

has paid of the overdraft. I never saw him on the subject until after the bank took the matter up. £250 was the amount of the overdraft. Logan asked me if I would secure the bank, and I said I would not unless he got some of his friends to take a share. He got Mr. D. D. Macdonald and Mr. Toomey to assist him. I agreed to become liable for £150, if they became liable for £100. I paid my money, and I understand Mr. Macdonald has paid his £50. Mr. Toomey declined to pay his £50, saying I promised to indemnify him. I had never done any such thing, nor told any one that I would do it. As to his cheque, I know nothing about it. That is all about that. There are a lot of statements made by them that I would have liked to deal with, but I do not remember all the statements that were made. So far as I know there has been no conveyance to Mr. David Andrew of the land of the coal company. That is not necessary. Under section 10 of the Public Works Act of 1887, the land becomes vested in the Queen. If he had any claim for compensation he could have made it within two years. He made no such claim. I never heard of a claim by Mr. Andrew for compensation for the land until I heard him make it before this Committee. He never asked me for compensation for the land, and never suggested that he had any claim over the land. He knew very well that the railway was made for their interests more than for anybody else's.

56. *Mr. Macgregor.* You know that both Andrew and Hamill are honest men?—Yes, as far as I know.

57. Andrew is a highly-respected man?—He is just an ordinary settler.

58. Do you think he would come here and make a deliberate misstatement?—In what way?

59. He says he went to Howorth?—I do not believe it.

60. That he also applied to A. H. Logan?—Mr. Logan will tell you about that. I do not believe that he applied to Howorth, or I would have heard about it. I was solicitor for him in that transaction in getting compensation. Our firm perused the lease of Alves. I never heard of any suggestion that he had a claim over the railway.

61. You heard him say that you advised him not to sign the document, agreeing to give the land for nothing?—I never had any agreement to that effect.

62. If Mr. Andrew swears distinctly that you did advise him, will you contradict him?—I have no recollection of it.

63. Mr. Andrew has distinctly said that you advised him not to sign the document?—I may have done it, but I have no recollection of it. I know when the railway was constructed, and that it would never have been constructed if the Andrews had not assisted.

64. Hamill, you say, is an honest man?—Yes.

65. You have heard the account of the conversation he had with you, and said you would see his wages paid?—If he adds, "If Allen took the mine," he is quite correct. I can say this, that I never promised Hamill to pay him his wages. I said that if the mine was leased to anybody I would see that his wages were paid; and I was willing to postpone my royalty for a year from the line until his wages were paid. I deny that I promised unconditionally to pay his wages. He has mixed the matter up.

66. Is it true that you told him in Wellington to sue Gray for his wages?—Not in that form. I will explain what occurred. He met me in the street, and asked me about his wages. I told him that Gray had kept possession of the mine, was working it, and treating it as his own; and that he had taken all the plant, worth several hundreds of pounds. As he had treated the whole mine as his own, he was the proper person to sue, and he ought to sue him, and I would give him every assistance I could.

67. You were anxious to get Gray out of the mine?—No; I offer now that if Gray will pay me a moderate royalty I will give him the railway for as long as he likes.

68. You agreed to sell him the railway?—Yes; and to Andrew too.

69. It should have been connected in this agreement?—No. I would have signed it if it had been there.

70. Was it not part of the arrangement that you spoke of that the mine and the line should be connected in the one bargain?—No. Mr. Logan came to me, and he said that Mr. Toomey was willing to take the whole thing over. Mr. Toomey was a man of means, and I was glad, and I said I would include the whole thing in it.

71. The whole thing was to include the mine and the line?—Yes; I am willing to do it now.

72. You were surprised to find out that the mine and the line had not been included?—Yes. I thought it was included until 1891 or 1892, when I discovered it.

73. After you found that out you did what you could to get Mr. Gray out of the mine?—Certainly. I found that Gray was keeping me and everyone else out of the thing.

74. Did you agree to sell it to him?—No. No; there could be no moral or equitable agreement with a man whom I never spoke to on the subject.

75. And you did not see that the railway was not included in it?—I paid no attention to it.

76. You were under the impression that Gray had agreed to buy both the mine and the railway-line?—Yes.

77. You remained under that impression until 1891 or 1892?—Yes, that is so.

78. And, of course, you were under that impression when you perused that petition to the House which Gray has spoken of in 1891?—I was.

79. In which the mine is referred to as Gray's private property?—Yes.

80. And in which you inserted Gray's name, with your own hand, as having the right to purchase?—Yes. It was not until the disputes began that I found out the true state of affairs.

81. Then, you made several efforts to get Gray evicted?—No; I never made the slightest effort. I said that Andrew should evict him. I told Andrew we had got a tenant for the mine, who was a responsible man. We had got a tenant for the railway. Hamill was provided for, but Gray would not come out.