

*Mr. Gully*: Yes; although I need not press that point. It would be convenient to have further particulars. For instance, the complaint as to certain selections refused in the Tadmor district. It would be more convenient if we had particulars of these, and to say at once under this heading the information generally. As to what has been done as to the clause, that is on record, and in the possession of the Crown, and therefore I lay less stress on that head as to particularity than the others. I only suggest it would be more convenient to the Court and to us if the claim was formulated with some particularity, for, when we came here, we never heard, except as a general matter, that a special plaint was to be founded on the refusal to admit or consent to these applications of the Tadmor locality; and as to this dispute as to the true boundary of the East and West Coast reserves, we did not know that any such complaint was to be brought before the Court. Indeed, it was not brought before the parliamentary tribunal, as far as I know. Even as to these, we are ready to go on. We are making no complaint; but it would have been more convenient if proper particulars had been given. I ask for particulars to be furnished under that head.

Hon. E. BLAKE: At Tadmor?

*Mr. Gully*: Not only that, but I ask for all reasonable particulars under clause 4 of the company's original claim. I say, upon this head, that we do not complain really of the want of notice, but there are other reasons why it would be proper, in a case of this magnitude, that reasonable particulars should have been filed at the proper time. There are several reasons. First, it is more convenient for everybody; secondly, because it is possible that these proceedings may go further, and, obviously, there should be something to show what the company mean to claim; and, thirdly, if the particulars under these various headings sufficiently show, to enable us to see what the contention of the company is. We may be able to submit to the Court points of the construction under the contract which will eliminate a great deal that may be necessary now—that is, generally. Coming now to a much more important question affecting the question of the mining reserves, I say there is almost a ludicrous want of particularity in the claims the company has vouchsafed to this Court.

Hon. E. BLAKE: Under claim 1?

*Mr. Gully*: Yes, I do not impute in the slightest degree anything to my friend; but we have been seriously embarrassed, and are likely to be, because the company will not formulate the real ground upon which they seek to attack the Crown. Now, it is obvious on the proceedings of this Court, and also those of 1892, that there is no ground for the suggestion that all the reserves and all parts of the reserves are really the subject of any contest. Mr. Lord, who was one of the expert witnesses for the company before the parliamentary Committee, said, it is on page 57, and I am only—

*Mr. Hutchison*: I object.

*Mr. Gully*: It is illustrative of what I ask for.

Hon. E. BLAKE: Perhaps it is better not to refer to witnesses that were called either on behalf of the Minister or the company on that occasion.

*Mr. Gully*: It was stated—

Hon. E. BLAKE: I think you had, perhaps, better not refer to it.

*Mr. Gully*: Then, I will abandon Lord's evidence, and refer to the statements of those in charge of the proceedings.

*Mr. Hutchison*: Mr. Bell was in charge.

*Mr. Gully*: Well, he was there in charge of the proceedings.

*Mr. Hutchison*: I submit you should not refer to the proceedings before the parliamentary Committee.

*Mr. Gully*: Is it a case of trying to make out that former proceedings cannot be referred to? I should say they are legally as much before you as before any Committee of the House. If, however, my friends object, and I am not to refer to the matter, I will put it by way of suggestion.

Hon. E. BLAKE: Yes.

*Mr. Gully*: Then I suggest that the Buller reserves, for instance, are inalienable. I will not say that that was stated before the parliamentary Committee, that it was never a part of the Buller reserves which was before the parliamentary Committee; but I will say it was alienated from the railway by Larnach on the 3rd of August, and it is reasonable to suppose it was not attacked. If so, I submit we should know it. The other side will not say what portions they are not going to attack if any; and, if they will not do so, let them take the responsibility of seeking in this Court to claim, if it so turns out, which cannot afterwards, perhaps, be considered to be either reasonable or, if I may use the word without any offence, honest. I do not know whether I am entitled to refer to it, but surely it must be the case that some of these reserves were properly made, and I argue that we should have a plain statement either of what they attack or what they do not attack. There is one reserve which is inland from the mining township of Kumara which it would be absurd to attack under this contract. It is a reserve of which every yard almost has been turned over, the whole reservation looking as if it had been rooted up by some antediluvian hog—a huge mass of boulders. If that be so, well, they might tell us. The result at the present time of this remarkable procedure, or want of procedure, on the part of the plaintiff is that we have had to collect a mass of evidence as to the Buller reserves, to send down for witnesses at a great expense and bring them up here—an expense which will be wasted if it turns out that these reserves are not seriously affected. It seems that counsel, for whom we have great respect, are to come here claiming what is really a breach of contract, and say we have broken that contract, when I say that we have for months tried to get particulars which Mr. Wilson himself is not able to give.

Hon. E. BLAKE: That is under clauses 2 and 3?

*Mr. Gully*: Yes. Now, timber may have been removed from the lands in three different ways. First, by the surveys of the Crown—I do not say that it has been done, I shall prove that—but I will put it as a supposition. It might have been done in three ways: First, by surveys of the