

1260. What was the valuation he made?—I have no written valuation, but he told me that he reckoned the fair value of the property was £1,250 an acre.

1261. Was it on that basis of valuation that you claim your valuation?—It was that, and, if I remember aright, I asked Mr. W. Aitken too if he considered that was a fair valuation.

1262. Did he assent to that?—I think so.

1263. Did Brewer say that he would get any independent valuation, or consult with anybody to see whether £6,000 was a fair claim?—I do not remember his doing so.

1264. Do you know whether he took any steps to satisfy himself that £6,000 was a fair claim?—I do not know.

1265. You said that you agreed that a valuation should be made by Waymouth. Do you mean merely the apportionment of the respective interests?—Yes; the valuation of the Trustees' interest.

1266. But Waymouth did not value the land?—No; he had nothing to do with the valuation of the land.

1267. The £6,000 Waymouth mentions in the letter—that was the sum communicated to him as the basis on which he was to reckon the value of the respective interests?—Yes.

1268. This is headed "Adjustment of the Value of the Land recently taken by the Government:" so that it is obviously merely an adjustment?—Yes, clearly so.

1269. Did you submit it to Mr. Upton as merely an adjustment of interests?—No; I submitted it to him as the basis on which the thing was being taken.

1270. This letter says, "You purchase the land from the Trustees for £6,000:" did you not know that the Trustees had no power to sell?—I have already said that I told Upton that Waymouth had made a mistake in saying that: that he had put it the wrong way on; that the Trustees had no power to sell.

1271. You knew that the Trustees had no power to sell?—Yes.

1272. And you knew Upton knew it?—Yes.

1273. How can you say that, because you showed Upton the letter, that he understood you were to get a reconveyance of the freehold?—Because the letter says so distinctly. It says here, "I am to purchase the property."

1274. That is a mistake?—I told him that was a mistake. I told him the Government would have to take the property and hand it back.

1275. Did you say that?—Yes; I told him that the Government would have to take the property and hand it back.

1276. You state distinctly that you told Upton that the Government would have to take the whole of the property and hand you back a portion?—I told him that it was done the wrong way; that the Government would have to take the whole of the property.

1277. But did you add anything for the purpose of giving him to understand that the Government would hand the rest to you?—I did not add anything, but this letter clearly states it.

1278. You said you told him this letter put it the wrong way about: that they would have to take the whole of it and hand the balance back. Did you say that?—I said to him distinctly that Waymouth was wrong; and if this arrangement was to be carried out the Government would have to take the property, and that it would have to be done in that way.

1279. The arrangement here is merely the respective interests in a sum of £6,000?—The arrangement, I understand, in that letter is clearly this: that three-fourths of that property is to come back into my hands.

1280. It does not say so?—I think it is as clear as can be.

1281. There is a sum of £1,500 mentioned here as being the value of one-fourth of the land?—Yes.

1282. One-fourth of the land would be an acre and a quarter nearly?—I did not give the exact area of the land. I thought it was about a fourth.

1283. And the value of the fourth is assessed here at £1,500?—Yes.

1284. Then, did you at that time reckon that the value of a fourth of the land; freehold and leasehold, was £1,500?—No; but that that portion was which was taken away. The damage done to the remainder of the property by taking that portion was a great deal more than £1,500.

1285. Then you assessed a sum for the damage done to the remaining property by the taking of that piece?—The piece runs right in front of the house, and takes the frontage to the water, and therefore damages the rest of the property more than any other piece that could be taken from it.

1286. And the whole frontage?—It takes the frontage to the sea in front of the house.

1287. The house is a wooden one?—Yes.

1288. And could be removed, I suppose?—I do not know.

1289. I mean, shifted ten or twenty feet?—ten or twenty feet would not make much difference in improving the view. Besides, the ground is broken there.

1290. Do you wish us to believe, then, that you substantially made Upton aware of the fact that you were going to get back  $3\frac{1}{2}$  acres of the land?—I had no doubt in my own mind that Upton should understand that from that letter.

1291. Did you not tell Upton fully the facts, that what you wished done was that the Government should take the whole of the land, and that Mrs. Kissling should get back  $3\frac{1}{2}$  acres?—I do not think we had any long discussion over the matter further than what I have stated.

1292. Seeing that the letter was wrong in a most important feature, did you not then verbally convey to Upton what was the arrangement made?—There was no arrangement made then.

1293. Or contemplated?—I handed him that letter, and told him that was the arrangement contemplated. I told him what was wrong with regard to the mode of proceeding.

1294. You see the scheme proposed by Waymouth was wrong—that you were to purchase the land from the Trustees, which you knew they had no power to allow: seeing that that was wrong, and that you wished him to gather the truth from the letter, and called his attention to what was