

1889.

## NEW ZEALAND.

# LAND TAKEN FOR DEFENCE PURPOSES AT POINT RESOLUTION, AUCKLAND

(MINUTES OF PROCEEDINGS OF, AND EVIDENCE TAKEN BY, ROYAL COMMISSION TO INQUIRE INTO).

*Return to an Order of the House of Representatives, dated 4th July, 1889.*

*Ordered, "That the evidence taken by the Commission on the Point Resolution inquiry be laid before this House."—(Sir G. GREY.)*

## MINUTES OF PROCEEDINGS.

FRIDAY, 5TH OCTOBER, 1888.

THE Commission met at 11 o'clock a.m., at the Harbour Board Office, Auckland.

*Present* : The Commissioners, Dr. Giles and Colonel Roberts.

The Secretary having read the Commission,

Dr. Giles said that, in pursuance of the Commission, the Commissioners had given notice to the particular parties who would appear to be affected by the result, so far as they could gather from the papers put into their hands by the Government. They had given notice to Mr. and Mrs. Kissling, also to the Secretary of the Church Trust Board, and to Mr. Brewer, the officer who conducted the negotiations. Those appeared to be the principal parties concerned in the matter, and the Commissioners would be glad to see them appear, or be represented in some way, at the Commission. They also found, on reference to *Hansard*, that subsequently to the falling-through of the Bill in the Upper House Sir George Grey brought the Point Resolution purchase question up again, and stated that further facts would be brought out. It seemed from the *Hansard* report that the Premier, in reply to a question, expressed some doubt whether a Commission should be appointed or not, but if there was reason to suppose that further facts would come out the Government would appoint one. Sir George Grey said that further facts would be brought out if an inquiry were instituted, whereupon Sir Harry Atkinson said in that case a Commission would be appointed. Of course, the Commissioners would invite Sir George Grey to refer them to any sources of information which might be in his possession, and to any further facts; and they would be happy to hear any suggestions from any parties present, or from any counsel or persons who might represent parties interested. The Commissioners had decided to begin by taking Mr. Mackay's evidence, because he was likely to be called away soon; and they proposed, if no reason to the contrary were shown, to take his evidence presently, and then, perhaps, adjourn till Monday, and to-morrow go to the ground and examine the different parcels and allotments of land. Were there any parties present who were concerned in the inquiry?

Mr. Brewer said he was present, but he was not represented by counsel.

Mr. Mahony (of Hill and Mahony, solicitors) said he appeared to represent Mr. and Mrs. Kissling.

Dr. Giles asked if there was no one present on behalf of the Church Trustees. He understood from Mr. Hesketh that he would appear for them. Perhaps he would before the inquiry was over. (To Mr. Mahony): He supposed Mr. Kissling understood that his evidence would be wanted during the inquiry, though not necessarily on that day.

Mr. Mahony said Mr. Kissling was at the service of the Commissioners, and was ready to give evidence when required. The Commissioners said in their notice that Mrs. Kissling could attend. She had not accepted the invitation, because it was thought her presence was not of any value. If it were necessary, however, she would attend.

Dr. Giles said the Commissioners did not understand that Mrs. Kissling had any evidence to give; but she was the purchaser, and therefore they sent her a notice.

Sir George Grey asked if there would be any objections—as it appeared the Trustees were in no way represented—if counsel represented the destitute children themselves.

Dr. Giles: That is, the persons for whom the trust was granted?

Sir George Grey: Or to represent me, as the original founder?

Dr. Giles: I do not see any objection to it.

Mr. Mahony submitted that only those who were immediately parties to the inquiry ought to be represented, otherwise the number of people represented might practically be limitless.