

expression of opinion: and the evidence is, I think, overwhelming that he was right in his opinion.

16th November, H. A. McNeil had a number of men upon this property, and these did some staking, leaving certain blanks, as it was doubtful who would go to the Recorder's office to record the claim. One Labrick came to the property on the next day, and it was decided that he should record.

18th November, Lebrick does record the claim for H. A. McNeil; upon the same day McNeil files a dispute of Plotke's application No. 10263.

5th December, it is alleged that Douglas made a new discovery and staking for Plotke, and this is recorded on 6th December as No. 10332 1-2.

In respect of this claim the Commissioner in the same judgment (27th December, 1907), says: "I have no hesitation in saying that if I considered the matter open to me to determine upon this appeal, I would have no hesitation in finding that application No. 10332 1-2 should not have been recorded." It appears, however, that the application in question was afterwards inspected (20th January, 1908), and valuable mineral found, as appears by the Inspector's report filed 10th February, 1908.

6th December, it is said that H. A. McNeil again staked; but this staking was not followed up by any claim, and it does not seem to have been based on any discovery.

6th December, the Recorder dismissed the dispute of McNeil against claim 10263.

12th December, McNeil takes an appeal from this decision to the Commissioner.

20th December, upon this matter coming before the Commissioner, it came to the notice of McNeil that the Recorder had recorded application No. 10332 1-2, whereupon he appealed against that act, and the two appeals came on together on 23rd or 24th December.

Upon this day the evidence was retaken before the Commissioner, and upon the proceedings it is alleged that the Commissioner said or suggested that neither Plotke nor McNeil might be entitled to the property. One Everall hearing this, it is said, determined to try to procure the property for McCully and others. He went there 24th December, the snow being a foot and a half deep, so deep that it was impossible to make a discovery perhaps—at all events he found McNeil's shaft 12 feet deep, found a vein shewing at 10 feet