

7 The bank put up the said property for sale by public auction through the Registrar of the Supreme Court on the said 25th day of March, 1889, and bought the same for the sum of £5,000.

8. The conduct of the bank was such as practically to deprive your petitioner of his interest in the said property, which, according to the earning-power of money at the time of sale, was worth at least £60,000 more than the debt, though, owing to the stringency of the money-market, it was under the circumstances impossible to make other financial arrangements, and your petitioner is informed and believes there has been realized by way of profit to the Bank of New Zealand, after payment of all principal and interest moneys, at least £200,000.

9 Your petitioner put certain moneys into the venture, and if such moneys had been accumulated at the rate of interest charged by the said bank to him they would have accumulated at the time of the sale to a sum of over £60,000.

Your petitioner never took any money out of the venture he put in, or any interest.

10. Your petitioner submits that it is unfair that an institution such as the Bank of New Zealand should absorb, by the means which have been used in this case, the whole of the money put into the concern by your petitioner, which, with compound interest, would now amount to about £120,000—the whole of the money put in by the Bank—and interest at a high rate, and also a large profit, estimated at over £80,000.

11 Your petitioner humbly prays that your honourable House will take the whole circumstances into consideration, and afford to your petitioner such compensation as justice demands.

And your petitioner will ever pray
Wellington, 30th June, 1910.

G D HAMILTON

MEMORANDUM

RE PETITION OF GEORGE DOUGLAS HAMILTON

THE petitioner, getting none of the redress that was reasonably expected, applied to Parliament, which in 1902 set up a Committee to investigate the case. This investigation was, owing to insufficient time and to the death of one of the Committee, and illness, not concluded. Then, being informed by Mr Hall (one of the Committee, and our member) that one difficulty was the lack of evidence owing to the case not having been before a Court of law (where, under the circumstances, I could not afford to take it), I allowed it to be taken before the Supreme Court. There, after the case had been begun before the Chief Justice, it was not continued for about twelve months. At his advice it was taken to the Court of Appeal. There, apparently by some misunderstanding of my evidence, Mr Justice Edwards delivered judgment to the effect that the whole property was not worth within £8,000 or £10,000 of the advance made by the bank on it. As the attached certified copy shows my account £70,498 13s. to credit, and the bank's valuation has been accepted and carried on at £139,000, the income showing 6 per cent. on this for some years, I ask your investigation into the matter, which is simple, and almost entirely contained in the letters and figures of the bank. As it is, I am left with absolutely nothing for the labour and time of more than fifty years, or for the capital, which I am told by leading accountants amounted at the time of sale (and purchased by the bank at £5,000) to some £60,000.

G. D. HAMILTON

REPORT

ON THE PETITION OF GEORGE DOUGLAS HAMILTON (No. 7), OF MANGATORO, NEAR DANNEVIRKE, HAWKE'S BAY

PETITIONER prays for compensation for loss sustained through the sale of the Mangatoro Run, near Dannevirke, by the Bank of New Zealand, in March, 1889

I am directed to report that your Committee finds the facts to be as follows:—

The petitioner, George Douglas Hamilton, was originally the owner of a property near Dannevirke known as the Mangatoro Run. This property became mortgaged to the Bank of New Zealand on account of money owing and advanced, on which interest at the rate of 8 per cent. per annum was charged. On various occasions, dating from the 18th June, 1884, when a demand for £44,904 3s. was made, the bank pressed for payment by the petitioner of the amount that he owed. On the 6th February, 1889, the Registrar of the Supreme Court was applied to under the provisions of the Property Law Consolidation Act, 1883, to sell the estate, and on the 25th March the property, having been duly advertised, was submitted to auction. It was known that petitioner was heavily indebted to the bank, the amount being £68,000, and it is assumed that this fact, united with the terms advertised, "Cash in one month," rendered competition, at a time when money was scarce and pastoral property depressed, virtually hopeless. The property was consequently knocked down to the bank for £5,000, or a fraction of its value. The bank treated the sale as genuine, took possession of the property, and retained for a time the petitioner as manager. The nature of the sale transaction may be judged from the valuation of the property made among others by the bank's officers:—In August, 1883, Messrs J N Williams and Charles Beetham valued the run at £75,000. In March, 1888, it was valued by Messrs. McCaw and Walter Hunter, inspectors for the bank's estates, at £80,000 and £94,000 respectively. The valuation made by Mr Ferrier