith, which was addressed to me in August, 1886, refers to the plan produced [No. 33]. I have had several personal interviews with the Surveyor-General himself about this matter. I cannot exactly remember the date of the first interview. I think I have upon two occasions put before him the lease itself, showing the original plan as prepared by Mr. Skinner. I have a distinct recollection of Mr. McKerrow comparing the plan on the lease with the plan produced [No. 33], and having the order of the Court in his hand at the same time. He then said, "Your contention is supported as to the eastern boundary position; I will direct that the line be cut where you represent it should be." I think it was in January last that I wrote to him reminding him of this, as he was particular to tell me to communicate direct with him upon the subject. He then again replied, "Attention will be paid to your representation as to the position of the eastern boundary, and it has now been cut accordingly." I produce a letter from the Surveyor-General, dated the 12th January, 1888, to the same effect [Exhibit No. 40].

Some time about the middle of last year Mr. McKerrow went with me to see Mr. Ballance. Mr. McKerrow said to me, "Jones, come and see Mr. Ballance"—the then Minister of Lands—"so that there may be no misunderstanding." Mr. McKerrow wished to push the matter on if he could. We went together and saw Mr. Ballance in his room. A conversation took place between Mr. McKerrow and Mr. Ballance. Mr. McKerrow said there was no difficulty whatever in putting this block through on a sketch-map, and instanced cases in which the Crown had itself acquired lands from Natives on a sketch-map, and partitions had been made on these maps. He particularly mentioned some block in the neighbourhood of Wanganui. Mr. Ballance said, "If you think it can be done without difficulty we will see what the Chief Judge says." Mr. Ballance also said, "I am every day getting cries from that neighbourhood about this country not being opened." Mr. Ballance, in my presence, sent for the Under-Secretary, Mr. Lewis, and in our presence instructed Mr. Lewis to send a telegram to Chief Judge Macdonald to ask if my case could be dealt with upon a sketch plan, certified by the Survey Department. When the answer was received from the Chief Judge Mr. Barron, Superintendent Surveyor, again went with me to Mr. Ballance. The Chief Judge replied to the effect that, as long as the plan was certified by the Survey Department, the Court would raise no objection. The telegram was read out in my presence. I left with the understanding that the Court would sit and take the case upon the sketch map. The Court sat accordingly in 1887 at Waitara; the map was put before the Court, signed by Mr. Humphries, and it is known as the topographical map. The plan was on that occasion rejected by the Court.

I have read over the evidence of Messrs. Russell, Morrin, Walker, Mrs. Walker, and Major Brown. I might make a great many comments upon their statements, and I might deny a great many things said by them, but I do not think it necessary to take up the time of the Commission by so doing.

With regard to Mr. Bayly's position in the matter, he is the mortgagee of the lease, and it is the case, as he says, that in the terms of the mortgage the money due to him must be paid in January or the lease will fall into his hands. Had the matter gone on as it should have done I should not have required to borrow the money. In 1883 I had made an arrangement with some persons in Auckland who were prepared to form a company to work the coal on my lease. They were to pay £1,000 down. I received £400 in cash, and I gave an order on them for the balance in favour of Mr. Bayly. In the meantime the trouble with Heremia occurred, when the coal was thrown into the river; consequently these persons withdrew from the arrangements and dishonoured the order I had given. Subsequent to that another party was formed in Auckland; they did not pay anything down, but they sent down Mr. Moody to inspect the mine. He gave a favourable report. Mr. Melville acted as secretary in the negotiations; there were meetings in Mr. Melville's office. I was informed by the persons concerned that they were willing to go into the thing if I could give them a title, but no money was paid. There were eight gentlemen concerned, who undertook to put down £100 each to pay the preliminary expenses. [Exhibit No. 41, telegram from Mrs. Walker to Mr. H. Brown, dated 30th June, 1882.]

WEDNESDAY, 15TH AUGUST, 1888.

JOSHUA JONES (evidence continued).

I also produce letters from a gentleman in Sydney, which I have received within the last few weeks, proposing to form a syndicate to work the Mokau coal under an arrangement with me. As I have been obliged to inform him that my title is still unsettled, the matter is for the present hung up. These are definite offers which I have received, but I might, had I been in a position to give a good title, have pushed the matter in other directions. I wish also to remind the Commission that the Committee of the House in 1885 took evidence, as the result of which it was inserted in the Special Powers and Contracts Act that I expended large sums of money on the land. I