

109. Was there any selection given you or right of first selection after subdivision?—Never.
110. They gave them the first right?—And we came in after.
111. *Hon. Mr. McGowan.*] You say you have only 100 acres of coal-bearing land?—Yes.
112. *Mr. R. McKenzie.*] I wish to ask whether you are petitioning for monetary consideration or whether for the ground?—We are applying for the whole area.
113. You are not asking the colony to give you any consideration in the shape of money?—No.
114. I would like to know the area of the two leases that the Department agreed to issue?—“Mines Department, Wellington, 1st December, 1903.—SIR,—Referring to letter No. 1160, of the 6th July last, I am directed to inform you that after inquiry it has been decided not to refuse consent under the Coal-mines Act to the issue of two leases indicated on the accompanying tracing—that is—a lease to the Huntly Prospecting Association of the areas marked B, hatched red, and a lease to the Taupiri Coal-mines (Limited) of the area marked A, hatched blue, on the following conditions: Area B: Royalty, 6d. per ton on all coal sold; rent, 2s. per acre; 1,000 tons of coal to be produced within two years; output for third year 5,000 tons, for fourth year 10,000 tons, for fifth year 15,000 tons, for sixth and following years 20,000 tons. Application can accordingly be made by the prospecting syndicate for the area marked B to the Commissioner of Crown Lands at Auckland, who will deal with it on compliance with the requirements of the Coal-mines Act in respect to payment of deposit, advertising, &c.—I have the honour, &c, H. J. H. ELIOTT, Under-Secretary.—The Secretary, Huntly Coal-prospecting Syndicate, Huntly, Auckland.”
115. *Right Hon. R. J. Seddon.*] On the 29th the company applied?—Yes. There was another applicant, Mr. Hetherington, who made an application a month prior, when he applied for the balance of the lake-area through his lawyer, Mr. Coleman, who acts for him, and I received the following wire just after I left last Thursday: “On inquiry for Hetherington at Crown Lands Office, 26th March, 1903, was verbally informed that an application had been made to lease Lake Wahi for coal-mining purposes.—COLEMAN, solicitor.”
116. You stated that you applied to the Land Board for protection?—Yes.
117. *Mr. R. McKenzie.*] Before that protection expired you applied for a lease of the whole area?—Yes, within a month before the expiry of our protection.
118. *Right Hon. R. J. Seddon.*] And how long after that did the company apply?—The company applied before that—for the balance of Lake Wahi.
119. Your protection only applied for the 100 acres?—We asked for the lake-area. There was nothing granted us.
120. *Mr. R. McKenzie.*] When you applied for a lease you put in a certain deposit amounting to about 3s. an acre on the whole area—£192 15s.?—Yes.
121. These receipts show that your first deposit was on the application for the lease?—Yes.
122. Then you made a subsequent deposit of £170?—Yes.
123. Which was the balance of the money?—Yes.
124. Has the Land Board in Auckland got your money?—Yes.
125. Before that had you received a letter from the Mines Department saying that the Minister had refused his sanction to any leases?—Yes, I received that letter.
126. Did Mr. Mueller and Mr. Hayes go to Huntly to inspect the ground?—Mr. Hayes did.
127. Did they tell you to make a fresh application?—Yes.
128. Did you ever make any fresh application afterwards?—No.
129. Were you satisfied that the extension of protection granted you on the 2nd December, 1902, was sufficient to protect your interest?—Yes.
130. You got that protection on the sanction of the leading Crown controlling officer in Auckland?—Yes.
131. On that protection you depended to safeguard your rights?—Yes.
132. Are you still depending on that protection?—We are.
133. Did you ever get any notice that it was cancelled in any way?—No.
134. *Right Hon. R. J. Seddon.*] Has any one else got any title to the ground?—The Taupiri Company has.
135. *Mr. R. McKenzie.*] Will you read clause 7 of “The Coal-mines Act, 1891”?—Yes [Clause 7 read.]
136. Have you ever consulted a lawyer on this matter?—We are awaiting the decision on our petition, and we feel inclined to prosecute the matter for all it is worth.
137. After having read this clause do you think it would have been better, before petitioning the Government for a review of your case, to have taken legal advice?—We intend to go into the matter further. This is only preliminary. We intend to go further if we do not get satisfaction here.
138. Do you know how many acres of Crown lands the Taupiri Company has?—Yes. Two lakes and Waikato River bed. The Auckland coal ring has 20,000 acres, I think, though it is mostly got from the Natives.
139. *Right Hon. R. J. Seddon.*] Suppose it was possible for the Committee to make a recommendation about giving you more than 300 acres or giving you the land, where would you take it?—[Witness explained on plan.]
140. *Mr. J. Allen.*] Would you rather have money or a further extension of this land?—If there is any coal in it we will follow it.
141. Which would you have, money or more land?—It is coal we want. Will the Crown prospect that area and say there is coal and prove it to us?
142. You know pretty well about this land—you know whether it is coal-bearing or not. Would you sooner have money or land?—I should have to consult our syndicate before answering.
143. *Mr. R. McKenzie.*] You consider that the granting of this lease has affected your interest