

of your letter of the 4th instant, asking for an explanation of the delay in making payment to you, as authorized agent, of the moneys payable in respect of Mr George Hutchison's claim for refund of amount paid by him to uplift an award as regards confirmed leases under the West Coast Settlement Reserves Act, 1881. In reply, I am directed by the Minister to enclose herewith for your information a copy of a letter dated 20th December, 1907, from Messrs. Skerrett and Wylie, barristers and solicitors, of Wellington, in respect to the claim of a Mr Durie to a portion of the sum claimed as a refund by Mr Hutchison.—I have the honour to be, sir, Your obedient servant, HUGH POLLEN.—J G. Haddow, Esq, Barrister and Solicitor, Acme Chambers, 5 Swanson Street, Auckland. ' The enclosed letter from Skerrett and Wylie reads, ' 71 Lambton Quay, Wellington, N.Z., 20th December, 1907 — Hugh Pollen, Esq, Under-Secretary to Department of Internal Affairs, Wellington.—SIR,—Mr C. A. Durie, of 34 Roy Street, Wellington, has instructed us to write to you with reference to refund by the Government of the moneys paid by various lessees on uplifting the award in connection with the Waitotara leaseholds made in or about the month of March, 1889. We understand that the amount paid for uplifting the award in connection with the lease in which Mr Durie is interested was the sum of £134 17s., which was paid by Mr George Hutchison, solicitor of Wanganui. Mr Hutchison and Mr Durie held one half-share each in the lease, and Mr Durie paid to Mr Hutchison the sum of £67 8s. 6d., being his half-share of the costs of the award. Mr Durie is therefore entitled to receive that sum, but a suggestion has been made by Mr Hutchison that the money all belongs to him. As Mr Durie's claim does not appear in the petition, you would, no doubt, unless instructed to the contrary, pay the full amount to Mr Hutchison, and obtain his receipt therefor. On Mr Durie's behalf, therefore, we have to give you notice not to pay more than one-half the amount to Mr Hutchison, as the remaining half belongs to Mr Durie. If the matter is not shortly settled, we propose to take action in the matter against Mr Hutchison on Mr Durie's behalf. We will be glad in the meantime if you would advise us that no payment will be made by the Government pending settlement of the dispute.—Yours truly, (Signed) SKERRETT AND WYLIE ' You received those letters from the Department of Internal Affairs?—Yes. I should say in justice to Mr Symes that I considered or understood he was fully aware of this matter in regard to Durie. My instructions were, "The Duries had no estate or interest in the land when the reference and award were made, and they in no way contributed to the amount paid to uplift the award. Mr H. Muldrock, Whangarei, is conversant (more than I am) with the details, as they were intrusted by me to him at the time.—G.H. ' Those were my instructions before Mr Hutchison went away

34. Now, did you ultimately receive any moneys from the Government?—Yes, £134 15s., I think.

35. When did you receive that?—In August, 1908, I think. That money was passed for payment, I think, during the session of 1907. It was not paid, owing to this adverse claim, until the following August.

36. That amount was paid to you?—Yes, paid to me.

37. Now, in whose name was the claim made—in Mr Hutchison's or in yours?—In Mr Hutchison's name, and I got a voucher signed by him.

38. Was he then in New Zealand?—Yes.

39. And you paid Mr Symes how much?—Five per cent.—£6 15s.

40. How came you to pay that?—In accordance with my promise to pay him 5 per cent. in my letter

41. Did Mr Hutchison never recover the other amount of £125?—No, the other amount was not recovered. At this time, to be perfectly fair, Mr Hutchison seemed perfectly willing that the other amount should be collected and that the commission Mr Symes had asked for should be paid, because he asked me if I would go on with the matter, but I said I would not because I had already had enough of it.

42. Who asked you?—Mr Hutchison.

43. Did you ever have a letter from Mr Hutchison objecting to the payment of this amount? Yes, about seven months after the payment had been made.

44. When did you say the payment was made?—In August, 1908, I think.

45. Well, look at the letter of the 28th November, 1907, which you received from Mr Hutchison?—That was not objecting to the payment, but objecting to the necessity of the payment. I always objected to the necessity of the payment. It did not concern me. Having promised it on behalf of Mr Hutchison, I had to pay it.

46. Did you get a letter from Mr Hutchison dated 28th November, 1907?—That letter contains only one paragraph concerning this matter

47. First of all, I want to see whether there was not some further correspondence. Will you look at the letter of yours dated 1st August, 1907, to Mr Hutchison?—That would be sent Home, I suppose. I have not got a copy of that. I think I only wrote to him once when he was at Home concerning this matter, but I should recognize anything that was in it.

48. You say you would remember an extract from it?—I should think so. I should remember whether what was quoted to me was correct or not.

49. Have you had any other letters from Mr Symes that you have not shown us with regard to any such questions as this, as to whether he should claim or whether Mr Hutchison was likely to get his money, or anything of that kind?—I believe I have. When Mr Hutchison came back to New Zealand he appeared to be anxious to approach the Government himself in the matter. Well, I did not approve of that, and I think Mr Symes met him when he arrived in New Zealand, and I have a letter from Mr Symes about that. [Letter, Exhibit O, handed in.]

50. The letter is as follows: "Wellington, 8th November 1907.—J G Haddow, Esq, Barrister and Solicitor, 5 Swanson Street, Auckland.—DEAR SIR,—West coast settlement reserves, G. Hutchison's claim. I am just in receipt of yours of the 5th instant *re* the above matter. I