

Q I understand, from your own knowledge that ^KCapoose was in occupation of certain land that was not Indian Reserve; that he had extensive improvements on that land and he was afraid that that land might be taken up by white men by pre-emption or purchase, and, in order to save himself and with the concurrence of the Indian Commissioner, then Mr Vowell, he arranged with a man named Hammer, to pre-empt the land, with a view to a transfer of the Title to ^KCapoose after the lapse of the period required by the law for a pre-emptor to have right to get Title - is that correct?

A That is correct.

Q As a matter of fact the improvements were made before that agreement was come to?

A I know they were.

Q Well then, how does Brynildsen come into the affair?

A This was for a forty-acre block upon which the houses were.

Q Did Hammer get a Crown Grant for the land?

A I think so.

Q Do you know?

A According to statements from the Land Office I think it is stated in the schedule for additional lands.

Q When did Brynildsen come in?

A He bought the land from the original pre-emptor, that is the 40-acre block upon which ^KCapoose's houses and stables were on, but the land is no good, it being nothing but gravel.

Q Did Brynildsen have any understanding with ^KCapoose when he purchased the land from Hammer?

A I think so. Whether the arrangement was made with Mr Hammer or with Mr Brynildsen I don't know. Of course I only know what Brynildsen says and what ^KCapoose says, but they both agree that Brynildsen holds this land for ^KCapoose.

Q For the reason that Hammer pre-empted it for ^KCapoose?

A Yes.

MR COMMISSIONER SHAW: Did this 40 acres include the whole of Lot 253, or only a part of it?

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